

2677571

SANTA FE
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

July 29, 2003



Jack Sullivan, Chairman
Paul Campos, Vice Chairman
Paul D. Duran
Michael D. Anaya
Harry B. Montoya

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COUNTY OF SANTA FE } 95
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 1 DAY OF July A.D.
20 03 AT 5:27 OF CLOCK a.m.
AND WAS DULY RECORDED IN BOOK 2677
PAGE 594-699 OF THE RECORDS OF
SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.
Marcelle [Signature] DEPUTY

SANTA FE BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Administrative Items)
July 29, 2003 10:00 a.m.

Amended Agenda

2677572

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
 - A. Amendments
 - B. Tabled or Withdrawn Items *June 24, 2003 & July 8, 2003*
- V. Approval of Minutes *June 10, 2003*
- VI. Matters of Public Concern - Non-Action Items
- VII. Matters from the Commission
 - 5-01* A. Resolution No. 2003 *Amended* A Resolution to Authorize an Election for Voters to Decide on the Question of Licensing for the Sale of Beer and Wine in Restaurants within the Unincorporated Area of Santa Fe County
 - June 10* B. Personal Invitation to all Commissioners from the Santa Fe County 4-H to the Santa Fe County Fair to be held on August 3 - 10
 - June 10* C. Proclamation Recognizing the 100th Year Birthday of Amalia Romero Montes and Her Contribution to Her Family and Community
- VIII. Committee Appointments/Reappointments/Resignations
 - June 10* A. Appointment of New Members to the Santa Fe County DWI Planning Council
 - June 10* B. Appointment to Maternal and Child Health Planning Council
 - June 10* C. Resignation of Members from the Santa Fe County DWI Planning Council
 - June 10* D. Resignation of Member from the Maternal and Child Health Planning Council
- IX. Presentations
 - June 20* A. Santa Fe County Health Policy and Planning Commission (HPPC) "A Call to Action" Health Plan Priorities and HPPC Recommendations to the Memorandum of Agreement (MOA) Progress Review Committee Concerning MOA Funding Priorities
 - B. Quarterly Report from Santa Fe County Community Partnership, Contract #23-079-CHDD, for the Period from April 1, 2003 through June 30, 2003
 - C. Staff Presentation and Update on the Open Space and Trails Program
- X. Consent Calendar
 - Amended* A. Resolution No. 2003 *Amended* A Resolution Requesting an Increase to the General Fund (101)/Maternal & Child Health Program to Budget a Grant Received

from the Frost Foundation for Expenditure in Fiscal Year 2004 (Community & Health Development Department)

B. Approved

Resolution No. 2003-~~4~~⁴ A Resolution Requesting a Transfer from the General Obligation Bond (GOB) 1997 Series Fund (350) to the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)

C. Approved

Resolution No. 2003-~~4~~⁴ A Resolution Requesting a Transfer from the Open Space General Obligation Bond (GOB) 1999 Series Fund (385) to the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)

2677578

D. Approved

Resolution No. 2003-~~1~~¹ A Resolution Requesting a Transfer from the General Obligation Bond (GOB) 2001 Series Fund (353) to the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)

E. Approved

Request Authorization to Enter into Amendment No. 10 to the Professional Service Agreement #20-0052-F1 with Rick Johnson & Company, Inc., for Lodger's Tax Advertising and Promotional Services (Finance Department)
Moved to Finance Department

F. Approved

Resolution No. 2003-~~4~~⁴ A Resolution Requesting an Increase to the EMS - Healthcare Fund (232)/Emergency Preparedness Program to Budget Grants Awarded through the New Mexico Department of Public Safety Office of Emergency Services & Security for Expenditure in Fiscal Year 2004 (Fire Department)

G. Approved

Resolution No. 2003-~~1~~¹ A Resolution Requesting an Increase to the General Fund (101)/Intergovernmental Summit to Budget Prior Fiscal Year 2003 Cash Balance for Expenditure in Fiscal Year 2004

H. Approved

Resolution No. 2003-~~1~~¹ A Resolution Requesting an Increase to the General Fund (101)/Region III Grant Program to Realign the Fiscal Year 2004 Budget with the Revised Budget as Approved by the New Mexico Department of Public Safety (Sheriff's Office)

XI. Staff and Elected Officials' Items

A. Finance Department

Approved

1. Resolution No. 2003 - A Resolution Requesting Final Approval of Operating Budget for Fiscal Year 2004 as Presented to the New Mexico Department of Finance and Administration, Local Government Division

Approved

Resolution No. 2003-~~2~~² A Resolution Requesting Approval of Option to Call for Full Redemption of the \$1.5M Santa Fe County 1993 Environmental Gross Receipts Tax Revenue Bond
Request Authorization to Enter into Amendment No. 10 to the Professional Service Agreement #20-0052-F1 with Rick Johnson & Company, Inc., for Lodger's Tax Advertising and Promotional Services (Moved from Consent)

B. Land Use Department

Approved

Request Direction for Inclusion of Portions of the Airport Development District as the "Redevelopment District" in the Santa Fe Metro Area Highway Corridor Ordinance

C. Project and Facilities Management Department

Hand
1. Request Approval of Easement Agreement between Santa Fe County, Rancho Viejo limited Partnership and Rancho Viejo Inc. for Approximately 7.15 Acres of Trall Easement to Develop Spur Trall between the Richards Avenue and the Rail Trall in the Community College District TABLE

Hand
2. Request Authorization and Acceptance of Amendment No. 2 to the Professional Service Agreement with H.T.E. Incorporated for the County's Operating System 2677574

D. Public Works Department

Hand
1. Request Authorization to Enter into an Agreement with the Eldorado Community Improvement Association Inc. (ECIA) to Construct a Multi-Use Pathway in County Rights-of-Way on Avenida Eldorado and Avenida Casa De Oro

Hand
2. Resolution No. 2003-21 A Resolution to Resume County Maintenance on Calle Victoriano (County Road 21) between County Road 26 and State Road 472 and Replace on the County Road List

Hand
3. Request Authorization to Enter into a Lighting Agreement with the New Mexico Department of Transportation (NMDOT) for County Road 73 and US 285 Interchange

Hand
4. Request Approval of Amendment No. 1 to the Memorandum of Understanding #23-50-PW with the City of Santa Fe for Recycling Services to Increase the Total Compensation in FY 04

Hand
5. Discussion and a Schedule for Developing a Traffic Calming Policy for Santa Fe County

E. Utilities Department

Hand
1. Request Authorization to Open and Pursue Discussions with Third Parties Towards the Acquisition of Ground Water Sources and/or the Terms and Conditions Under Which Groundwater Sources May Be Developed on the Property Owned by a Third Party

Hand
2. Request Authorization to Implement the Following: Increase Residential and Non-Residential Water Service Rates; A Monthly Standby Service Charge; A New Meter Connection Fee; and; Adopt Santa Fe County Ordinance 2002 - 13, Water Conservation Ordinance as SFCWU Policy No. 23 AMENDMENT

F. Matters from the County Manager

Hand
1. Consideration of Amendments to the First Amendment to the Operation and Maintenance Agreement for the Santa Fe County Adult Facility with Management and Training Corporation (MTC)

G. Matters from the County Attorney

1. Executive Session
 - a. Limited Personnel Issues
 - b. Pending or Threatened Litigation

XII. PUBLIC HEARINGS

A. Project and Facilities Management Department

1. Final Public Hearing and Adoption of Resolution No. 2003 - A Resolution Authorizing and Supporting the 2004 - 2008 Santa Fe County Infrastructure Capital Improvement Plan

XII. ADJOURNMENT

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

2677575

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

2677576

July 29, 2003

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:00 a.m. by Chairman Jack Sullivan, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:
Commissioner Jack Sullivan, Chairman
Commissioner Paul Campos
Commissioner Paul Duran
Commissioner Mike Anaya
Commissioner Harry Montoya

Members Absent:
[None]

Reverend Deacon Martin Gallegos from St. Anne's Catholic Church gave the invocation.

IV. Approval of the Agenda

- A. Amendments
- B. Tabled or withdrawn items

CHAIRMAN SULLIVAN: Gerald, do you have any additions or tablings?
GERALD GONZALEZ (County Manager): Mr. Chair, we have some additions and some tablings. Under Presentations, item number E has been moved to Staff and Elected Officials' Items, Finance Department and it now becomes item three there. We have a tabling under section XI. Staff and Elected Officials' Items of the Project and Facilities Management Department, item 1, that's been withdrawn or tabled rather. And then, under Utilities Department, same section, E. 2, we had an amendment in the wording there but the item still is

on the agenda.

CHAIRMAN SULLIVAN: You said under Presentation, item E was moved to Finance. I think you meant under the Consent Calendar item E.

MR. GONZALEZ: That's correct. My apologies.

CHAIRMAN SULLIVAN: To XI, under the Finance Department as number 3.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: You said under Presentations, item B?

CHAIRMAN SULLIVAN: No, that was an error. He said item E under Presentations but there is no E under Presentations.

MR. GONZALEZ: Yes. It was Consent Calendar.

CHAIRMAN SULLIVAN: It was Consent Calendar.

COMMISSIONER ANAYA: And where are we moving that?

CHAIRMAN SULLIVAN: Under the Finance Department, just down on the same page.

COMMISSIONER ANAYA: Okay.

MR. GONZALEZ: It now becomes item 3.

CHAIRMAN SULLIVAN: It should be on your amended agenda in red.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: If we could move, under Public Works Department, item number 2, right after Matters from the Commission. We have some people here from the Stanley area. There's about 15 people here. I'd like to hear that item.

CHAIRMAN SULLIVAN: There's 15 people in Stanley? They're all here then.

COMMISSIONER ANAYA: They're all here.

CHAIRMAN SULLIVAN: All of Stanley is here. Well, welcome this morning. Glad to have you here.

COMMISSIONER MONTOYA: Move it where, Mr. Chair?

CHAIRMAN SULLIVAN: After Matters from the Commission.

COMMISSIONER ANAYA: And Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Under Public Hearing, Project and Facility Management Department. I know this is going to be a long meeting but maybe we could open it up for discussion at certain periods of time, and then we could -- because I know there's going to be some people here for that.

COMMISSIONER CAMPOS: What was the item?

CHAIRMAN SULLIVAN: XII. A.

MR. GONZALEZ: XII. A. 1, the last item on the agenda. If we could just open it up at certain periods of time in case people show up. Then we could hear them and then we could make our decision at the end of the meeting. If that's okay with you, Mr. Chair.

CHAIRMAN SULLIVAN: Okay. And how will we know that the people are

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here?

COMMISSIONER ANAYA: Well I know that there's going to be some people here from Stanley and maybe these people might want to comment too.

CHAIRMAN SULLIVAN: Well, maybe, there's certainly no problem if the people from Stanley wanted to also make comments about the capital improvement plan. Is that all right with the Commission?

COMMISSIONER MONTOYA: Sure.

CHAIRMAN SULLIVAN: We can do that if you like during Matters of Public Concern also. If you would like to do that. If people need to get back.

COMMISSIONER ANAYA: I don't see the people here that were going to comment.

CHAIRMAN SULLIVAN: Okay, why don't you just flag us when we get there.

COMMISSIONER ANAYA: I will.

CHAIRMAN SULLIVAN: Okay, other than the amendments you have on your handout. We just have one item moved, which is item XI.D.2 to after item VII. C.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: I'd like to move item VII. C up to item VII. A, if we could move it in that order.

CHAIRMAN SULLIVAN: Okay. C and then A and then B. C first.

COMMISSIONER MONTOYA: Yes.

CHAIRMAN SULLIVAN: Is that okay with the Commission? They're trying to get us early in the morning. Okay, those two changes then. I'll take a motion.

COMMISSIONER CAMPOS: Move to approve the agenda as amended.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: Motion by Commissioner Campos, second by Commissioner Montoya.

The motion to approve the agenda as amended passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

IV. Approval of the Minutes: June 10, 2003

CHAIRMAN SULLIVAN: The first set of minutes we have is from the regular meeting of June 10, 2003. I have some administrative or editorial changes that I've given to the recorder. Does anyone else have any amendments or changes they'd like to make to those minutes?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner.

COMMISSIONER ANAYA: Hearing none, move for approval.

CHAIRMAN SULLIVAN: As amended.

COMMISSIONER ANAYA: As amended.

CHAIRMAN SULLIVAN: Motion for approval as amended.

COMMISSIONER CAMPOS: Second.

CHAIRMAN SULLIVAN: Second by Commissioner Campos, motion by
Commissioner Anaya.

COMMISSIONER CAMPOS: Mr. Chair, just a question for staff.

CHAIRMAN SULLIVAN: Question.

COMMISSIONER CAMPOS: Who is reviewing these minutes before they
come to the Commission to make sure they're consistent with what actually happened at the
meeting? Is anybody doing that on staff? The Clerk's office doesn't do it. Manager?

MR. GONZALEZ: Mr. Chair, Commissioner Campos, there is no review.
There has not been a review process in the County Manager's office either.

COMMISSIONER CAMPOS: You know, I've asked about this months ago to
see if somebody from staff, maybe a year ago or so, was actually looking at the minutes just to
make sure they were consistent. I was told that there was something. That somebody was doing
it. Now, I don't know. I think it's important because this becomes the official record.

[Rebecca Bustamante, County Clerk, responds away from the microphone.]

MS. BUSTAMANTE: In accordance with the law, we do verbatim minutes. In
my review of them, the minutes, there have never been any substantial changes. There have
only been changes in regard to typos. And when you're doing verbatim, the kind of typos we
have, they're very limited. I know that we have a few Commissioners who just read their own,
but they cannot make the changes unless it was actually what was said on the tape.

COMMISSIONER CAMPOS: I understand.

MS. BUSTAMANTE: I do go back and review the tape.

COMMISSIONER CAMPOS: But the question is, for example, let's say, votes.
Do you review that the votes were X, that the votes were 3-2, 5-0, whatever it was on a
particular item. I know there could be small errors on a verbatim.

MS. BUSTAMANTE: Yes, we have. Yes, we do. And they're verbatim.

COMMISSIONER CAMPOS: Do you do that regularly? Is the Clerk taking
responsibility for that?

MS. BUSTAMANTE: No, I don't, because they're verbatim. When it has been
questioned, I've gone back and listened to the tape. I'm happy to do that. On the times that I
have reviewed them there have never been any mistakes in regard to that because we do
verbatim.

COMMISSIONER CAMPOS: Well, I think that there should be someone doing
it, either Clerk's office or Mr. Gonzalez.

MS. BUSTAMANTE: Well, that is my responsibility and I'll make sure that we
do that from now on. Thank you. But I am concerned, when we do amend editorials, because
we cannot make any editorial changes; we can only make typo changes.

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COMMISSIONER CAMPOS: I agree, I think you're right on that.

MS. BUSTAMANTE: Thank you.

CHAIRMAN SULLIVAN: Okay, other discussion on the motion, which is to approve the minutes as amended of June 10, 2003?

The motion to approve the June 10th minutes passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

June 24, 2003

CHAIRMAN SULLIVAN: Do we have any corrections or additions?

COMMISSIONER MONTOYA: Mr. Chair, I have a couple I'll give to the Clerk, I guess.

CHAIRMAN SULLIVAN: Okay, to the recorder. All right. We have some editorial changes that Commissioner Montoya will propose. Any others? If not then, what's the pleasure of the Commission?

COMMISSIONER ANAYA: Move for approval as amended.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: Motion for approval and a second as amended, by Commissioner Anaya, seconded by Commissioner Montoya.

The motion to approve the June 24th meeting minutes as amended passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

July 8, 2003

CHAIRMAN SULLIVAN: Are there any amendments? Seeing none, we'll entertain a motion.

COMMISSIONER MONTOYA: Move approval.

COMMISSIONER CAMPOS: Second.

CHAIRMAN SULLIVAN: Motion by Commissioner Montoya, seconded by Commissioner Campos.

The motion to approve the July 8th minutes as submitted passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

VI. Matters of Public Concern - Non-Action Items

CHAIRMAN SULLIVAN: Is there anyone who would like to speak on an item that is not on the agenda today? These are non-action items. We would be glad to hear you at this time. Yes, sir.

BILL MCKINSTRY: Yes, my name is Bill McKinstry. I'm with the Santa Fe

2677581

Youth and Family Center Consortium, known as Zona del Sol. And I have a handout for you. We were wanting to make a brief presentation to you this morning to tell you who we are and first I want to describe who the organization is. It's a consortium, it's a non-profit organization that is a consortium of other non-profit organizations and public agencies. And the composition is the different entities that are part of this consortium are the Children's Museum, Warehouse 21, Girls, Incorporated, Catholic Charities, Santa Fe YMCA and the Tierra Contenta Corporation. Also the Public Schools and the City of Santa Fe are also partners in the consortium. So it's a total of eight entities.

We also have on our board of directors four community representatives. One is Carmichael Dominguez, one is Carol Brito, one is Jessica Sutton and Peggy Vasquez. In addition to that, we have some informal partners that are not actually formally members of the consortium but who have worked with us and are loosely connected and are willing to work with the consortium on providing services, and that includes Big Brothers, Big Sisters of Santa Fe and Northern New Mexico, and Project Ser, and La Familia Medical Center. I also have some representatives here that I wanted to introduce. We have Courtney Mathey, who is an architect working on this project and he has this model here that he is going to explain to you. We also have in the audience Laundry Carbajal from the Children's Museum how is also the president of the consortium and Anna Gallegos y Rheinart with Warehouse 21, who is the project director, and also Chip Lillianthal from the City. He's not a member of the consortium, but he's very actively involved in the work with Public Works in the City on working on constructing this center.

Now, the history of this is it started about five or six years ago out of, mainly out of need. A group of youth providers, a youth providers coalition determined that this was the number one -- well, the area that we're talking about is Tierra Contenta and southwest part of Santa Fe. They determined that this was not only the most rapidly growing area in the community but also, it has, according to the census in 2000, it has the highest ratio of children under age 18 in households than any other census tract in the city or county. And there's absolutely no services. At the time that this was started there were no services and no services planned.

So the group of the partners in the youth providers coalition formed this organization called Santa Fe Youth and Family Center Consortium and it has now become a 501(c)(3) organization and is able to raise money and receive donations and deliver services. The vision it to have a multi-purpose community center located in Tierra Contenta. The land has already been purchased. It's 5.4 acres of land and to build a comprehensive community center that offers an array of services of all these different organizations with the idea of bringing them to the community because all the organizations have services that are going on in other parts, mostly the downtown area of Santa Fe. This would be to bring the services of groups like the Santa Fe Teen Art Center and the Children's Museum and the YMCA and actually locate their facilities in the Tierra Contenta area.

We've received, as the handout we presented shows, we received praise from the City for this public/private partnership. It's a very unusual partnership. We're not aware of anything

else in the whole United States that is this kind of collaborative effort of non-profit organizations to deliver services in one place, in an integrated manner. 2677582

CHAIRMAN SULLIVAN: Excuse me just a minute. I don't mean to interrupt you, but on the Matters from the Public we have a limited time period. I don't know how long your planned presentation is this morning. If you have a lengthy presentation we can schedule in to a future agenda. Do you have some concept of how long your presentation will be?

MR. MCKINSTRY: I was just about wrapping up. And then I wanted Courtney to explain a little bit about the model and when we'll be finished.

CHAIRMAN SULLIVAN: Okay. Fine. Thank you very much. I didn't know if you understood how our procedures are.

MR. MCKINSTRY: Thank you. And thank you for the opportunity for us to have this time.

CHAIRMAN SULLIVAN: Sure. Go ahead.

MR. MCKINSTRY: I just wanted to say that we've received funding for phase 1 of this project from the City of Santa Fe CIP monies and we've also received support from the City in the past on CDBG funds. And this year, for the first time we were able to get legislative appropriation of capital outlay funds with the cooperation of four legislators, Senator Roman Maes, Senator Nancy Rodriguez -- this is in her district -- Representative Jim Trujillo, it's also in his district, and Representative Max Coll. And all four of those legislators combined were able to come with an appropriation of capital outlay funds. So we're set to build phase 1, but this is a very ambitious project and we have about four more phases to go. The reason for coming before you this morning is to make you aware of it and hopefully we can get some involvement with the County, either your public support or perhaps some financial support or even become a partner in this consortium to help us go on and achieve this goal of building this center. And then I just wanted Courtney to explain a little bit about the layout, the design of this project.

COURTNEY MATHEY: This is a 5.4-acre site out at the intersection of Country Club and Jaguar. This is where the new public library is slated to go and this is our 5.4-acre site. What we're looking at is an ultimate development of about 53,000 square feet of office and service space for different non-profits. We have a little over \$400,000. We're going to be starting on phase 1, which will be built within this year, a 3,000 square foot multi-purpose space that will provide lots of different services for the community. We have different spaces that as you can see are allocated towards different non-profits over the course of time and this is a conceptual model.

But just briefly, we anticipate that Girls Incorporated, a multi-use building here, additional facilities for a children's museum. This is 8,000 square feet for other non-profits that have not joined in. A future YMCA project here and a 6,000 square foot teen center here. And one thing I do want to mention is a couple years ago when we had met with the County, the County had really expressed interest in maybe developing a teen center for this project. So maybe there would be some aspect of this project where the County could help participate in the implementation and creation of this. Being where it's sited, it's going to serve citizens of the

2677583

city limits but also a whole lot of people in the county because it's very accessible out there off of Airport Road and the Tierra Contenta area. Any questions?

CHAIRMAN SULLIVAN: Questions for --

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: About a year ago I met with the Zona del Sol people and I'm glad to see that you're here, coming forward with it and starting on phase 1. I think it's a good project for the people out in that area, in my district. So thank you very much.

MR. MCKINSTRY: Thank you, Commissioner Anaya. Yes, we were aware that you knew about us. We wanted the rest of the Commission to be aware.

CHAIRMAN SULLIVAN: The question I had, are these properties leased to the user organizations or do they purchase lots, or who manages the overall property?

MR. MCKINSTRY: We have an overall business plan of how we're going to manage. It's going to be a combination of things. There are going to be some services that are delivered by the consortium as a whole with people providing different resources from their respective agencies. And then there's going to be some parts of the center that will be leased out and that one particular agency will run all of that.

CHAIRMAN SULLIVAN: Further questions? Commissioner Montoya.

COMMISSIONER MONTOYA: Have you applied for CDBG funds in the past from the County?

MR. MCKINSTRY: No. No, we have not. We would like to.

COMMISSIONER MONTOYA: I would suggest that there's some staff here that you might want to talk to about potentially doing that.

MR. MCKINSTRY: Especially since we've had, I think three years of City CDBG monies and now we're told that we're not getting any more.

COMMISSIONER MONTOYA: We could explore something. I don't know if it's possible or not to do that.

CHAIRMAN SULLIVAN: Any other questions? Well, thank you very much.

COMMISSIONER ANAYA: Thanks, Bill.

CHAIRMAN SULLIVAN: Is there any other individual who would like to come forward under Matters of Public Concern? Before we get into that, let me back up just a minute, Gerald. We have an executive session today and we need to figure out when to hold it. One of the items that I believe we need to decide on interviewing a couple of candidates for one of the positions and my thought was maybe we could have the first part of the executive session just before we break for lunch and then decide amongst ourselves which candidates we'd like to interview to give Laura time to contact them, and then continue the executive session after lunch. That's just a thought. Does that work?

COMMISSIONER ANAYA: Mr. Chair, I didn't know we were going to interview the people today. I thought we were just going to talk about a process. But if we want to interview people that would be fine.

CHAIRMAN SULLIVAN: We can do either. We can discuss who we want to.

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We are short on time today, there's no question about it but at least to let them know we are moving forward as quickly as we can.

COMMISSIONER ANAYA: Maybe we could go into executive session for lunch, talk about it --

CHAIRMAN SULLIVAN: We're going to break for lunch. So we have to decide what we're going to do. We could have executive session just prior to lunch and we'll decide if we're going to interview them right after lunch or if we're going to interview them at a later date and figure out when that date is. Is that what you had in mind?

MR. GONZALEZ: I'm just concerned, I think from a staff standpoint, the Finance Department just needs to know where we end up in order to allow us to certify the final budget to DFA. So whatever decision the Commission may make could impact that final budget and if we could have that solidified before we move on the budget that would be helpful, I think from a Finance Department standpoint.

CHAIRMAN SULLIVAN: Okay. At least we can give you a decision that someone will be hired and what the salary level will be and that, depending on what the Commission wants to do, whether they want to do it today or at some other convenient time. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chair, I think that all these folks have been contacted and they're going to be available this afternoon. So I think, I know Commissioner Anaya has been in a big hurry to move on this and I don't see why we can't do it today.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I didn't know that they were all contacted and aware of what we were doing. So if they were contacted and we can move on it, let's do it.

CHAIRMAN SULLIVAN: Okay. We'll decide that in executive session, but the resume lists were passed out and the individual that you were interested in and the others, we came up with a list. That may be too many to interview and so we need to decide a short list cut down, I think. Then have ten-minute interviews or something like that.

COMMISSIONER ANAYA: So we'll break at 11:30?

CHAIRMAN SULLIVAN: Maybe 11:45.

COMMISSIONER ANAYA: 11:45.

CHAIRMAN SULLIVAN: Okay. If we're all on board on that, I just want to be sure so staff could plan for that. Excuse me, ma'am. I'm sorry we had to do a little housekeeping there.

NANCY SOL: That's fine.

CHAIRMAN SULLIVAN: Would you go ahead please.

MS. SOL: Good morning. I'm Nancy Sol from Stanley, which is the southern part of Santa Fe County, for those who don't know.

CHAIRMAN SULLIVAN: It used to be my district. I love Stanley. I just try to joke about it whenever I can with Commissioner Anaya. It's a wonderful place.

MS. SOL: My husband and I are here in support of Mr. Garcia's and

2677585

Commissioner Anaya's proposal of a facility in Stanley that would provide meeting places for 4-H, scouting, FFA, senior citizens and other events and recreation for the youth. Currently, there is nothing available within the area for our children, for our youth to do, so we are encouraging some sort of activities for them to occupy their time, especially in the summertime. I don't really have anything else to say. If you all have any questions, I'll see if I can be of help there, but I just wanted to come up and say that we are in need of some sort of facility in the valley area.

CHAIRMAN SULLIVAN: So your comments are on the Infrastructure Capital Improvement Plan?

MS. SOL: Yes.

CHAIRMAN SULLIVAN: That's fine.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Have you approached anyone on the County staff about this project, or is there some planning that has been actually done on this, or this is just a brand new idea?

MS. SOL: This is a fairly new idea. We have spoken with Commissioner Anaya and Rudy Garcia.

COMMISSIONER CAMPOS: Okay. So it's basically at the concept level.

MS. SOL: Right.

COMMISSIONER CAMPOS: And you're looking at something in Stanley for youth recreation?

MS. SOL: Exactly.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN SULLIVAN: All right. Thank you very much.

MS. SOL: Thank you.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I want to thank Nancy and Dan Sol for coming over here and supporting this. Thank you.

CHAIRMAN SULLIVAN: Do we have others that would like to make comments?

RICHARD PRECEK: Commissioners, my name is Richard Precek. I'm with Public Service Company of New Mexico and I would like to take a few moments to update you with where we stand with Project Power. It's our understanding that you've been receiving some comments from concerned residents in the Agua Fria neighborhood regarding this project and I'd like to update you at this time, like I said, just to let you know where it stands.

First off, this is the same Project Power that you've been briefed on over the past couple of years, which is looking at a way to bring sufficient and reliable into the Santa Fe and Las Vegas area for all of the residents and businesses by the year 2004. PNM began a public participation process in January 2001. The background on that process is attached for you to read. Through this process, three alternative transmission routes were selected. Just a brief summary of where we are right now. Number one, PNM has proposed three transmission route

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alternatives to the BLM which would be the lead agency for their review of the selection of the environmentally preferred alternative. PNM is willing to build any of these alternatives. PNM will also locally permit the one selected alternative. PNM is willing to work with the communities that would be impacted by this project to address and mitigate their concerns.

The BLM NEPA process, or National Environmental Policy Act process is identifying concerns and issues at this time that would be addressed in the environmental assessment, which will identify the preferred alternative. BLM is currently seeking public input on these alternatives and for your information, there is a meeting being held this evening at the Agua Fria Elementary School at 7 pm and at which BLM will go over what their process is. If you have any questions, I'd be happy to try to answer those, trying to take as little time as possible.

CHAIRMAN SULLIVAN: Questions for Mr. Precek? Commissioner Anaya.

COMMISSIONER ANAYA: Richard, I'm sorry, I didn't get your last name.

MR. PRECEK: Precek.

COMMISSIONER ANAYA: Mr. Precek, I attended one of those meetings in the Agua Fria area and the main concern that I had there is that people were very confused. And if we could somehow make it as simple as we can. I've been listening to this for over a year and it's still complicated and confusing and if we can make it as simple as we can for myself and other folks to understand, I think it would be a lot better for both the County, the citizens and yourself.

MR. PRECEK: Yes, sir. I appreciate your comments, Commissioner, and we will make more of a concerted effort to simplify what we're trying to say. Sometimes we get caught up in trying to get as much information out as possible and it can be confusing to say the least. So we will make efforts to do that. Excuse me, there will be, it's my understanding the BLM will plan to hold at least two more scoping meetings that will be held at some point in the future, even later this month or early September. But there will be adequate notice sent out to all of the members, or all of the people that may be affected by this project.

COMMISSIONER ANAYA: Okay, and Mr. Chair, I was hoping that maybe we could get somebody from the County over at the meeting tonight. I don't know how long this meeting will last, but Gerald, if you could get somebody to that meeting. Thank you.

MR. GONZALEZ: Be glad to. I think we've had some County participants in the process all along, including, I don't see him there, but Rudy Garcia.

CHAIRMAN SULLIVAN: Commissioner Duran, then Commissioner Campos.

COMMISSIONER DURAN: Richard, my understanding is, and correct me if I'm wrong, is that the main plant or the main facility is going to be located within the boundaries of the traditional Agua Fria Village. Is that true?

MR. PRECEK: Well, sir, we have two transmission lines, if I can take a minute to explain and give you a little background on that. We have two transmission lines that come together in the Agua Fria traditional village. One was built in 1927 called the Zia to Bernalillo line, and then the other one that was built in 1958 was called the Norton to Zia line. And those two transmission lines intersect at that point. Now, from a technical standpoint, that's the best place to have it. We are willing to work with the village to find a more suitable location. It may

2677587

call for building, extending a little more of the transmission lines themselves, but we are most willing to work with the community to find a more suitable location.

COMMISSIONER DURAN: Have you had any conversation with the state, because they own quite a bit of land in that area that might accommodate the facility where those two lines intersect?

MR. PRECEK: You're correct. The State of New Mexico's Land Office has been part of this process since 2001 and we have been in contact with them. That land I believe is located to the north and that would call for several more transmission lines to be extended to make that work and tie into our existing system. So it would be a little bit more difficult.

COMMISSIONER DURAN: And your timing, you have to apply for a building permit, right?

MR. PRECEK: Oh, yes, sir.

COMMISSIONER DURAN: And your timing for that, that wouldn't occur until after you have resolved the concerns of the community and developed a more appropriate plan?

MR. PRECEK: Yes, sir. Yes, that's correct. That would come after the environmental assessment has come out and we of course recognize that we would have to come before the County and City, whatever the appropriate local permitting would be.

COMMISSIONER DURAN: And I just have one last question for staff, Mr. Chair. I've heard that the Code requires that these lines be buried and I remember when we were working on the Norton Tesuque line we tried to require PNM to bury those lines and I understand that the ordinance, as it is right now, only requires the burying of lines for subdivisions but not major transmission lines. I don't see Mr. Abeyta here. Maybe you could respond to that, Richard.

MR. PRECEK: Well, I believe you're correct. There is a County ordinance of course requiring undergrounding of lines. We would probably seek to get a variance to that. Typically we do not underground larger transmission lines such as this. This is a 115,000 volt line. We typically do not bury those as they are harder to work on. If we do have a fault or a problem with the thing, it sometimes takes many days to find where that problem lies and then to excavate it. That sort of thing. To repair it.

COMMISSIONER DURAN: I just thought I'd --

MR. PRECEK: I believe we have a tariff also wherein PNM would pay for the overhead portion of that line and the difference would be made up by the County residents.

COMMISSIONER DURAN: Right. Roman, could you answer that question? My understanding is that we don't have an ordinance right now that would require these major lines to be buried.

ROMAN ABEYTA (Land Use Administrator): I believe we have a tariff also wherein PNM would pay for the overhead portion of that line and the difference would be made up by the County residents.

COMMISSIONER DURAN: Right. Roman, could you answer that question? My understanding is that we don't have an ordinance right now that would require these major

2677588

lines to be buried.

ROMAN ABEYTA (Land Use Administrator): Mr. Chair, Commissioner Duran, we do have an ordinance that requires these major lines to be buried.

COMMISSIONER DURAN: We do.

MR. ABEYTA: We do.

COMMISSIONER DURAN: So then he is correct. He would have to come in and ask for a variance for that?

MR. ABEYTA: Yes.

COMMISSIONER DURAN: Okay, good. Thank you. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Precek, what is the decision making process about this line that you're proposing?

MR. PRECEK: The decision making process, Commissioner, is that we are going through the BLM NEPA process right now and we feel that the communities and environmental concerns would be addressed in that. We would then, once a route, we call it the environmentally preferred route is identified, then we would bring that to the County for permitting, and if the City is involved we would go also to the City for their permitting process.

COMMISSIONER CAMPOS: What if the members of the traditional community of Agua Fria say? We're adamantly opposed to you coming to you coming to our community? Would that have an impact on how PNM makes the decision?

MR. PRECEK: Well, sir, as you'll recall, the community working group required or requested that we look at existing lines when and where possible to utilize those existing corridors and that's what we've done. All of these lines use existing corridors except on one of the three routes there is a 1.8 mile section that is not on an existing corridor. We feel that it's necessary to utilize, or that all three of these lines would work and supply the needs for the Santa Fe area.

COMMISSIONER CAMPOS: But the question is community consensus. If the community in Agua Fria is adamantly opposed to this or there's a clear consensus will PNM still go through and build this line where it feels it's most appropriate?

MR. PRECEK: We feel we can work with the substation location and our communication with the community has indicated that it's mostly concerned about the substation location, but we feel that it would be wise to use the existing lines that go through that village. I don't know if that answers your question.

COMMISSIONER CAMPOS: I think I have an answer. Thank you.

MR. PRECEK: Any other questions?

CHAIRMAN SULLIVAN: Anyone else wishing to speak?

TINA LOPEZ: Mr. Chair, Commissioners, my name is Tina Lopez and I'm from Cundiyo, the Cundiyo area of Santa Fe County. I spoke with Mr. Montoya last week with regard to a water system that has -- it's an existing water system in the town, but we were under the impression that the water system was going to be extended to most of the little town. We have spoken to some of the people who actually run the water system. They claim that they

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don't have money. Mr. Montoya asked me to call Gary Roybal who I talked to last week. He said that they were receiving between the state, a grant and the County, between \$700,000 and \$900,000 to improve the water system. In speaking with the people that are working on the water system or trying to get this done, they're saying that if they have extra money it will go to the County, that's it's basically for the people who are on the water system now.

We have had questions. We're concerned with fire protection. We had been told that possibly they would run it all the way through the town with hydrants. We have, since I've been living there in the past 30-some years, we've had four houses that have burnt down. Recently, in about December, there was a house farther down, that -- we're under the Chimayo Fire Department. They didn't show up until about an hour later from what I understand. We have no hydrants throughout the town. I know there are people who are interested in hooking up. There have been, from my understanding, five people who have been asking to be hooked up and they say that right now, they can't hook anybody up. But from our standpoint, we're interested in fire hydrants, not really hooking up.

My uncle, who couldn't make it today, is interested in hooking up because we share a well. I also have another question. If people hook up to the community water system and they have a well, do they have to give up their water rights? Because that could be [inaudible] My uncle actually is hooked up to our water well, but they're saying that he would have to give up his water rights and he doesn't actually have any. They come from our house. And I just have questions. Does anybody know -- we're not members of the association but we're just wondering if this is happening. We're not getting any answers so we thought we'd come to you to find out.

CHAIRMAN SULLIVAN: My understanding, from the presentations that have been made to us in the past, the County is involved in what's called a STAG grant, which is a grant from the federal government, I believe in the amount of \$100,000. My understanding is that with the money that's available, that and the other funds that are available, will provide a larger water storage tank, which would be used for the fire protection. It will provide a new well for that system and it will provide new water lines and also fire hydrants along through the entire town all the way down to the river. So anyone that would be on the uphill side of the river would get service. It wouldn't go across the river at this time because of funding.

In terms of the individuals hooking in, that would depend on the policy of the association. I'm not aware of any County policy on that project that deals with transferring water rights or anything of that nature. That would depend on the association and additional storage. Then new hook-ups can occur. The problem now is that they don't have enough storage to keep the tank full to allow new hook-ups. So if you wanted to hook up, you probably could. What the conditions of that hook-up would be would be determined by the mutual domestic water association. That's generally what I know about it. [inaudible]

MS. LOPEZ: Yes. The only thing is when I spoke with Gary, he said that a lot of people at this level are not aware that most of the people that are hooked up are just at the top of the town and the rest are not. They're not even within or members of the water system.

CHAIRMAN SULLIVAN: Yes. And they can become members and hook up if

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they want, if the line comes as far as their property and that's always a function of taking over the water service as far as money will take it. You need to get the well and the tank in first because those are the water supply and storage items and then you move, you install your fire lines and your water lines and your fire hydrants as far as the money will go and I think that they're hoping the money will go all the way down the hill to the river or to that part of the town that's on this side of the river.

MS. LOPEZ: We just wanted to make our case known.

CHAIRMAN SULLIVAN: On which side -- where do you live?

MS. LOPEZ: We live, maybe half a mile before you get to the river.

CHAIRMAN SULLIVAN: Before you get to the river. And you're not on the

association.

MS. LOPEZ: No.

CHAIRMAN SULLIVAN: And do you want to hook up?

MS. LOPEZ: No. We're more interested in the fire protection.

CHAIRMAN SULLIVAN: You want to get the fire protection.

MS. LOPEZ: My uncle who lives right across the street is interested.

CHAIRMAN SULLIVAN: In hooking up.

MS. LOPEZ: He lives about the same amount, he's just across the street from

us.

CHAIRMAN SULLIVAN: I think as the project moves forward, because it has federal money in it, this so-called STAG grant as I indicated is federal money, they have to conduct public hearings and an environmental assessment and part of that process is to have community meetings and that's where the scope of the project is discussed. At this stage that hasn't occurred yet. It's a little bit premature but as soon as they're ready to do that they'll have the scope meetings and everyone can participate and discuss the scope and the cost.

MS. LOPEZ: Will that be announced in the papers and everything?

CHAIRMAN SULLIVAN: Yes.

MS. LOPEZ: Thank you.

CHAIRMAN SULLIVAN: You're welcome.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Can we move forward to the proclamation recognizing Amalia Romero Montes?

CHAIRMAN SULLIVAN: I think we're there now because that was the last on the list for Matters of Public Concern.

VII. C. Proclamation Recognizing the 100th Year Birthday of Amalia Romero Montes and Her Contribution to Her Family and Community

COMMISSIONER MONTOYA: Thank you, Mr. Chair. With us this morning we have a very distinguished guest and along with her family, I'd like to ask Orlando Gabriel to

2677591

please come forward also. She has a grandson, Ruben and granddaughter Patti. It is our privilege and honor to have this proclamation. I'll read it. Regarding why Amalia is here this morning.

The Santa Fe County proclamation reads: Whereas Amalia "Molly" Romero Montes was born on July 18, 1903 in Santa Fe County in the community of Nambe and is the only living sibling of the 12 children born to Simon Romero and Sara Ortiz; and

Whereas, Ms. Romero Montes married Alejandro Montes, a local contractor who built homes in the railyard area of Montes Street and Alarid Street; and

Whereas, Mrs. Romero Montes became widowed after 40 years of marriage and who had four children, three of whom are deceased, Rudy, Helen and Olivia. Her only living son is Orlando Montes; and

Whereas, Mrs. Romero Montes is effectively and respectfully known by her children, by her son, her 12 grand children, 18 great-grandchildren and two great-great-grandchildren as "Mamita"; and

Whereas, she was employed with the New Mexico School for the Deaf and the University of New Mexico and prioritized her life by providing a loving home and caretaking for her grandchildren and great-grandchildren during their early child and elementary school years; and

Whereas, friends and family treasure Mrs. Romero Montes' stories, dichos and cuentos of old time Santa Fe and its people; and

Whereas Mrs. Romero Montes has helped preserve the Hispanic culture and promote the customs of northern New Mexico as a dedicated and long-time member of La Cofradía de la Conquistadora; and

Whereas, on July 18, 2003, Amalia, "Molly" Romero Montes, "Mamita" celebrated her 100th birthday;

Now, therefore, the Santa Fe Board of County Commissioners and the Santa Fe County Manager hereby recognize Mrs. Romero Montes and her long life contribution as a loving mother, wife, grandmother, great- and great-mother, honor her as an ambassador of the Hispanic culture of northern New Mexico and celebrate Amalia Romero Montes as a Santa Fe County resident who is treasured, respected, distinguished, and as of July 18, 2003 is officially a centenarian. Happy Birthday. Feliz Cumpleaños on your 100th birthday, Molly.

[Happy Birthday was sung.]

MR. GONZALEZ: As we're regathering, I just wanted to note that as a member of the Cofradía de la Conquistadora, she is a line that extends back 350 years and there were Romeros who were originally parts of the Cofradía back in the mid-1600s.

CHAIRMAN SULLIVAN: Thank you very much and again, congratulations to Ms. Montes.

PATTI BURKE: Before you proceed with your business I just want to say thank you so much for being able to share with us in this great celebration for my grandma. I just want you to know that she just, she's been there. She's been such a great cook all these years and she still likes to dabble and cook her own meals every once in a while and she can make a

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mean pot of green chile. So we're really celebrating all of that. And if you wonder where I get all my feistiness, as I get older I think I get some of it from here. I just want say thanks a lot for allowing this to happen today.

I also just want to thank the County Clerk and Virginia Vigil also. They've been really instrumental and Laura for making it happen. Thanks a lot.

COMMISSIONER ANAYA: She didn't look too feisty to me.

VII. A. Resolution No. 2003-90. A Resolution to Authorize an Election for Voters to Decide on the Question of Licensing for the Sale of Beer and Wine in Restaurants within the Unincorporated Area of Santa Fe County

ROMAN ABEYTA: Mr. Chair, Thank you. A resolution to authorize an election for voters to decide on the question of licensing for the sale of beer and wine in restaurants within the unincorporated area of Santa Fe County. The resolution allows voters to exercise their right to vote yea or nay on whether restaurants, only in Santa Fe County, may serve wine or beer with meals. If passed by the BCC, the question will go to the voters at the September 23rd special election. Prior to this legislative session, the statute allows for the question to go to the voters with a petition that was presented to the BCC with five percent or more of the qualified voters. Upon certification of the petition, an election was to be held within 75 days. This will affect less than 20 restaurants who currently have business licenses on roll.

Santa Fe County has approximately 40 business licenses on our rolls. Many of these have full-service licenses or are fast-food restaurants. El Nido, Gabriel's, Steaksmit, Rancho de Chimayo, Rancho Encantado. The resolution has gone before the DWI Planning Council and the Santa Fe County Health Planning and Policy Commission. The DWI Planning Council chose not to make a recommendation on this resolution. The Health Planning and Policy Commission voted 11-1 in favor of the resolution. There are currently 127 local option districts, 50 who have not had an election to allow beer and wine sales at restaurants. Senate Bill 57, which went into effect July 1, 2003, gave counties and municipalities the option to forego a petition process and by resolution, to take the question to the voters.

The resolution before you would be a directive to the County Clerk to place the question on the ballot and present with us to answer any technical questions is Alcohol Gaming Director, Gary Tomada, Is Gary here? And present to testify on behalf of the resolution and restaurant owners is Jose Morfin and Julia Castro. Thank you, Mr. Chair.

COMMISSIONER DURAN: I have a question of the New Mexico State Liquor -- I didn't catch your name.

GARY TOMADA: Good morning. My name is Gary Tomada, Director of Alcohol and Gaming.

2677593

COMMISSIONER DURAN: Mr. Tomada, could you explain to me what the situation is right now? If I have a restaurant out in the county and I'm not serving beer or wine, is there not a process available to me to apply for a beer and wine license?

MR. TOMADA: Mr. Chair, Commissioner Duran, in Santa Fe County, without this resolution there is not a process. You can go out and buy a full dispenser license in the open market process, and if you do so, you have to plan on paying a lot of money for that license. I don't remember what the fair market would be in Santa Fe County. In 1981 when the state legislature passed the law that created beer and wine licenses, for some reason or another there were approximately 50 local option districts but they chose not to partake in the beer and wine licenses, and left it up to a petition process that proved to be very cumbersome in a lot of local option districts in getting that five percent that was required by the statute, of the last general election, people that voted in that election.

So it has been tried in various local option districts to no avail because not enough property signatures were acquired on the petitions that were turned in. So they could not call for that election. Senate Bill 57, by virtue of the language in the bill, allows the Commission and the local option districts that do this process to do it by resolution instead of the petition process. If that happens and it goes to the voters and the voters decide to allow that to happen on that question, then those individuals that have restaurants can apply to the state for beer and wine licenses.

COMMISSIONER DURAN: Thank you. That answers my question. Thank you very much.

CHAIRMAN SULLIVAN: Any other questions? Okay, we have a Resolution 2003-90 in front of us. Does this require public hearing or is this just a resolution? A resolution.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Is there anyone here that would like to have a license that's here to make a presentation? Do we need to hear this? My only concern about this is we have an effort by somebody with an interest to make sure that this thing happens and is not just left out there hanging with a lot of other issues. It's been taken to the vote and not been passed because there's no effort, no focus. That was one issue that I had about this.

CHAIRMAN SULLIVAN: I'm not quite understanding you.

COMMISSIONER CAMPOS: Well, let me ask, the second question is timing. When do we have to approve this to get it on the ballot? You're talking about September, right? Today's the last day we can do it? Okay.

CHAIRMAN SULLIVAN: My understanding is that the beer and wine can only be served as a part of the meal and cannot be served separate from the meal or even after the meal concludes.

COMMISSIONER CAMPOS: I understand.

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COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: I think we should just follow procedures. This isn't a public hearing process. I move to approve this resolution, Resolution No. 2003-90 as presented.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Motion and a second. Discussion?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I think that if there were some people out in the public that did want to comment on it, we could allow them a minute to comment if they'd like.

CHAIRMAN SULLIVAN: Well, we obviously had some individuals in the audience who are in favor of the resolution. Do you want to raise your hand, sir? Okay. Is there anyone who is here today that is in opposition to this resolution? I don't see any hands for it. I think in the interests of time, Commissioner Anaya, we could just vote. Is there any further discussion on the motion for approval?

The motion to approve Resolution 2003-90 passed by unanimous [5-0] voice vote.

VII. B. Personal Invitation to all Commissioners from the Santa Fe County 4-H to the Santa Fe County Fair to be held on August 3 - 10

CHAIRMAN SULLIVAN: Do we have someone from the 4-H that would like to invite the public to the County Fair?

MR. GONZALEZ: Mr. Chair, I believe that Gary Runner, the head of the County Fair Board is here to introduce the invitation.

CHAIRMAN SULLIVAN: And do we have our winner of the horsemanship, our rodeo championship? We look like we do.

GARY RUNNER: Commissioner Sullivan and Anaya, Montoya and Campos, first off, I'd like to say thank you to Santa Fe County and there are too many people to mention. I'll mention just a few names. Robert Anaya, Corky, Rudy, all the Commissioners, thank you for your gracious time and input into Santa Fe County 4-H. Your manpower, we couldn't do it without you. At this point, I would like to introduce Nicole Moore, our Santa Fe County 4-H president.

CHAIRMAN SULLIVAN: Welcome, Nicole.

NICOLE MOORE: I'd like to introduce the rest of the leadership team. [Ms. Moore introduced the officers, 4-H members, Queen, and princesses.]

CHAIRMAN SULLIVAN: Thank you. Welcome to Santa Fe County.

LACY THORNE: Hi. I would just like to thank all the County

Commissioner for all their help and invite you to the County Fair.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

2677595

COMMISSIONER ANAYA: I want to also thank Christy Bramwell, who's worked very hard at the County Extension and I want to thank Gary Runner and everyone at the 4-H Council that's worked very hard, and his wife, Mrs. Runner there. You guys worked very hard and I appreciate it, and all the kids who volunteer their time and work hard. We've got the prince here and the queen here and thank you for inviting us. We'll be there. Thank you.

CHAIRMAN SULLIVAN: I would just add that if any of you are planning to enter the salsa contest, you are speaking with one of the judges of the salsa contest. That's not the dance salsa; that's the eating salsa.

CHRISTY BRAMWELL: That's a fun contest. Good luck with it. I hope you don't shed too many tears over the contest. I know one person in particular that entered that contest just to see if he can hurt someone.

CHAIRMAN SULLIVAN: Okay, I'll mark that one.

MS. BRAMWELL: Good luck. Thank you for having us, very much. The invitations that we've handed out to you have a personal invitation for you to attend our buyers luncheon on Saturday. That starts at 12:30. The auction starts at 2:00 and if you'll come and have lunch with us we'd be happy to provide that lunch for you and introduce you at the beginning of the livestock auction to everybody that's here. So we would very much like to have you there.

COMMISSIONER ANAYA: Thank you, Christy.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, that auction, is that next

Saturday?

MS. BRAMWELL: It's not this coming Saturday. It's a week from next

Saturday.

COMMISSIONER MONTOYA: Okay. Thank you.

CHAIRMAN SULLIVAN: Other questions, comments? Thank you all for being here. We all look forward to attending. It's a great event and want to encourage everyone to go out and support our youth in that event. They work hard all year long to put that on.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya, then Commissioner Anaya.

COMMISSIONER MONTOYA: Is this an appropriate time to bring up other Matters from the Commission?

CHAIRMAN SULLIVAN: Oh, wait a minute. You're right. And we also had another matter brought forward which was item B. 2. I've gotten ahead of myself there.

2677596

IX. B. Public Works Department

2. Resolution No. 2003-91. A Resolution to Resume County Maintenance on Calle Victoriano (County Road 21) between County Road 26 and State Road 472 and Replace on the County Road List

JAMES LUJAN (Public Works Director): Good morning, Mr. Chair, members of the Commission. The residents of Calle Victoriano have been requesting that the County maintain this road. In the years past, it was on the County inventory. At some point, for some reason, we don't know why, it was removed. We have done the research and have found that it was on the County road inventory and we're asking that the County resume the maintenance of this road. I'll stand for any questions.

CHAIRMAN SULLIVAN: Questions for Mr. Lujan?

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos, then Commissioner

Duran.

COMMISSIONER CAMPOS: How many people does the road serve? How many families, houses?

IVAN BARROS: There's approximately 12 residences and 38 people.

CHAIRMAN SULLIVAN: Do you want to identify yourself, please.

MR. BARROS: I'm a resident of Calle Victoriano.

COMMISSIONER CAMPOS: And the second question is how long have we not been maintaining that road?

MR. LUJAN: That is uncertain right now. More than five year. Probably more than five years.

COMMISSIONER CAMPOS: It's been a long time.

MR. LUJAN: Yes. But we did research it and it was on the County road inventory that was presented to the State Highway Department in the early 60s and 70s.

COMMISSIONER CAMPOS: We've been discussing criteria for accepting new roads. Does this come within those guidelines because of the number of people served?

MR. LUJAN: This probably would, but what we're looking at here is I drove the road and it's very unsafe. There's elderly residents that live on here and for what reason it was taken off the inventory we don't know so we're recommending that it be resumed as maintenance. And then there's some monies that have been appropriated by Senator Phil Griego in the amount of \$30,000 for repairs to this road and that's currently all they're asking for is a dirt surface and some drainage issues. It ponds and at times is impassible.

COMMISSIONER CAMPOS: Is the width adequate?

MR. LUJAN: Yes, it's sufficient right-of-way.

CHAIRMAN SULLIVAN: Commissioner Duran.

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COMMISSIONER DURAN: What's the distance that we're talking about?

CHAIRMAN SULLIVAN: I think it's five miles.

MR. LUJAN: I believe this one is five miles. And it's currently in between two County roads. It is County Road 21. For some reason this section was left out. We maintain it on the south side and on the north side.

COMMISSIONER DURAN: On an annual basis, what do you think it would cost the County to maintain that?

MR. LUJAN: That would probably be in the neighborhood, probably about \$3,000, after we do the \$30,000.

COMMISSIONER DURAN: Okay. Thank you.

CHAIRMAN SULLIVAN: Are there any other questions for Mr. Lujan?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: I move for approval.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Okay, we need a resolution number. Resolution 2003-91. We have a motion by Commissioner Montoya and a second by Commissioner Anaya.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: These gentlemen in the audience [inaudible]

CHAIRMAN SULLIVAN: Let me get this motion out of the way here. We have a motion and a second? Okay. Come on up.

HARRY MENDOZA: My name is Harry Mendoza. I'm a norteño. I'm a lifetime resident, my family has been here several hundred years. My father is a County Commissioner in a northern New Mexico County. He just received a national award in Milwaukee for saving money and spending money wisely in his county. Up until maybe two or three years ago I thought it was a good idea for the County to take over this road. After dogs have been run over and killed. After cows have been run over and killed. After damage has been caused by vehicles driving at excessive speed up and down this road, and other matters. I know that there will be comments about when it rains the road floods. However, when it rains, it slows these people down.

I would ask the County to consider this matter. I notice there's some comments by the King family. They do not live on this road and they are very sympathetic to the safety because they're the ones that have the cows out there. And they had to put up a fence to protect their property from dangerous drivers. And it's only a matter of time before one of our children is run over and killed. And I would ask you that you consider using this money for Stanley in our youth development program for projects that were presented to you earlier this morning, or at least study this matter a little more. You can understand

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how I feel about this thing because kids will be killed and I hope the County does not create a dangerous condition and expose yourself. This isn't just maintaining the road. This is also exposing yourself to liability under the Tort Claims Act.

I talked to Senator Griego. I think you need to get him before this committee. He told me he took the money out. Then he told me he took the money and spent it elsewhere. So I would ask you that you please study this, get the facts straight and consider the safety matter because I know that the issue is safety and at least when it rains it slows these people down. Thank you very much.

CHAIRMAN SULLIVAN: Okay. Commissioner Duran.

COMMISSIONER DURAN: Mr. Lujan, the money is still there for the County to use for this purpose?

MR. LUJAN: Mr. Chair, Commissioner Duran, yes it is. I spoke with Linda Keyhoe. She's from legislative finance and the money is still there. I spoke with Senator Griego as early as two weeks ago and the money is still there and we have State Representative Rhonda King. She has also verified that the money is still in place if you would like to hear from here.

COMMISSIONER DURAN: That's fine. The other question I have is is it possible, what's the speed limit on that particular stretch of road now?

MR. LUJAN: That speed limit would probably posted at 35 miles an hour to 40 miles an hour. No more than 40 miles an hour.

COMMISSIONER DURAN: Is it posted right now?

MR. LUJAN: Right now, there is no posting that I know of. I didn't see any. It's a really rugged trail right now.

COMMISSIONER DURAN: Once the road is improved, can you spend some money on signage, to post the speed limit?

MR. LUJAN: Definitely. That's what we'd do also.

COMMISSIONER DURAN: I think that probably would be prudent on our part. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Representative King, did you want to add anything? It's always our pleasure to have you come visit us.

REPRESENTATIVE RHONDA KING: Thank you, Mr. Chair and Commission members. As Mr. Lujan did state, there was an appropriation of \$30,000 that was actually three years ago that was allocated for Calle Victoriano and those funds are still available. There is the potential that we might have to reauthorize them in the special session for this coming January. But I have talked with Mr. Griego and he did tell me that if it was necessary to reauthorize them he was willing to do that. But the funds are allocated and are available and are still there for the County road. For Calle Victoriano, which we hope will become -- not become a County road again but will just be recognized as its status at a County road.

CHAIRMAN SULLIVAN: Commissioner Campos, you had a question?

COMMISSIONER CAMPOS: I had a question for Mr. Lujan.

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CHAIRMAN SULLIVAN: Any questions for Representative King?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I just wanted to thank Representative King for being here and I want to thank all the residents for being here. That means a lot and we're trying to help you out over there and we're going to take Mr. Mendoza's concerns and work with them. I also want to recognize former County Commissioner in the southern part of Santa Fe County. I took his position because we didn't have any representatives down there. Mr. King back there. Thank you.

We had a meeting down there in Stanley about this road and governor King was a County Commissioner way back in 1950 and he told us that when he was Commissioner, that was a County road and he maintained it along with Mr. King. So I just wanted to let you know that we've had our meeting. We've discussed this and I thank you, Commissioners.

REP. KING: Thank you. I'd just like to add one comment, Mr. Chair and members. My father, when he was County Commissioner, as Commissioner Anaya said, they did maintain it and actually during my father's tenure as Commissioner, they introduced the first County map, I believe in 1965. 1963, by Mr. Larragoite and on that map, this was actually shown as the County road at that time.

CHAIRMAN SULLIVAN: Thank you, Representative. Commissioner Campos, you had a question for Mr. Lujan?

COMMISSIONER CAMPOS: Yes. Mr. Lujan, one thing that wasn't addressed was the cost of improvement to this five-mile stretch. You say that we may have a \$30,000 appropriation. How much will it cost to improve the five miles?

MR. LUJAN: Mr. Chair, Commissioner Campos, what we plan to do is just use the \$30,000, what's available to make improvements right now. We currently have some drainage structure culverts that have been in stock at the County for the last five years for some of the bigger drains and we'll use those. I'm only going to be able use the money I have available, the \$30,000, and blade and shape it and get it passable for now.

COMMISSIONER CAMPOS: You're not talking safe, you're just talking passable.

MR. LUJAN: Well, it will be safe.

COMMISSIONER CAMPOS: It will be safe with the \$30,000. We're within the budget to make it safe.

MR. LUJAN: That's all I can work at it right now. And then as we go along we'll continue the maintenance. There's been some gravel given in the area from some pits. We're right now working on some other County roads down there and we have picked up some materials for it with our crew. So we'll just continue that. And I think that's all the people are asking for right now, that we get it passable because like was said, at times when it does rain it's impassable.

COMMISSIONER CAMPOS: As far as the effective date or this recognition, whatever you want to call it, the money is still in question. Representative

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King just raised the issue about effective date, that it may need to be reauthorized. If it needs to be reauthorized, you can't get the job done until you have the \$30,000 in your pocket, right?

MR. LUJAN: That is correct. The appropriation is a three-year appropriation. I mean it's a five-year appropriation. We're on the third year so if it expired would be the only way we would have to reauthorize it and we do have a grant agreement so it is still under that.

COMMISSIONER CAMPOS: You don't think we need to have a reauthorization as Representative King suggested we might have to have.

MR. LUJAN: I don't believe we're going to have to have a reauthorization.

COMMISSIONER CAMPOS: If we do have to have it, what do you suggest we do?

MR. LUJAN: We will take it up as early -- the special session is not until January.

COMMISSIONER CAMPOS: When do we pave the road if we don't have the money in our pocket right now.

MR. LUJAN: Well, we won't make any improvements. We can blade it and shape it to get it passable. I can't get any materials on it until then.

COMMISSIONER CAMPOS: What about Mr. Mendoza's concerns about safety and the speeding and things like that? Are you aware of what's going on down there?

MR. LUJAN: Definitely, on every County road we have.

COMMISSIONER CAMPOS: On this County road.

MR. LUJAN: I have that same concern on every County road.

COMMISSIONER CAMPOS: Have you knowledge of how dangerous it is down there?

MR. LUJAN: I'm fully aware of the danger on any County road and the speeding. On any County road, any time we make improvements, any time we go to pave one I have those concerns and there are issues that we just keep bringing up and looking at and trying to resolve it with law enforcement, traffic calming. Those are just concerns that are continuously there.

COMMISSIONER CAMPOS: I guess the residents know we don't have a lot of law enforcement down there that's going to be able to patrol it once we get the speeds up higher. Once we improve those roads we're going to get increased speed. I think Mr. Mendoza's right. It becomes a problem all over the county. So it's something you're going to have to deal with and I hope you understand that because the Sheriff doesn't have the people to go out there and patrol these places. Okay.

CHAIRMAN SULLIVAN: Okay, we're still on discussion of the motion. Are there other questions from the Commission. We had a motion and a second then.

The motion to approve Resolution 2003-91 passed by unanimous [5-0] voice vote.

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COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I believe there's some more people here for the ICIP project, people from Eldorado.

CHAIRMAN SULLIVAN: Okay. Let's see. We're still under Matters from the Commission, but we said we'd try to see people on that. So who do we have that would like to talk about the ICIP from Eldorado. Let me guess: my friend couldn't make it today. Could you identify yourself please.

PHYLLIS MCGINNIS: My name is Phyllis McGinnis. I wished to address the Commissioners to support the senior citizen center for the Eldorado area in the Infrastructure Capital Improvement Plan. Thank you.

CHAIRMAN SULLIVAN: See, that's how it's done in Eldorado. In District 5 we're short and sweet. You should have also received a letter from Patty Adams who expressed her disappointment that she couldn't be here today. She's confined to a wheelchair with a hip problem and she sent us all an e-mail, or she sent me an e-mail. I don't know if it went to all of the Commissioners but I'll make a copy available, explaining how they've been working on this community center, on this seniors center and that the legislature granted them \$125,000 two years ago to start the planning process and County staff has been working on site selection. It's been a citizen-involved process and we hope we can more it forward. Anyone else? Thank you, Commissioner Anaya.

Okay, we're still under Matters from the Commission, and we'll start, Commissioner Duran.

COMMISSIONER DURAN: I have nothing, thank you.

CHAIRMAN SULLIVAN: Okay. Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chair. I had just a couple of matters. One is that I'd like to maybe, and we're going to be hearing a little bit later on, a little bit about what's going on within Health and Human Services and kind of the Health Planning and Policy Commission. But I'd like to maybe ask and request that staff look at the possibility of developing a Health and Human Services Department within the County, if that would be something that I think would be appropriate at this time, in terms of an expanded role and expanded responsibilities that the Health Planning and Policy Commission is having at this point and whether or not we need to break it out from the Community Health and Housing, Human Services, etc., etc. Pretty lengthy name, and just cut down the responsibilities on that one and just have -- that's one of the things that I kind of wanted to look at in terms of the development of just the Health and Human Services Department within the County.

The other item that I have, Mr. Chair, I'm glad I read my minutes because in it again, I saw back on June 10th that I had requested that we have sort of a strategic planning session. My comments were that it be held in July or August. Well, July is gone. August is next week. I have not heard anything unless there's something going on that I'm not aware of and I just want to bring it up to the staff again because I think we need to take seriously

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what it is that we're doing and I just feel that it would be much more beneficial for all of us if we're kind of in the same book, not necessarily on the same page, but at least in the same book. So I would again request, and I don't see any staff here to ask, but that we could have sort of a strategic planning session, because I really believe we need it. That's all I have. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Thank you, Commissioner. Commissioner Campos.

COMMISSIONER CAMPOS: Nothing, Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya. Oops. No, he's disappeared. Okay, I don't have anything under Matters from the Commission. We'll catch Commissioner Anaya when he comes back if he has anything else.

VIII. Committee Appointments/Reappointments/Resignations

A. Appointment of New Members to the Santa Fe County DWI Planning Council

CHAIRMAN SULLIVAN: Something I'd like to do before we break for executive session is to get the Consent Calendar out of the way so if it's okay with the Commission, we may jump to that at the last minute so Rebecca can have the resolutions ready for me to sign. Mr. Sims.

DAVID SIMS (DWI Coordinator): Mr. Chair, Commissioners, it's my pleasure to bring two recommendations to you for new appointments to the DWI Planning Council. It's been a couple of years since we had anyone from the District Attorneys office and we have to present to you Donna Bevaqua Young who is with the District Attorneys office and does the prosecution of felony DWI cases at District Court.

We also have a representative from the City Police, Lt. Anthony Robbins, who will replace a former member of the Planning Council from the City Police whose term has expired. I stand for any questions.

CHAIRMAN SULLIVAN: Questions for Mr. Sims.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Sims, regarding the list that you gave us, is Marcelina Martinez still on --

MR. SIMS: Yes, she is. She's very active in our meetings.

COMMISSIONER MONTOYA: Okay.

MR. SIMS: Makes good comments and contributions.

CHAIRMAN SULLIVAN: Other questions for Mr. Sims? What's the pleasure of the Commission?

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER CAMPOS: Second.

CHAIRMAN SULLIVAN: Motion Commissioner Montoya, second by Commissioner Campos.

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

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- B. Appointment to Maternal and Child Health Planning Council**
- D. Resignation of Member from the Maternal and Child Health Planning Council**

NANCY SMITH LESLIE: Good morning, Mr. Chair, Commission members. I'm with the Maternal and Child Health Council. The Council would like to recommend the appointment of Barbara Sandoval, who is currently the acting director of the program with the New Mexico Department of Health, and they have reviewed her resume and find her qualifications to be excellent and we're so excited to have her as a new member.

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Motion for approval from Commissioner Montoya and second from Commissioner Anaya. Question from Commissioner Campos.

COMMISSIONER CAMPOS: Just a clarification. We have to accept the resignation and then make an appointment. Is that what we're doing?

CHAIRMAN SULLIVAN: Well, I don't see a resignation on the agenda. Is this a vacant position.

MS. SMITH LESLIE: There is a resignation on the agenda. It's right below the DWI.

CHAIRMAN SULLIVAN: Oh, it's right down on the bottom. Yes. That would be good to flip flop that around, wouldn't it. Let's make the motion contingent on the resignation being accepted.

COMMISSIONER CAMPOS: Why don't we just make a motion that we accept the resignation and at the same time appoint Barbara Sandoval?

COMMISSIONER MONTOYA: So moved.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: All right. So we have an amended motion now. We're accepting the recommended appointment and we're also accepting the resignation and the name of the person that's resigning is --

MS. SMITH LESLIE: Ms. Tekla Johnson.

CHAIRMAN SULLIVAN: So we're getting items A and D in this motion.

The motion to approve the resignation of Ms. Johnson and the appointment of Ms. Sandoval passed by unanimous [5-0] voice vote.

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VIII. C. Resignation of Members from the Santa Fe County DWI Planning Council

MR. SIMS: Mr. Chair, we have two resignations. Father Nichols from the faith community representative has been reassigned to another location so he has submitted his resignation, and Anthony Gonzales, our media representative has submitted his resignation because he was unable to work his schedule to actively participate in the Planning Council activities. We are currently looking for replacements for the media and the faith community representative.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: If you're ready to take a motion, I'm ready to make a motion to accept the resignation of Anthony Gonzales and the Reverend Nichols.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: Motion from Commissioner Campos, second from Commissioner Montoya. Didn't Mr. Gonzales make a suggestion for a replacement in his letter?

MR. SIMS: He did, and Mr. Ray [inaudible] is unavailable as well.

CHAIRMAN SULLIVAN: He's not available.

MR. SIMS: That's correct.

CHAIRMAN SULLIVAN: So you're still looking.

MR. SIMS: Yes.

CHAIRMAN SULLIVAN: We have a motion and a second. Other discussion?

The motion to approve the resignations of Mr. Gonzales and Rev. Nichols passed by unanimous [5-0] voice vote.

X. Consent Calendar

- A. Resolution No. 2003-92. A Resolution Requesting an Increase to the General Fund (101)/Maternal & Child Health Program to Budget a Grant Received from the Frost Foundation for Expenditure in Fiscal Year 2004 (Community & Health Development Department)
- B. Resolution No. 2003-93. A Resolution Requesting a Transfer from the General Obligation Bond (GOB) 1997 Series Fund (350) to the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)
- C. Resolution No. 2003-94. A Resolution Requesting a Transfer from the Open Space General Obligation Bond (GOB) 1999 Series Fund (385) to

2677605

- the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)
- D. Resolution No. 2003-95. A Resolution Requesting a Transfer from the General Obligation Bond (GOB) 2001 Series Fund (353) to the GOB Debt Service Fund (401) to Budget Investment Income Revenue for Debt Service Expenditure in Fiscal Year 2003 (Finance Department)
 - F. Resolution No. 2003-96. A Resolution Requesting an Increase to the EMS - Healthcare Fund (232)/Emergency Preparedness Program to Budget Grants Awarded through the New Mexico Department of Public Safety Office of Emergency Services & Security for Expenditure in Fiscal Year 2004 (Fire Department)
 - G. Resolution No. 2003-97. A Resolution Requesting an Increase to the General Fund (101)/Intergovernmental Summit to Budget Prior Fiscal Year 2003 Cash Balance for Expenditure in Fiscal Year 2004
 - H. Resolution No. 2003-98. A Resolution Requesting an Increase to the General Fund (101)/Region III Grant Program to Realign the Fiscal Year 2004 Budget with the Revised Budget as Approved by the New Mexico Department of Public Safety (Sheriff's Office)

CHAIRMAN SULLIVAN: Thank you, Mr. Sims. If it's all right with the Commission, can we jump to item X before we move to the presentations, which is the Consent Calendar, with items A through H with the exception of item E which has been moved down under the Finance Department. I'd like to get a motion with regard to the Consent Calendar if we can.

COMMISSIONER CAMPOS: Mr. Chair, move to adopt the Consent Calendar, items A through H with the exception of E.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: Motion from Commissioner Campos, second from Commissioner Montoya.

The motion to approve the Consent Calendar with the exception of item E passed by unanimous [2-0] voice vote.

CHAIRMAN SULLIVAN: We have now three presentations and we're planning a break right about now to go into the first part of executive session and then we're going to have lunch and then go to the second part of our executive session. Steve, I think -- tell me how long --

STEVE SHEPHERD (Health Division Director): It can be very short.

CHAIRMAN SULLIVAN: IX. A. Are you doing IX. A and IX. B?

MR. SHEPHERD: I'll be doing IX.B. We have a representative for IX.B.

CHAIRMAN SULLIVAN: Go ahead with IX. A.

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IX. Presentations

A. Santa Fe County Health Policy and Planning Commission ("A Call to Action" Health Plan Priorities and HPPC Recommendations to the Memorandum of Agreement (MOA) Progress Review Committee Concerning MOA Funding Priorities

MR. SHEPHERD: You'll find two pieces in you packet. The first one I'll talk about is the chart with the Call to Action on it. The four areas that are highlighted and numbered are the four goals that the Health Planning and Policy Commission at their last regular meeting decided that they're going to focus their action on. Mr. Chair, Jaime Estremera-Fitzgerald wanted to be here today but he had a family medical issue he had to take care of so I told him I'd do this for him. Those four items are increase the number of people enrolled or maintained in Medicaid, increase recruitment and retention of primary care, specialty care and behavioral health care providers and nurses, increase the availability of information, referral and linkage services, increase access to health, behavior health, and dental health care in schools, through the schools.

Basically, what this means is they're going to try to focus their actions and the items that they're working on to fit these four goals and they'll also be giving you recommendations about using County funding that will probably be directed towards these goals as well. That's it for that part. And there's just one more piece of information in there. This is a four-page piece that's titled Santa Fe County Health Planning and Policy Commission Recommendations for Use of MOA Dollars for Fiscal Year 2004. The way the MOA with St. Vincent Hospital is written is fairly broad. It gives a lot of discretion to the Progress Review Committee and we're trying to get -- this is the Health Planning and Policy Commission's first step into making recommendations to the BCC and the St. Vincent Hospital board on the MOA. I'm really happy they're getting involved because their input will help us a lot, especially when we renegotiate.

We sat down, we had about a four-hour meeting and these are their recommendations for the use of MOA dollars for the coming year, which is starting October 1st. I'll just go through them really quickly and then if you've got any questions you can ask. The Santa Fe CARE Connection, we believe after the purchase of the building there's going to be about \$140,000 left. There may be a little more. They want to leave that alone. They do want to -- they're recommending supplementing the CARE Connection from some of the money that's been sitting in the fund for the mobile health care unit, the item just below it. We believe that in the first year of operation that there may be an excess of \$300,000, \$350,000 available. But that's dependent, we don't know at what that costs, but this is a recommendation to take part of that money, put part of it in the CARE Connection and part of it on the last item on the last page, Clinic Health Care Support, put it towards an RFP run through that line item.

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Health Services in Santa Fe County with the Executive Leadership Council and Presbyterian Medical Services staff and our staff, we're going to really try to push projects in and see if we can't make it a viable program. It's been under-utilized. It hasn't run like we want it to. They've also set aside some money for making physician payments in one form or another, and that whole process has to be researched and developed, but it will allow payments to be made to private specialty physicians that work currently not through the County.

We've also asked for some money for some software for the Indigent Fund that automates the Indigent Fund and some outreach, as well as an Indigent Fund study. Health care marketing and outreach, this is traditionally your health care -- the radio program we sponsored and we've also stuck some money in there for grant writing which has been a tool through the Health Division that has been real helpful because we've profited greatly from that.

County Health Care Days, item IV. D. We only think we'll -- we set aside \$2500 in this area. We're generally not using much of anything at all. A lot of stuff is donated so they've recommended that the balance to that go into the grant writing pool to support City and County projects. And then the last item V. A, Clinic Health Care Support, the recommendation is to take half of whatever's left over in the mobile health care van, put it in here and run an RFP out of the hospital like we've done in past years for primary and dental care and nursing and medical -- nursing and medical students residency training programs, which is a pretty important thing right now because we have a shortage of doctors and nurses, dentists, you name it at this point. And I can answer any questions.

CHAIRMAN SULLIVAN: This is just a presentation. These are the recommendations that you also, our staff supports these recommendations.

MR. SHEPHERD: We do. Staff did make recommendations to the Health Planning and Policy Commission just to get them started and we support them. The only thing that I'm concerned about and want to make sure we do is not cut too much money out of the medical van, just to make sure it's got enough operating money and a reserve.

CHAIRMAN SULLIVAN: And these will then ultimately go into the MOA which will come back to us for approval. Is that correct?

MR. SHEPHERD: No, sir. This will go to the Progress Review Committee. The MOA is already done. It's on paper. But the decision on how to specifically spend the money by line item, that decision will be made by the Progress Review Committee, which is the hospital, County staff and management committee, that makes the specific decisions on this.

CHAIRMAN SULLIVAN: Okay. So if there's anybody that has any input, sounds like now's the time to provide it. Questions for Steve? Commissioner Montoya.

COMMISSIONER MONTOYA: Steve, what's IVC? Is that a funding source? And then also IVA?

MR. SHEPHERD: Okay, the mobile medical van, mobile health care unit.

COMMISSIONER MONTOYA: Is that what that is?

MR. SHEPHERD: Yes. Item IV.A, that's the mobile health care unit. The unit has been located, purchased and should be, within either this week or next week on its way to Florida for retrofitting. We're right now working with Kevin Henson at the Fire Department

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and St. Vincent's and Presbyterian Medical Services as to how the final retrofit of the vehicle, what it's going to finally look like. But that's what it is. Yes. And to be honest with you, over the years, as this project's been so slow, we've saved up a lot of money in that account or in that line item.

COMMISSIONER MONTOYA: So those are Roman numerals?

MR. SHEPHERD: Yes.

CHAIRMAN SULLIVAN: I thought it was some jargon like intravenous something.

MR. SHEPHERD: We tried to list them just like they were in the MOA so we could refer back them.

CHAIRMAN SULLIVAN: That's the IV account. It's where they drain it out of you intravenously.

COMMISSIONER MONTOYA: And then on the indigent pharmacy program, you're recommending no funding? Why is that?

MR. SHEPHERD: Mr. Chair, Commissioner, you're looking at the spreadsheet on the back side. This was as was discussed in the Indigent Fund Board meeting this morning. It's a hospital program and it's one that they told us that they would run whether it was in the MOA or not, they'd continue that.

COMMISSIONER MONTOYA: The pharmacy program?

MR. SHEPHERD: That's what we were assured.

COMMISSIONER MONTOYA: Oh, okay. Then the Pojoaque Clinic. Could you explain that?

MR. SHEPHERD: That's another -- it's a hospital clinic and when we were negotiating the MOA, honestly the legal counsel for the hospital said why don't you pull all the hospital programs out. We're going to still make sure they run and stay up and running. I know there's been some discussion about the hospital either selling or going into partnership with another organization for the Pojoaque Clinic but it's real important. We've let the hospital know it's real important to us that that clinic stay open. And I know it's real important to the Pueblo as well.

COMMISSIONER MONTOYA: Yes, it is. That was one of the things that I understood that during the negotiation process, St. Vincent's was promising quite a bit and now we're pulling that funding back but we're not pulling the services out?

MR. SHEPHERD: No. This is one of the items that they said they would continue to run regardless of whether it was in our agreement or not.

COMMISSIONER MONTOYA: Okay. Thank you, Steve.

MR. SHEPHERD: You're welcome.

CHAIRMAN SULLIVAN: Other questions for staff. If not then, I think silence is consent. Steve, we don't need a motion on this. I think we'd better move to our executive session at this point and we'll get the other presentation items after that. We'll do executive session and then we'll break for lunch and then we'll come back into executive session to conclude it and then we'll come back into regular session. I don't know what the timing will be

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but my guess is probably around 2:00.

COMMISSIONER MONTOYA: I know that Melanie Darling is here. Does anybody have a lot of questions on item B? Otherwise that may take a minute.

CHAIRMAN SULLIVAN: Do you have a minute?

COMMISSIONER DURAN: Is that on the Consent Calendar?

CHAIRMAN SULLIVAN: No, it's item B under Presentations for the CHDD. Do you want to do that short and sweet? Yes, she's shaking her head vigorously. Let's move to item IX. B and then we'll take a motion for executive session.

IX. B. Quarterly Report from Santa Fe County Community Partnership, Contract #23-079-CHDD, for the Period from April 1, 2003 through June 30, 2003

MELANIE DARLING: Thank you. My name is Melanie Darling. I'm the director of the Santa Fe Community Partnership and we've been working with the County to provide our parenting classes throughout the County and also community awareness around issues that pop up called Churches Take a Corner. Due to some circumstances that happened at the partnership, we were unable to do three of our classes. One that we want to have in Pojoaque, and two that we want to have down in the south part of the county, Stanley, Edgewood, Moriarty, that area. We would like to extend our contract if the Commissioners would allow, to December, to make sure that we get all of those classes in and that's what I'm here for today. If you have any questions, I'd be happy to answer them.

COMMISSIONER DURAN: Move to approve, Mr. Chair.

CHAIRMAN SULLIVAN: Is this an action item? It's just listed under the Presentation items. Do you have some clarification on that Robert or Gerald?

MR. ANAYA: Mr. Chair, this was set up as a presentation only. She brings up the point on the classes. What we would need to do, if the Commission would give us direction, is to continue to work with the Finance Director to determine whether or not those funds are still available. Those had an expiration date of June 30th of this past fiscal year. Those funds, normally, when those contracts expire, those get allocated into your new general fund allocation for a new upcoming fiscal year. So we'd have to do some research with Ms. Lucero to ensure that there is even funds that exist, if it would be the desire of the Commission for us to move in that direction. The presentation she is bringing forward today was to give an update on the progress of those activities.

CHAIRMAN SULLIVAN: Okay, so you're going to check with the Finance Director to see if that's a possibility and then bring it back to the Commission? Is that the intent?

MR. ANAYA: Mr. Chair, if that's the direction you would like us to move in we will move in that way. I would just say that we have other contractors that also, for one reason or another, don't fulfill the requirements of the contract and historically, those resources

2677610

have gone back into the general fund. If you want us to move in that direction, we absolutely will and then come back and bring that item.

CHAIRMAN SULLIVAN: So this is historically when you say they've gone into the general fund for the next fiscal year to be used for the same entity or to be reallocated?

MR. ANAYA: Normally they've been reallocated to other entities the Commission feels are a priority. I think this is an important project and it's something we would like to see continued from a staff perspective. We just need to make sure it doesn't conflict with your priorities and your resources that you've already budgeted for this current fiscal year.

CHAIRMAN SULLIVAN: Yes, I'd like to have the Finance Director's input on it, certainly. Okay, what's the direction the Commission would like to give on this. I think Commissioner Duran, you were about to make a motion or a comment.

COMMISSIONER DURAN: I was going to move for approval, but I would go with Robert's recommendation.

CHAIRMAN SULLIVAN: Okay, does that satisfy the Commission? Would you consult with the Finance Director on that and then we'll see if this extension is appropriate, based on the staff's recommendation. All right. Any further questions for Melanie.

MS. DARLING: I'm sorry. I kind of put the cart before the horse on that one but I do want to point out that we have exceeded our goals by 37 percent in our enrollment. So I did want to let you know that.

CHAIRMAN SULLIVAN: Thank you. Congratulations.

MS. DARLING: Thank you. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Okay. A motion for executive session, please.

X. Matters from the County Attorney

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

Commissioner Anaya moved to go into executive session pursuant to NMSA Section 10-15-1 (2 and 7) to discuss the matters delineated above. Commissioner Campos seconded the motion which passed upon unanimous roll call vote with Commissioners Anaya, Campos, Duran, Montoya and Sullivan all voting in the affirmative.

[The Commission met in executive session from 12:00 to 1:35.]

Commissioner Montoya moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Sullivan

2677611

seconded. The motion passed by unanimous voice vote.

E. Staff Presentation and Update on the Open Space and Trails Program
[Audio difficulties and a portion of the tape was lost.]

CHAIRMAN SULLIVAN: Got it? So we're official now. So everything you've said, Mr. Flores, it's off the record.

MR. FLORES: I appreciate that, Mr. Chair.

CHAIRMAN SULLIVAN: I had a question on the second to last page. On the \$600,000 that's remaining in the Gateway projects for Districts 1, 2 and 5, from several years ago that weren't expended, I had suggested a project out on Richards Avenue that might be a good gateway type of open space on property that's owned by the Petcheskys. Do you know if any contact has been made or anything has been done on that?

MR. FLORES: Mr. Chair, I don't, but I can follow up with that Paul and also the COLTPAC board.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya, than Commissioner Montoya.

COMMISSIONER ANAYA: Going back to the -- you said a little less than a million dollars. Tell me where that is again? Last page?

MR. FLORES: The packet, I apologize, but the packet had \$794,000. It's actually been increased to \$969,959.

COMMISSIONER ANAYA: Okay. Thank you.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, Tony, where are we with regard to the pending acquisition projects? Are those on a certain time line? Like within the next two years? Let me ask specifically, the Potrero/Chimayo, where are we on that on?

MR. FLORES: Mr. Chair, Commissioner Montoya, all our pending acquisitions have a series of requirements to be fulfilled before we can actually close on them. I think it would be to the benefit of the program to have them under a strict time schedule. The problem with that is the unknowns, the intangibles out there of surveys or EAs or appraisals being completed. I know the Potrero property, we're into discussions right now. I think Paul has tried to keep you up to date or on that loop of where we're at on that property on the acquisition. Time schedules, it's fluid because of the fact there are many different issues for each of the properties. I don't have a specific time frame of when we can close on the Chimayo property or any of the other properties at this time. But I can tell you, they have been identified as acquisitions. They are accounted for in the financial report. It's a matter of fulfilling all those other obligations before the County can actually acquire the properties.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: Tony, and Paul, maybe you can answer this if

2677612

you know. Are part of the problems in closing, say on the Potrero/Chimayo property because of title issues.

MR. OLAFSON: Excuse me, Mr. Chair, Commissioner Duran, no, it's not usually a title issue. Every project is individual and unique. There is one project that has some title questions going on. There's another project that has some changes in how it was originally proposed and presented and approved and to how the situation has evolved today. So each project is pretty much unique in the delays.

COMMISSIONER DURAN: Do you think -- I think it would be a good idea that when people make application for us to consider that acquisition of the project that they provide us with a title commitment so that we can see the status of the title. What are the specific issues on the Chimayo property?

MR. OLAFSON: Mr. Chair, Commissioner, I don't know if it's really appropriate to go into it in a setting like this, but I think it's being worked out, basically. And it's just been kind of slow and there's been some drawn out discussions within the parties there.

COMMISSIONER DURAN: Where is an appropriate place to talk about this?

MR. OLAFSON: Maybe in exec or something, I'm just worried because there's other attorneys involved and there's different negotiations and discussions going on and I just don't know if we should talk about it here.

COMMISSIONER DURAN: Oh, okay.

MR. OLAFSON: It's not big or bad, it's just I don't want to breach any --

COMMISSIONER DURAN: Okay. Thank you. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Are there other questions. Maybe you can answer the other question I had, Paul, before, which was the gateway projects, was there anything done, was there any progress on the Richards Avenue?

MR. OLAFSON: Again, this is a project that I think you're talking about. You'd directed us to get together with the landowner and that has been going on. And they again, I think that's another project that I think is still premature to be discussing, but I think they're looking at some tax issues and it's coming along quite quickly, actually. I think it's coming soon.

CHAIRMAN SULLIVAN: Oh. Good. I don't think \$200,000 would buy the property but I don't know how much property -- they have a lot of property out there.

COMMISSIONER DURAN: I had another question, but Commissioner Campos had one.

CHAIRMAN SULLIVAN: Commissioner Campos, then Commissioner Duran.

COMMISSIONER CAMPOS: Mr. Olafson, we've talked about creating a trust for funding open space, management, operation, even acquisition. You said that there was a subcommittee that has been appointed. Just to follow up, what's the status?

MR. OLAFSON: We're in the process -- I believe I sent you an e-mail a while ago, a couple of weeks maybe. We're in the process of trying to draft a white paper or just kind of an initial position paper and explore, continue moving forward. We're also trying to look at the City of Albuquerque, how they have it kind of structured, and also, I think our next step

2677613

will be to start engaging discussions with some other local organizations and the idea being we want to make it a cooperative venture, versus competing with other trusts or foundation kind of organizations. So make it not competitive but cooperative in balancing.

COMMISSIONER CAMPOS: When do you think we're going to have some more concrete ideas as to where we want to go and what the time line is going to be? Are you looking at an indefinite? I mean, a year? Two years? Are we looking at three months?

MR. OLAFSON: I think to have something reasonably in place and doable, a year to 18. But I think that's with all the legals and approvals of going through the processes here. I think taking the steps is in that time frame. Say, getting a white paper together, then drafting out really practical issues about funding and management and etc.

COMMISSIONER CAMPOS: But right now, Mr. Olafson, it's so vague. I mean, when can you come back to the board and give us something more specific, at least as to directions or options?

MR. OLAFSON: We could do that any time. The next meeting. Or the end of August meeting, September meeting. I would prefer actually September and we can have something more worked out by then.

COMMISSIONER CAMPOS: I'd like you to put it on the schedule so that we would actually, it would be something that gets on to the front burner in the near future so at least we can get some direction, some notion as to where you're headed.

MR. FLORES: Mr. Chair, Commissioner Campos, if I may, is that purely for the vision of where we intend to be and not in concrete fashion? Just basically a white paper like Paul indicated of where we're moving to, or how concrete would like the presentation?

COMMISSIONER CAMPOS: Well, I would like it to move faster than it has been.

MR. FLORES: Okay.

COMMISSIONER CAMPOS: And I think we need to look at resources. We have a lot of ideas but without resources we can't do very much. We can't even manage our properties. The new GRT is going to help but it's not going to help that much. How big do you -- we can talk about plans and purchases all day long because that's what you guys like to talk about. But I'd like to talk about resources. How are we going to get this thing funded. And I think it has to be a front burner issue. We can't just put it in the background and vaguely think about concepts. We've got to come up with something a little more concrete sooner. I've been talking about this for over a year and we're still not even anywhere near a white paper, I don't think.

MR. FLORES: If I may then, let me just not commit to a September date. Let me assure the Board that we'll come back in the next three months to bring back a little bit more of a substantive document for you to review and provide direction on. I hate to bring something that may be vague or in draft form that we may not get anywhere with any way. So allow us some time, three months, max, to be able to put that concrete white paper together and to bring it back to the Board.

COMMISSIONER CAMPOS: Sounds good.

2677614

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: I was wondering if the County Manager could bring COLTPAC into executive session, if not at the next meeting the one after because I really think, I know about this piece of property in La Cienega that COLTPAC has been waiting for the Rancho de las Golondrinas to grant an easement to complete the purchase. And that's been ongoing discussions for almost 18 months. And we have somebody, the property owner has been desirous of selling the property to the County because of its open space, it's contribution to the open space program, but I think in some of these acquisitions, some decisions need to be made that probably can be made easier at the Commission level. And I'd like to be involved in some of those if the Commission feels that, after it's been presented to us that it's appropriate for us to make what I would call an executive decision. But we can't do that if we're not aware of what the problems are. And I'd like to be, I personally would like to know what the problems are on some of these acquisitions because we're dealing with some of our constituents and a program that I think all of us hold dear to our hearts.

CHAIRMAN SULLIVAN: Tony, Paul, I think one thing, then we'll get to Commissioner Anaya. I think one thing that would be very useful, number one is, do we have a schedule or a time criteria in the initial evaluation of these properties. In other words, is this a viable -- is one of the criteria that the COLTPAC committee looks at, does this have a viability time-wise or is it going to drag out forever and ever? Is there points assigned for a criteria like that?

MR. OLAFSON: Mr. Chair, Commissioners, there is not.

CHAIRMAN SULLIVAN: You might want to look at that. A lot of state grant agencies and federal grant agencies, more so the state I think, look at what's a project's viability. Does it have other funding associated with it? Does it have local support in terms of dollars? Is the land purchased? It's kind of a CDBG type criteria. And that's not the be-all, end all. Obviously, if it's a wonderful piece of property we want to work hard to get it, but I think you might want to think about that as a criteria for at least point allocations when they look at the property. Because I think we need to begin to prioritize those.

My second point was I think what would help is if we could get a schedule here of when and a schedule by property of when key benchmark activities are supposed to be completed. And you can set those benchmarks up any way you want, whether it's completion of appraisal, whether it's negotiation of the purchase price or clearance of the title or as Commissioner Duran says, make them have the title as a part of the submittal, so we don't waste time on that. With those benchmarks and times, then there's some impetus to meet that schedule. If they don't meet that schedule, it doesn't mean we would drop the property but it does mean that we might reprioritize it. We might say, We're still going to talk to you but we're going to take that \$500,000 for now and put it over here. We'll reconsider it under the gross receipts tax open space program or something like that. But unless people, particularly attorneys, have time, deadlines, it seems like these things seem to drag out for an awful long time. And I know it's frustrating for you as staff. It's frustrating for us too as the Commission, because we're not involved in the day to day basis. But could a schedule like that be prepared?

2677615

MR. OLAFSON: Mr. Chair, I believe we do have a fairly organized process already in place. The problem is that sometimes you just get hooked up on the thing. Maybe what you're saying, is Okay, then there's the trigger that says, we've been hung up on this too long and that's possibly what Commissioner Duran was also saying. So we need to choose or lose or make some kind of motions.

CHAIRMAN SULLIVAN: I'd like to see that schedule as a public document developed by the COLTPAC, given to us in these information things so we can see if we're ahead or behind. And if we start dragging 18 months behind or even six months behind, then it's time to say, Well, maybe it's time to move on. I just don't like our money to be sitting there when we could be investing it. We have other alternatives for open space. We do have a gross receipts tax. Does such a schedule exist?

MR. OLAFSON: I don't have it. It's more like a checklist, that these are the steps that you have to do. But we don't have a time frame specified. Different projects we've assigned time frames to them, that we need to have this done at this point, like a critical path, per project. And that's, as I've come into these projects and seen where we're at and then trying to move them forward. And sometimes they've just gotten hung up on people out of town, or whatever. Key players. We can develop that for the existing acquisitions from this point to the completion.

CHAIRMAN SULLIVAN: Everything, the potential, everything that you're working on. It wouldn't have to be quite as detailed as maybe what you use in the day to day operation, but a summary of where we can see, are we meeting these and we can pick them out and say, What's the hold up. And then put a little pressure on the parties if they're, if they want to continue negotiations to the last penny then maybe we want to do something else. But a schedule always helps me. So if that's possible, I think in your next report that would be helpful too. Commissioner Anaya, you had a question.

COMMISSIONER ANAYA: Mr. Chair, Tony, Paul, could you guys walk me through the last page there. You said you got \$969,000 to spend on open space, and then you keep adding on through the fiscal years, 04, 05, 06, how does that work?

MR. OLAFSON: Okay, these are two different revenue pods. The top one is the bond funds. That's the \$969,000, and that is from the two open space bonds that were approved by voters, the \$12 million and the \$8 million. So that's the remainder of that \$20 million total. The other one is, the next one below it, the little box, that's the GRT revenues that just started coming on line this year, and that's projecting out over the next five years. It's only a five year period. The GRT runs longer than that. But that's what we've looked at in this time frame.

COMMISSIONER ANAYA: So at the end of five years we've got \$3 million?

MR. OLAFSON: Correct.

COMMISSIONER ANAYA: Okay.

MR. OLAFSON: And then that's split. I just wanted to point out that that's split between the regional projects, joint regional projects, City and County that are vetted through the RPA, and then the other 50 percent that is straight through the County.

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COMMISSIONER ANAYA: Oh, okay. So a total of \$6 million.

MR. OLAFSON: Yes, approximately.

COMMISSIONER ANAYA: So we have \$2,975,000 for joint regional and \$3,360,000 for County.

MR. OLAFSON: Correct.

COMMISSIONER ANAYA: Okay. Thanks.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: The other reason that I think it may not be a bad idea to have an executive session with you Paul is if there's some decisions that are being made in executive session that have an impact on the open space money, and I think that you need to be aware of those issues. Like the M & R Gravel for one. But there has been ongoing discussion about other things that you probably need to be aware of. So maybe we could ask Gerald to plan an executive session for us relative to COLTPAC and how we're going to expend these funds.

MR. GONZALEZ: Mr. Chair, Commissioner Duran, just a question. Did you want that as a joint meeting between COLTPAC and the BCC or representatives of COLTPAC or just a separate --

COMMISSIONER DURAN: No, just with the department heads and Mr. Olafson. Is that okay, Mr. Chair?

CHAIRMAN SULLIVAN: Yes, I think that would be fine. Perhaps with the COLTPAC chair as well.

COMMISSIONER DURAN: If he can keep a secret.

MR. FLORES: Mr. Chair, Commissioner Duran, we would also at that time bring forward any of the issues of pending acquisitions so we can put them all out on the table and hopefully, come to some type of resolution that will move them forward.

CHAIRMAN SULLIVAN: Any other questions of staff on the open space and trails program? If not, thank you, Tony. Thank you, Paul.

XI. Staff and Elected Officials' Items

A. Finance Department

- 1. Resolution No. 2003-99. A Resolution Requesting Final Approval of Operating Budget for Fiscal Year 2004 as Presented to the New Mexico Department of Finance and Administration, Local Government Division**

CHAIRMAN SULLIVAN: Let me just mention while staff is getting ready with the presentation here that it's our plan to go back into executive session at 3:00 to discuss limited personnel matters. So at that point, approximately at that point we'll need to return to executive session.

SUSAN LUCERO (Finance Director): Mr. Chair, members of the Commission, what we would like to do is present to you and request approval for the final budget for FY2004. In May we met and discussed, and you approved the interim budget. You requested certain changes which included new FTE positions which we've summarized on the worksheet that I handed out to you. We are also always needing to respond to any requirements from DFA regarding final budget requirements and I believe in your packet you'll see a copy of a letter from DFA outlining those specific items which we have incorporated into this final budget as well. 2677617

What we'd like to do is simply summarize in very big terms and big pictures what the final outcome of the budget looks like. Here we have a picture of the total fund sources across the entire County, illustrating a total budget of \$92.89 million, which is up \$2.7 million from the previous fiscal year. It's comprised of numerous combinations of sources, the largest being property tax, which is up 1.4. The next largest being gross receipts taxes, now this is countywide across all funds. That is a total of \$22.1 million, primarily because of the new capital outlay GRT instituted last spring.

The next item to note would be transfers from other funds, which is up \$1.7. The majority of that going to our jail enterprise fund. The next item to note would be grants, which are down this year by \$2.2 million, primarily due to a reduction in road project funding, special appropriation funding from the legislature, a federal grant that we had received last year that was a one-time grant, not to be refunded, and we see a reduction in our CRAFT funding for our DWI program.

In terms of uses, the balance being the same as sources, we see the majority of funding going to Health and Community of \$16.1 million, which is up approximately a half million. Let me jump down to Environment being at \$11.8 million, down by \$8 million because the prior fiscal year we had an open space bond new issue that was budgeted; this year we do not. The jail at \$12.8 million, up \$2.3 from previous fiscal year. Debt service is up approximately \$.1 of an entire million, so \$100,000. Fire is at \$7.2 million, Sheriff and Sheriff-related projects at \$7.2 million. Utilities at \$7 million, up largely because of the capital outlay funding.

I'd like to note on the government portion, being at \$14 million to be considered in comparison to the large program services, which have grown, that the government support function has only increased by \$100,000, that to accommodate that large growth in programs.

Recapping very quickly, the total budget comprised of general fund, special revenue funds, enterprise funds, debt service and capital improvement funds, interim budget was approved at \$92.56, with a final budget request of \$92.87. The difference is noted to the right. As you can see, basically reductions in travel, reductions in interest expense to a bond refunding, an increase in terms of budget reporting of \$438,000, because originally funding for equipment, for road equipment was budgeted within general fund, through general fund cash and now we're simply transferring that source of cash for that equipment to come from the road fund, construction road fund (311) rather than general fund.

And down below, to show the picture without fund transfers, we're actually realizing a reduction in the total budget of \$125,000.

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So to recap very quickly, in terms of reporting again, we are increasing the remaining balances from completed road projects, transferring that cash to general fund capital package for public works equipment and for road improvement on County Road 8, deletion and a transfer of salaries for the Project Manager, instead of funding it through bond funded, it's funded through the general fund. Rebudgeting of capital outlay fund expense to allocate budget to the RPA approved projects, rebudgeting interest for a '93 GOB bond to reflect June 2003 refunding of this bond at a lower interest rate, recalculation of property tax, which was based on a certification estimate which turned out to be lower than what was expected but we are replacing it with a source from payment in lieu of taxes, and then general reduction of contractual services and travel for a total impact of \$335,897.

This is a quick picture of general fund showing a budgeted increase from last year of \$1.3 million. As you can see, the transfers from other funds is up -- and this would include this road project funding transfer for equipment. Property taxes are up \$1.4, GRT is remaining unchanged. Granting subsidies are down. Charges for services are up slightly and interest income is down.

I just want to note the two major funding sources to general fund, which are property tax and GRT. Property tax, we just want to note what's happened over the last few years to kind of give you an idea, quickly, of where we might be headed. Property tax is up in comparison to 2003 in terms of growth, but we do see, on the very blue section on the top, which is our prior year collection efforts, we do see a reduction and we feel that's an indication of the recession and the economy. So we anticipate that to continue and possibly go down further.

On GRT we see an even greater impact, economy-wise. In 2001, we typically realize 6.2 percent in GRT growth. This year we're realizing a 1.6 percent reduction.

CHAIRMAN SULLIVAN: Could you say that again? Go back. Last year you say we had a 2.6 percent increase in GRT and this year we have a 1.2 percent reduction?

MS. LUCERO: In 2001, we had a 6.2 percent growth realization impact and in fiscal year 2004, we see a 1.6 reduction.

CHAIRMAN SULLIVAN: But last year, in 2003 --

MS. LUCERO: In 03 it was 2.6, Paul.

CHAIRMAN SULLIVAN: Percent increase.

MS. LUCERO: 2.8 percent increase from the previous year.

CHAIRMAN SULLIVAN: And this year it's a 1.8 percent decrease.

MS. LUCERO: One percent.

CHAIRMAN SULLIVAN: From last year.

MS. LUCERO: You could say we've gone down by 4.4 percent from 2002.

CHAIRMAN SULLIVAN: Anything in particular that you attribute that to or

just a general recession?

MS. LUCERO: A general recession. And we see it, interestingly enough, we see that reduction more so in the GRT within the county incorporated areas primarily. Not as much within the city areas.

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CHAIRMAN SULLIVAN: And does this include the capital improvements
GRT also?

MS. LUCERO: Paul? Just the general fund.

CHAIRMAN SULLIVAN: Just the general fund. So it's not impacted -- so it is
an indication of the economy. Okay.

PAUL GRIFFIN (Budget Administrator): I've never stood up before you
before. I'm Paul Griffin. I'm the budget administrator here. This GRT is just the general fund
GRT. Particularly late winter and going into the spring of this year, we noticed that the GRT
revenues were not keeping up with last year's revenues. So we got very conservative about
forecasting the budget. Notice the 2004 number is a budget number, not an actual number. The
actual number for 2003 came out at 2.8 percent above the actual number for 2002, but we've
budgeted a decrease in the 2004 number.

If things change, we'll let you know. But it's better to be safe than it is to go ahead and
spend the money and suddenly find out we don't have the revenue coming in.

Property taxes have done pretty well. You've all heard from the Assessor about how he
got out and assessed property and found so much additional valuation and this reflects that and
we went along with the numbers that are used to set up tax certification and those are the
numbers in the budget. And we're hoping that that will hold next year. Crossing my fingers. So
those are the -- those two items, the property tax and gross receipts tax accounts for about 90
percent of general fund revenues. So that's pretty well it. The rest of it is in fees and charges
for services and whatnot. But those are not a significant amount of the general fund. Thank
you.

CHAIRMAN SULLIVAN: Thank you.

MS. LUCERO: The two areas we want to focus very heavily this year are
where we are in relationship to the jail and how much general fund is required or anticipated to
need to fund the jail in terms of transfers in. So this picture denotes the cost of care of prisoners
that we pass on to our contractor, that's the blue section, and the cost of that. The red section
indicates what we incur for the cost of our juvenile contract to care for juveniles and then in the
gold that's all other operating type expenses such as capital. So you can see the red line
indicates how our transfers have fared over the last six years, five years of operation, where we
expect them to be this year.

The next area we want to focus attention on is the EMS Healthcare fund. This fund is
used primarily for our Health Division, administrative division of our Health Department and
the Fire/EMS operations, administrative operations, which that was switched from general fund
during fiscal year 2003. And you can note that as that switch was made during fiscal year 2003,
we do see an increase of expenses or costs over the actual revenue that's coming into that fund.
So this is an area we're going to watch carefully and come up with alternative sources of
funding for those programs. That concludes our basic presentation. I'd like to address any
questions you may have.

CHAIRMAN SULLIVAN: Are there questions from the Commission? I guess
you've answered all our questions.

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MS. LUCERO: Or I've bored you to tears.
CHAIRMAN SULLIVAN: Commissioner Duran.
COMMISSIONER DURAN: Move for approval of Resolution 2003-99.
COMMISSIONER ANAYA: Second.
CHAIRMAN SULLIVAN: Motion from Commissioner Duran, second
Commissioner Anaya. Is there other discussion of that motion? No, I guess not.

The motion to approve Resolution 2003-99 passed by unanimous [5-0] voice vote.

XI. A. 2. Resolution No. 2003-100 A Resolution Requesting Approval of
Option to Call for Full Redemption of the \$1.5M Santa Fe
County 1993 Environmental Gross Receipts Tax Revenue Bond

MS. LUCERO: Mr. Chair, Commissioners, in 1993, the County issued a revenue bond for environmental purposes. This was a way to initiate programs for solid waste transfer stations and also wastewater treatment facility. There is a fund dedicated to just exactly serving and paying for the debt related to this bond, which over the years has accumulated sufficient cash balance to allow the County to pay the note off early by two years. We would save approximately \$30,000 in interest expense, which may be an option, since if we leave the cash balance to earn interest revenue we could at the most make \$10,000 on an annual basis. So you would net approximately \$20,000 in savings.

CHAIRMAN SULLIVAN: And this is something you are recommending as Finance Director?

MS. LUCERO: Mr. Chair, yes, I am recommending this.

CHAIRMAN SULLIVAN: Questions?

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: So we really have no need for this money?

MS. LUCERO: Mr. Chair, Commissioner Duran, this money, this cash balance is dedicated to only the debt service for this bond, so we wouldn't be able to use it for any other purpose until the bond would be fully redeemed, fully paid off. If there is any remaining cash balance we could use that for other items, once it's satisfied.

CHAIRMAN SULLIVAN: Can we, or do we have enough money to prepay the bond?

MS. LUCERO: Mr. Chair, that is correct. We have sufficient cash balance to prepay it.

CHAIRMAN SULLIVAN: So that's what this resolution is doing.

MS. LUCERO: And the bond allows you to prepay it early. It gives you that option.

CHAIRMAN SULLIVAN: Unlike the jail bond.

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MS. LUCERO: Yes, sir.

CHAIRMAN SULLIVAN: So we are calling this bond then, is what we're doing.

MS. LUCERO: Yes, sir.

CHAIRMAN SULLIVAN: And then we're taking, what are we doing with the remainder of the money?

MS. LUCERO: Mr. Chair, once the item is fully satisfied and fully settled, any remaining cash balance could be used for other County purposes.

CHAIRMAN SULLIVAN: Okay. Questions?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya, then Commissioner Duran.

COMMISSIONER MONTOYA: The pay-off is \$235,000 then?

MS. LUCERO: Mr. Chair, Commissioner Montoya, the current budget as we speak has already budgeted approximately \$150,000, I want to say. \$150,000 to \$175,000. We would need an additional, the additional amount you see on that budget adjustment in order to fully redeem and call the bond completely.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: The amount of money you had budgeted to satisfy the debt service, was that factored into the budget that we just approved?

MS. LUCERO: Mr. Chair, Commissioner Duran, the amount that was factored into the budget that you just approved only reflected one year's worth of debt service.

COMMISSIONER DURAN: And how much was that? Did you say --

MS. LUCERO: I want to say, I'm thinking it was close to \$175,000, just off the top of my head.

COMMISSIONER DURAN: About \$175,000 that was budgeted in this past budget cycle that was budgeted for debt service on this.

MS. LUCERO: Yes, sir. That's correct.

COMMISSIONER DURAN: So we would have roughly \$175,000 that goes back into the general fund, unbudgeted?

MS. LUCERO: Mr. Chair, Commissioner Duran, no. What we need is the difference between the \$175,000 and approximately \$500,000 to completely satisfy the bond. The \$175,000 is already budgeted. There's still remaining cash balance that we're asking you, in this resolution to add onto the \$175,000 in order to completely pay off the bond.

COMMISSIONER DURAN: So you've deducted the amount that was budgeted for payment of this debt and what's left is what you're asking for today.

MS. LUCERO: Mr. Chair, Commissioner Duran, that is correct. In other words, we are asking for the last two years of required debt service in order to pay it off early. This would be, the amount reflected here is principal of what would be remaining on the bond.

COMMISSIONER DURAN: And where do we get this money?

MS. LUCERO: Mr. Chair, Commissioner Duran, this is a dedicated debt

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service fund.

COMMISSIONER DURAN: Okay. I barely balance my checkbook so I have a hard time with this stuff. Thank you.

CHAIRMAN SULLIVAN: Other questions of Susan? So you have the money in a separate pot, to make the difference up.

MS. LUCERO: Mr. Chair, we do. We have it in a separate pot. Now, one of the reasons this cash balance has climbed to this level too, is you're required, when you first issue the bond to keep so much in reserves. So that already is \$150,000 that's been there, based on that requirement.

CHAIRMAN SULLIVAN: Okay. Other questions? If not, we have Resolution 2003-100 before you. What's your direction here?

COMMISSIONER DURAN: Move for approval, Mr. Chair.

CHAIRMAN SULLIVAN: Motion, I'll second the motion for that resolution. Any further discussion?

The motion to approve Resolution 2003-100 passed by unanimous [5-0] voice vote.

MS. LUCERO: Mr. Chair, excuse me. Could you hold on one minute. I've made an error in not including an additional required resolution, one for the budget as well as the one requesting, or the one fully redeeming the bond. I should have had two captions and Becky would like to make a correction.

MS. BUSTAMANTE: I just wondered from legal if we could deal with it now.

MR. ROSS: The problem, Mr. Chair, and what Becky is referring to is it's not on the agenda as a budget adjustment. It's just on the agenda a resolution requesting approval to call for the redemption. So I think the issue is the fact that there is nothing on the agenda to tell the public or anybody that we're also doing a budget adjustment in connection with this.

COMMISSIONER DURAN: How about if we approve it pending ratification?

CHAIRMAN SULLIVAN: Well, it may not have been listed that way but the budget adjustment was in the packet and available to the public.

MR. ROSS: It was in the packet and it's part and parcel of the whole thing.

MS. LUCERO: Mr. Chair, what I'd like to do is address the budget adjustment next month, if we could get approval for the resolution itself. That's the most important and then I'll bring forward the budget adjustment at a subsequent meeting.

CHAIRMAN SULLIVAN: Okay. So this resolution is to approve the option to call the bond. And then the budget adjustment will come next month, as you say.

COMMISSIONER DURAN: So my motion stands.

CHAIRMAN SULLIVAN: I think your motion is still in order. Did we vote on that motion? I seconded it. I think we voted on it. Okay, so that motion passed and the budget adjustment will be forthcoming at the next administrative meeting.

2677623

XI. A. 3. Request Authorization to Enter into Amendment No. 10 to the Professional Service Agreement #20-0052-FI with Rick Johnson & Company, Inc., for Lodger's Tax Advertising and Promotional Services

MS. LUCERO: Mr. Chair, members of the Commission, the Finance Department is requesting acceptance of amendment #10 to an existing PSA with Rick Johnson and Company. They are the contractor for advertising and promotional services in which we use Lodgers' Tax proceeds towards. The requirement of an additional amendment is due to the fact that we are currently, we have resolicited for this contract. We have done a new proposal and we're currently renegotiating with other firms. Meanwhile, the summer months are quite critical to the advertising program for Lodgers' Tax and there are two very large fulfillment pieces that need to be completed during the summer months in an attempt to get the greatest coverage. And that is why we're asking for an amendment in order to extend the current contract with Rick Johnson to complete those two large pieces.

CHAIRMAN SULLIVAN: Susan, what's the status of the RFP and the evaluation?

MS. LUCERO: Mr. Chair, this past week, I along with one member of the evaluation team and our purchasing manager met with one of the potential offerors of the RFP. We explained to them that we wanted to negotiate with them in an attempt to get the greatest coverage for the dollar. They met later in the week with the Lodgers Tax Advisory Board to get an idea of their media plan and they're supposed to come back to us with costs based on the plan.

CHAIRMAN SULLIVAN: So you've already been through the selection process?

MS. LUCERO: Yes, sir, we have.

CHAIRMAN SULLIVAN: And you've identified one firm and you're now negotiating a cost, which if you feel is reasonable, you'll be back to the BCC for approval.

MS. LUCERO: Yes, sir. That's correct.

CHAIRMAN SULLIVAN: I had another question. We did the same thing last year, right? The same last minute extension. In last year's amendment, which was amendment number nine, under compensation, it says the total compensation for FY2004 shall not exceed \$9,000, inclusive of gross receipts tax. Is that all we spent last year on Lodgers' Tax advertising?

MS. LUCERO: Mr. Chair, no. What we spent last year was approximately, for FY2003 was approximately \$240,000, about \$239,000, I believe. No, I'm sorry. \$250,000. Then we asked for an amendment in July, anticipating that we could complete the evaluation and complete a negotiation with the successful offeror. So that was the purpose of amendment nine, for the \$9,000.

CHAIRMAN SULLIVAN: That was to get us one month of services.

MS. LUCERO: One month of services. Now we're asking for basically an

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additional month. The reason it is twice the amount of the first month's is that it includes publication costs for the City of Santa Fe Visitor's Guide, which is our largest, one of our largest media production plans that we use during the year for tourism advertising.

CHAIRMAN SULLIVAN: And that's through the City?

MS. LUCERO: The Visitor's Guide is actually published, I believe, through the Chamber of Commerce. It's a very large, magazine-type production, and every hotel, every motel, every bed and breakfast within the City and County limits participates with running ads to the extent that they want to in an effort to promote tourism for their own entity.

CHAIRMAN SULLIVAN: Okay. Other questions for Ms. Lucero. If not, what's the wishes of the Commission?

COMMISSIONER DURAN: Move for approval.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Motion for approval from Commissioner Duran, I think, and seconded by Commissioner Anaya.

The motion to approve amendment #10 to the PSA with Rick Johnson and Company passed by unanimous [5-0] voice vote.

XI. B. Land Use Department

1. Request Direction for Inclusion of Portions of the Airport Development District as the "Redevelopment District" in the Santa Fe Metro Area Highway Corridor Ordinance

CHAIRMAN SULLIVAN: And if you can figure this out, we'll let you do the presentation.

JACK KOLKMEYER (Planning Director): Mr. Chair, members of the Commission, good afternoon. I'm Jack Kolkmeier, Planning Director for the County. And yes, this is a little bit confusing, but I think I have it graphically figured out as I go through it and you'll understand it. I know Commissioner Duran was on the Highway Corridor when a lot of this started so he'll understand portions of it as well.

What we are requesting is that the Board of County Commission direct, give us direction to include portions of the present Airport Development District into the Santa Fe Metro Area Highway Corridor Plan and Ordinance outside of the two-mile Extraterritorial Zoning District. There's a map that we've included in the packet for you that shows the Airport Development District which is comprised of subdistricts 1, 2, and 3, and then there are the combined portions that show subdistrict 1 and 2, and it's also labeled the Redevelopment District.

I'm going to go through the history of this with you really briefly and I think that helps to understand what we're asking you to give us direction to do.

COMMISSIONER CAMPOS: Mr. Chair.

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CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Just a question. Mr. Kolkmeier, would you just tell us briefly where you expect us to get to and why? Just generally.

MR. KOLKMEYER: Yes. That's pretty clearly stated in the recommendation that's in the memo to you. We want you to -- we're getting ready to come back with the Highway Corridor Plan, the Metro Area Highway Corridor Plan. What we'd like for you to do is give us direction to put back in what was originally the Redevelopment Subdistrict that we took out and put into the Airport Development District, to put it back into the Highway Corridor so that we can move forward with the adoption of the Highway Corridor Ordinance.

COMMISSIONER CAMPOS: That's the main reason.

MR. KOLKMEYER: That's the main reason.

COMMISSIONER CAMPOS: Are there any other reasons?

MR. KOLKMEYER: Maybe you could ask me another question. That's the main reason. It's gotten a little bit confusing, because once again we've had two planning processes going on kind of at the same -- well, actually not the same time. One of them ended. If I could just go through this real quickly, I think it will explain it.

COMMISSIONER DURAN: Jack, could I ask you a quick question while you're there though?

MR. KOLKMEYER: Sure.

CHAIRMAN SULLIVAN: Commissioner Duran.

COMMISSIONER DURAN: When we first put the General Plan together we talked about enhancing the area around the Airport Road, 599, to try and do something to enhance those properties so that the batch plants and all of the industrial use would go away.

MR. KOLKMEYER: That's correct.

COMMISSIONER DURAN: And we determined that that was going to be called the Redevelopment District.

MR. KOLKMEYER: That's correct.

COMMISSIONER DURAN: And then somehow, I don't remember when this Redevelopment District was incorporated into the Airport Development District, which was also -- there were two districts when we did this. There was the Redevelopment District, which represented an industrial type use that we felt was needed. But that was a different use than the Airport Development District, because we weren't trying to enhance values to remove undesirable uses. So now you're asking to come back to put back the Redevelopment District in? Back into where it originally went?

MR. KOLKMEYER: If I could just go through it, it will be less confusing I think, otherwise we're going to bounce back and forth all over the place. If that's okay.

COMMISSIONER DURAN: Go ahead.

MR. KOLKMEYER: When we did the Growth Management Plan back in '98 and '99, we outlined three larger districts that we wanted to do more detailed planning for. The Community College District, the Airport Development District, and the Highway Corridor that went around I-25 and 599. We commenced working on the Community College District. We

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finished that with a plan and ordinance. We then went and did the Highway Corridor Plan, and when we finished the Highway Corridor Plan, that was three entities again, the City, the County and the EZ all working on that. So the adoption process got kind of out of whack there because the City -- and we adopted it all at separate times.

But when we finished the plan, the Highway Corridor Plan, Commissioner Duran, you're exactly correct. We finished the plan that had standards and land uses and policies and directives for everything -- this is a real kind of shuffling act here that we have to do. But obviously, it all started with the Growth Management Plan. When we did the Highway Corridor Plan, we got to the 599 and Airport Road intersection. We adopted the plan without any land uses, without any design standards, and at that point you all directed us, the Highway Corridor Plan, to take this out and go do additional planning for it and then come back in when it would be adopted as an ordinance and have the planning done.

But the answer to your question specifically is, we then recognized that we also had to go back and do a plan for the Airport Development District, which included this in the Growth Management Plan. We made the choice, and some of you were on the Commission at that point made it with us, that we would go back, take this piece, put it into the Airport Development District and do a plan for the whole area, because at the intersection, we had County Road, Airport Road, we had all those things together that we could do a coherent plan for. Now, we're coming back and we're going to adopt the portion of the Highway Corridor Plan for the county that did not get adopted. The EZ has already been adopted. The county portion has not been.

We finished that detailed planning as part of the Airport Development District plan, but now we want to take it out of the Airport Development District, put it back into the Highway Corridor Plan and adopt the redevelopment portion as the Highway Corridor Plan. So in the process of doing that, here's how it distills. This was the original Highway Corridor Plan. This simplifies it a little bit. This red area was the original Redevelopment District of the Highway Corridor Plan. When we took this back out and went back to do detailed planning for it, we enlarged it a little bit to kind of fill out some pieces that weren't in the original redevelopment portion, the piece down here to the south, owned by the Howell family and some other portions of McIntosh and some of the other mining pieces that had access right onto County Road 56, so we enlarged that in the Airport Development District plan and called it subdistrict 1 and subdistrict 2. But subdistrict 1 and subdistrict 2 correspond pretty much to what the Redevelopment District is.

We've now completed that planning with design standards, land uses and a particular plan for the river and for gateway opportunities and options for 599 and Airport Road, but what we need to do now, this being all of the Airport Development District, we want to back this piece back out and put it back into the Highway Corridor and then leave this as the Airport Development District. How's that?

COMMISSIONER DURAN: Jack. Thank you, Mr. Chair. County Road 56 and that one little, that red piece right there, is that City owned?

MR. KOLKMEYER: That's the sewage treatment plant.

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COMMISSIONER DURAN: Okay. Good.

MR. KOLKMEYER: This is the airport, and remember, the Airport Development District as we originally had it was about a third larger than what it is. We had also included the airport originally but we recognized we couldn't plan that for the City.

COMMISSIONER DURAN: So the planning that you've gone through the last several years, it's complete not only for the Redevelopment District, but the Airport Development District?

MR. KOLKMEYER: No. It's only complete for this portion, which is why we want to take it out because we're ready to adopt the Highway Corridor Plan. But we haven't finished this. So we'll leave that as the Airport Development District, come back and adopt that as a separate plan and ordinance later.

COMMISSIONER DURAN: But considerable work has been done on the Airport Development District and subdistrict 3.

MR. KOLKMEYER: Oh, yes. We're not too far away but we don't want to -- we think it's a good opportunity for us to again get this coherent so there's not so many pieces floating around and then all this becomes the Highway Corridor Plan and everybody kind of recognizes that and understands that, and we just call the remaining piece the Airport Development District.

COMMISSIONER DURAN: So what kind of planning has been done in subdistrict 2? You're bringing it back in. Is it coming back in with specific uses, allowable uses?

MR. KOLKMEYER: Yes. We have uses. We have a fairly detailed plan for the river which runs through there which is one of the things that was asked for in the Highway Corridor Plan. We have design standards for both subdistrict 1 and 2.

COMMISSIONER DURAN: And that would be brought forward relatively soon?

MR. KOLKMEYER: Probably at the end of next month or September, along with the Highway Corridor Plan.

COMMISSIONER DURAN: And that would be -- and then the next one would be the Airport Development District.

MR. KOLKMEYER: Yes. And that will be probably, maybe closer towards the end of the year.

COMMISSIONER DURAN: Okay. I get it now. Thank you.

MR. KOLKMEYER: It just sort of expedites things and takes a little bit of the confusion about having both of these planning areas there at the same time.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Kolkmeier, what planning jurisdiction does the City have in this area, if any?

MR. KOLKMEYER: Relative to the Airport Development District and the Redevelopment District? In that area? None.

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COMMISSIONER CAMPOS: Zero.

MR. KOLKMEYER: Zero. And that's kind of the way we did it this way. We took out a little piece here so there would be no portions of it in the EZ. And we just would then be dealing entirely with CDRC review and Board of County Commission. It made it real streamlined for us that way too.

COMMISSIONER CAMPOS: What is the RPA doing with the rest of that area?

MR. KOLKMEYER: Well, see, this was another good reason to do it this way because the RPA will come back with land use recommendations for specific growth areas. One of the problems is this area got really large, and it kind of allows us to go back and look at a smaller, more accessible and usable piece in terms of the land use work that you all are doing on the RPA now. We'll be able to look at just this smaller portion of it. We do want to take this plan, the whole Highway Corridor Plan back to the RPA just to do a presentation, make sure everybody understands the rearrangements that we've made too.

COMMISSIONER CAMPOS: But the RPA is doing some planning in this area, right?

MR. KOLKMEYER: Yes.

COMMISSIONER CAMPOS: So there may be a conflict between the RPA and the BCC.

MR. KOLKMEYER: I don't think there'll be a conflict. I think it will be more of a corroboration, that, yes, growth is pretty much going to be confined to this area and how much and when and how the utilities come into play will be an issue that I think will give a lot of credence to the RPA to add some of those decisions on to this work here. I wouldn't see it as a conflict as much as a corroboration. I think if we came back with the whole huge piece and say we're going to come forward with a development plan for that area, there might be some conflicting points of view about such a large area.

COMMISSIONER CAMPOS: Does the City have any planning interests that are in conflict with ours, with the County's, that is, in that area?

MR. KOLKMEYER: At this point, very little. Jim Montman from the airport participated in all of our planning sessions with us so we were up to date on the airport master plan, so we didn't come in to any conflict with what the airport master planning activities were there. The City is proposing a business park right here.

COMMISSIONER CAMPOS: Outside of the city?

MR. KOLKMEYER: Yes. Well, on City-owned land in the airport. Mr. Howell, who owns all this property here, will also more than likely come in with a proposal for a business park. So I think that's going to again raise this question and in part the RPA is going to have to answer it -- how many business parks do we need? How much square footage for business parks is reasonable in this area. In part, again, I view that as good because we're going to have this dialogue on how much business park area do we really need and I think that would be the only area where I'd see we'd be in conflict with City planning at this point.

COMMISSIONER CAMPOS: Does the City have authority to just go out and

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create a business park in the county? Or do they have to come to the County for all the approvals? Even if it's their own property. This is not governmental function. It's basically a private function.

MR. KOLKMEYER: They will have to come to us for environmental issues in that area.

COMMISSIONER CAMPOS: Why only environmental issues? It's within our zoning jurisdiction. It's outside the Two, right?

MR. KOLKMEYER: I believe so. I think that will be --

COMMISSIONER CAMPOS: If it's outside the Two, what zoning authority does the City have to just say this is a business park?

MR. KOLKMEYER: I would suggest that they have to bring their plans to the EZ just like anybody else.

COMMISSIONER CAMPOS: I would think so. I was just curious. I don't think they're thinking that way.

MR. KOLKMEYER: Well, we haven't had a project like that come forward. Is Roman here? Roman's not here.

COMMISSIONER DURAN: Jack, I thought this was annexed property that the City Planning Department --

MR. KOLKMEYER: No, the City actually, the city boundaries actually only go up to where Tierra Contenta is. They didn't jump over the road yet. Not yet. But I think you raise the issue that might come up when the business park comes forward. But I'd have to get some other concurrent, maybe legal wants to make a comment at this point, but if they don't, I think that would be our recommendation is that they come through our process too.

COMMISSIONER CAMPOS: Just like anybody else.

MR. KOLKMEYER: Yes.

COMMISSIONER CAMPOS: I agree. Thank you.

CHAIRMAN SULLIVAN: Other questions.

COMMISSIONER ANAYA: Mr. Chair, move for approval.

COMMISSIONER DURAN: Second.

CHAIRMAN SULLIVAN: Motion and a second for, this is requesting direction for the inclusion of portions of the Airport Development District, as the Redevelopment District in the Metro Area Highway Corridor Ordinance. And is there any other discussion?

The motion to include the Redevelopment District into the Highway Corridor Plan passed by unanimous [5-0] voice vote.

MR. KOLKMEYER: Thank you, Mr. Chair, Commissioners.

COMMISSIONER DURAN: Could I just ask legal, could you get us an answer on that about whether they would have to, whether the City has to come in. I know when we did our remodel on our building we didn't go get a building permit from them because we didn't have to. And I think it works vice versa. Could you just give us a report at the next

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meeting.

MR. ROSS: Be happy to. We were just visiting amongst ourselves.

COMMISSIONER DURAN: Because I don't want the City to think that we're trying to be, create obstacles or roadblocks for them.

XI. C. Project and Facilities Management Department

2. Request authorization and acceptance of amendment #2 to the professional service agreement with HTE, Incorporated for the County's operating system

AGNES LOPEZ (MIS Director): Thank you, Mr. Chair. HTE, Incorporated provides support and enhancements to the County's financial and land-based applications. Projects and Facilities Management has requested authorization and acceptance of amendment #2 which increases the compensation for the 2004 fiscal year in the amount of \$54,430.

TONY FLORES: Mr. Chair, it's also important to note that these service requests are part of the normal Santa Fe County general fund for our maintenance costs. These are budgeted dollars. This is purely an administrative mechanism to be able to have the amendment in place.

CHAIRMAN SULLIVAN: And this was, the original RFP, when this firm was selected went for how many years?

MS. LOPEZ: The software was purchased in 1990. The maintenance agreement was in 2002 and it went for four years.

CHAIRMAN SULLIVAN: It had options for four years.

MS. LOPEZ: Options for four years. That's correct.

CHAIRMAN SULLIVAN: So this is the last year. After this year you have to put it out for proposals.

MR. FLORES: Actually, Mr. Chair, the original agreement was entered into in 1998 when we did the conversion from LG software to HTE. That agreement lasted for four years. That was under a sole source. We'll actually, a solicitation went out as an RFP at that time. It converted from LG software to the HTE system program. That agreement expired in 2001. The new agreement came into place for the new period. Last fiscal year was the first time that we approved 2002. That's a separate agreement than the original one. Under a sole source procurement, because this is proprietary software and it's the only operating system the County currently has. And that decision was made and rendered in 1998 through my office as Purchasing Director at that time.

CHAIRMAN SULLIVAN: So we have no other options that this company for the next foreseeable future?

MR. FLORES: Mr. Chair, we have, currently this is the operating provider, the maintenance provider of our system. The only alternatives that we have and Agnes and I talked to the Commission at this point last year, would be that we look at a different operating system

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and go out for a new entire solicitation to convert. The problem with that is we tried a different system before 1998. We found a system at that time that is consistent with other large entities in New Mexico. We found that system. We're currently operating under that system. So it's on a year-to-year basis. There's nothing that would preclude us though to go out and find another vendor. The problem with that is the conversion time and all the information that we currently have in the HTE system.

CHAIRMAN SULLIVAN: Do we do any kind of analysis with competing companies that provide these payroll and personnel and tax billing and so forth software programs?

MS. LOPEZ: Mr. Chair, we have looked at other softwares. The problem is the cost of converting these softwares is pretty high and the software that we're using right now is actually very functional. I have asked the Finance Department if they're happy with the software. They are very happy with the software and do not wish to change.

COMMISSIONER ANAYA: Mr. Chair,

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: There's a motion for approval and a second. Is there any further discussion or questions?

The motion to approve amendment #2 to the professional service agreement with HTE passed by unanimous [5-0] voice vote.

XI. D. Public Works Department

1. Request Authorization to Enter into an Agreement with the Eldorado Community Improvement Association Inc. (ECIA) to Construct a Multi-Use Pathway in County Rights-of-Way on Avenida Eldorado and Avenida Casa del Oro

DAN RYDBERG (Traffic Engineer): Mr. Chair, Commissioners, this is similar to the other agreements that were approved in the past few months with the ECIA to allow them to build a multi-use trail along roads within the Eldorado Subdivision. There was an existing one on Vista Grande. They asked for one recently on Avenida Torreon and I believe it was Avenida Compadres. Now this is going to be down Casa del Oro and then back up Avenida Eldorado to connect all of those roads together. So it will be like a loop system. It's pretty much similar to the ones that have already been approved.

CHAIRMAN SULLIVAN: Are there any questions of Public Works staff on this agreement? They build the pathway and it's open to anyone in the public. Is that correct?

MR. LUJAN: Mr. Chair, that is correct.

CHAIRMAN SULLIVAN: It is not restricted to the membership of the

Eldorado Improvement Association. And they maintain the pathway. 2677632

MR. LUJAN: They will construct them and maintain them also.

CHAIRMAN SULLIVAN: And assume liability related to it too. It says in the agreement.

MR. LUJAN: Okay.

CHAIRMAN SULLIVAN: Okay. Any other questions of staff about this agreement?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Basically, what are we doing here? Allowing them to --

MR. LUJAN: We're allowing, Mr. Chair, Commissioner Montoya, allowing them to build within the right-of-way that the County currently has for the roadway.

COMMISSIONER MONTOYA: Oh, okay.

CHAIRMAN SULLIVAN: They're building a bike path in our right-of-way. But they have to have authorization to use the right-of-way. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chair, question for our legal staff.

Agreement, page 2, paragraph 4, indemnification. Is this language broad enough to cover our Tort Claims Act exposure? Or did we need to add some language to that?

MR. ROSS: I'm struggling to find it, Commissioner.

COMMISSIONER CAMPOS: It's 2, in the agreement, paragraph 4, the indemnification paragraph.

MR. ROSS: It's a pretty broad indemnity.

COMMISSIONER CAMPOS: I don't know if it should be specified that it's an indemnification as broad as the Tort Claims Act exposure. Because I'm not sure if it does cover, is as comprehensive as the TCA.

MR. ROSS: It's not our usual indemnity paragraph, which is more a more lengthy and more comprehensive kind of thing. It's from and against any and all claims, so in some respects it's broader than the ones --

COMMISSIONER CAMPOS: Yes, but for example, you could use design. There's a lot of other issues. I don't know. Just a thought.

COMMISSIONER MONTOYA: Mr. Chair, on that point.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Ross, did you review this prior to --

MR. ROSS: It looks like one of the attorneys in my office has reviewed it. If you want to go ahead and act on this, we can insert our usual detailed indemnity clause. You could act on the contract contingent on that clause being inserted and we can take care of that in the next couple days and get the original back to the Chairman.

CHAIRMAN SULLIVAN: How does that sound?

COMMISSIONER CAMPOS: Sounds good to me.

CHAIRMAN SULLIVAN: Okay. Can we have a motion then?

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COMMISSIONER MONTOYA: So moved.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Motion by Commissioner Montoya, second by Commissioner Anaya for approval with some staff modifications to paragraph 4, regarding indemnification.

The motion to approve the agreement with ECIA pending addition of expanded indemnification clause passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

CHAIRMAN SULLIVAN: Okay, we're getting close to the time we need to go into executive session again. We have some appointments with individuals to interview. But I would like to get item D. 3, because I believe we have an individual here from the Highway Department to talk about the lighting agreement. So if we could move through that item, I'd appreciate it. Mr. Lujan.

XI. D. 3. Request Authorization to Enter into a Lighting Agreement with the New Mexico Department of Transportation (NMDOT) for County Road 73 and US 285 Interchange

MR. LUJAN: Mr. Chair, yes, we're bringing this back from two months ago where it was questioned by the Commission to see if we could possibly negotiate with the Highway Department to cost share on this item. I have since -- we have Eric Martinez from the Department of Transportation with us and if you would like to ask any questions of him. Also, legal has reviewed the policy from the Department of Transportation and if you have any questions towards them they would be willing to answer, I believe.

CHAIRMAN SULLIVAN: Okay. Does Mr. Martinez want to make a few comments?

ERIC MARTINEZ: Good afternoon, Chairman Sullivan, members of the Commission. My name is Eric Martinez. I'm with the Department of Transportation, Project Development Engineer, currently involved in the projects along US 84/285. Currently, we're undergoing reconstruction of the entire corridor between Pojoaque and Santa Fe. And we have recently let a project to reconstruct the remaining portion within the Pueblo of Tesuque. With that, the department respectfully requests the Commission approve the lighting agreement for the proposed interchange at north County Road 73. That's the County road that accesses US 84/285.

Currently, typically, it is the local government that makes requests for lighting or signal agreements. In this case, being part of the design team, we discussed the safety improvements that could benefit this intersection. Currently we have lighting along all the interchange ramps designed within this corridor. The only exception would be the one at the proposed flea market

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interchange, but we have some resident concerns about light pollution, that sort of thing. Because the -- the design team felt because of the topography and the geometrics of the interchange, we felt that it would be important to provide the lighting at this interchange along those ramps.

Like I say, typically, it's the County or municipality that approaches the department for these type of requests. In this case, it's kind of the other way around. The question that was I guess brought forth from the last Commission meeting was whether or not the department can cost-share with providing the utility and maintenance costs as provided for in the lighting agreement. Currently, the department is not involved in participating in any utility or maintenance costs involved with signals or lighting. Actually, I misspoke. We are involved with maintenance of signals, but not with costs for utilities or maintenance of lighting systems themselves. I looked into this and looked into department policies and procedures, researched it a little bit with department personnel and discovered that basically, from previous administrations long ago, it was decided that the department would not expend funds to provide for any utility costs or electrical type costs. I guess because of the cumulative impacts it can have on our budget.

Currently, we don't have any resources that can provide for handling the budgetary type impacts for providing for these type of costs. The thing that the department is willing to do is provide the construction and installation costs associated with these systems. We felt it was a safety issue. It was something that could improve the safety along this corridor. As you know, the Highway Department has studied the area and has made necessary access management improvements to improve the safety, this being providing a system of frontage roads and interchanges and that was the primary reason for upgrading this facility, especially with the amount of traffic volume we have on this roadway.

Currently, we are working with the Pueblos along this corridor, entities like the City, the County and basically we're trying to create partnerships in making these necessary transportation infrastructure upgrades a reality and that's what we're asking for you today is help us provide in that partnership in the agreements to enhance the safety and mobility of this highway.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Thank you, Mr. Martinez. Commissioner Campos.

COMMISSIONER CAMPOS: Is this intersection in Tesuque Pueblo?

MR. MARTINEZ: It's within their boundaries but the roadway itself is a County roadway. It's County Road 73.

COMMISSIONER CAMPOS: But it services the Tesuque Pueblo in great part, right?

MR. MARTINEZ: Actually, it services the Village of Tesuque.

COMMISSIONER CAMPOS: Okay. Does it service the Pueblo at all?

MR. MARTINEZ: Once the interchange is built, it will have access to the other side, on the west side, which will access the frontage road, that will go to the Pueblo itself as well.

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COMMISSIONER CAMPOS: Have you talked to the Pueblo about paying for some of the utilities?

MR. MARTINEZ: We have discussed it with them and right now, we haven't really got a reply yet as far as any participation for the utility and maintenance costs of the system itself. So we're still waiting on that.

COMMISSIONER CAMPOS: What about -- you raise the safety issue. Am I getting it right? You said it would not be safe to construct this intersection, whatever you're going to do there without lights?

MR. MARTINEZ: No. Actually, lighting is based on improving existing conditions. It doesn't necessarily make it not safe; it just helps improve the safety aspect because of different, because of the topography or geometrics of the interchange that might be accompanied with that.

COMMISSIONER CAMPOS: You're saying it's safe, even without the lights, but you would like to make it even safer, let's say.

MR. MARTINEZ: Right. Right now on the other projects we have lighting installed on all the ramps. Typically, at interchanges we'll light up the entire interchange. In the case within this corridor, light pollution with area residents was an issue, so therefore we only went ahead and provided the lighting along the ramps themselves, along the junctions that actually access the County roads or side roads that they serve.

COMMISSIONER CAMPOS: So the position that the Transportation Department is taking is that they will not build a signal if the County does not agree to pay for the utilities and luminaires. Is that right?

MR. MARTINEZ: In the case we're talking about, we're talking about lighting, roadway lighting, but in either case, if that is the case, if there's not an agreement with the local government, whether it be a signal or lighting, the department does not provide for the installation. In this case we could provide the installation without an agreement in place. However, those things would not be function. They would be there but not working.

COMMISSIONER CAMPOS: If the County says, We're not going to pay for the utilities, what would the Highway Department do? Department of Transportation, I'm sorry. Can't say Highway Department any more.

MR. MARTINEZ: You'll be giving the secretary a dollar each time. Basically, the department will either take it out of the contract, or build it or not light it up.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN SULLIVAN: Okay. Other questions? Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Martinez, so as I understand it now, there's not going to be a stoplight there as was originally projected and designed.

MR. MARTINEZ: Correct.

COMMISSIONER MONTOYA: There's going to be -- over the ramps.

MR. MARTINEZ: Yes, there will be a full interchange with the structure and ramps to serve it. So in effect, you don't have a stoplight or an at-grade intersection is what we typically call it. Only at the ramp junctions along the crossroads.

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COMMISSIONER MONTOYA: So then on the west side, that's Tesuque land, right? Or is that --

MR. MARTINEZ: Correct. On the western side, right now there is no connection to anything. But in the future, under our plans, there's going to be a frontage road that connects to the interchange from the west side to go on to the west side of the Pueblo.

COMMISSIONER MONTOYA: Okay. So they've basically allowed access northbound, or southbound, so people can go in 73 then?

MR. MARTINEZ: Right. There'll be full access for people going out or coming into County Road 73 from that interchange. Interchanges typically provide a lot better mobility function, access management than do stoplights. The whole premise of the project was to increase the safety because of the heavy amount of traffic we have in the corridor.

COMMISSIONER MONTOYA: So then I guess would the Pueblo be willing to enter into an agreement for lighting that would be on their portion on the west side of that ramp?

MR. MARTINEZ: I'm not sure. I guess that could be brought up to them. We're still waiting because of the Commission's decision on the joint powers agreement that we had requested participation on for the interchange near Camel Rock Casino. We are currently in discussion with them as far as how we're going to handle lighting and signals at that interchange and we have yet to get a response for that yet. So I'm not sure how they would approach this question but that's something that we could check on.

COMMISSIONER MONTOYA: I guess, Mr. Chair, Mr. Gonzalez, I don't know if you recall at that meeting when I asked what impact that particular agreement would have in terms of us denying it and how we're in a situation where we may want to ask them to share the cost with us as well. That was kind of a shared cost agreement from what I recall. We basically provided the lifts for replacement of luminaires and that sort of thing and they provided all the materials and paid for all that and now we're -- I don't know. I guess maybe I'm proposing that maybe we look at a cost-sharing agreement with them covering the cost of lights on one end and us on the -- theirs on the west end, ours on the east end. I don't know.

MR. MARTINEZ: The question that may come up is how much traffic at that interchange is actually serving the Pueblo and how much it's serving the County road and residents in the village. Right now, from what I understand is that most of the traffic that is to utilize that interchange would be traffic from the village.

COMMISSIONER MONTOYA: Although the Pueblo would utilize it for the solid waste station.

MR. MARTINEZ: Yes. So there would be some traffic on there. I'm not sure how much.

COMMISSIONER MONTOYA: Thank you.

CHAIRMAN SULLIVAN: Would that be, following up on that question from Commissioner Montoya, would that be a possibility that you could take back if the Commission would say, give its approval contingent on a cost-sharing that perhaps you could negotiate, whether it was 50-50 or 2/3-1/3 or something that represented an equitable sharing of the cost. I

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know it's pretty hard to count vehicles and do it that way. You'd probably have to just come up with a number that was agreeable to both parties. Is that something that's workable or does that not work?

MR. MARTINEZ: We could approach the Pueblo and see how they feel about that. I couldn't answer for them as far as how they would feel, but that's something we could do.

CHAIRMAN SULLIVAN: Other questions for Mr. Martinez?

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Just a follow-up for our legal staff. Question. Are we obligated to go along with and sign this agreement because the State Department of Transportation has some kind of regulation concerning the rule making power and roadway lighting?

MR. ROSS: Mr. Chair, Commissioners, the way I look at the regulations, particularly with respect to roadway lighting and luminaires, their regulation does state that the public entity is responsible for paying for roadway lighting but it also goes on to talk about if an agreement can't be reached with the public entity then the department won't necessarily be obligated to provide that. So what that says to me is the regulation isn't obligating the local public body to step up and provide the utility costs. You can debate the question endlessly about whether the Transportation Department even has the authority to do that under the constitution, but I don't see that as the issue here because I don't see the Transportation Department requiring us to enter into an agreement. And their own regulations seem to admit that this is a shared obligation, possibly, between the two entities and we don't have to enter into it if we don't want to.

COMMISSIONER CAMPOS: So what is the real issue? What is the issue there?

MR. ROSS: Well, I think the issue here is whether you want to participate in it. It's your choice.

COMMISSIONER CAMPOS: So it's within our discretion.

MR. ROSS: It's your choice. It's your discretion at this point.

COMMISSIONER CAMPOS: Okay, then a question for Mr. Lujan. As far as safety, have we analyzed this sufficiently to say that these lights are essential to safety or maybe it's already safe.

MR. LUJAN: Mr. Chair, Commissioner Campos, what I'm going off is the design of the State Highway Department. My department has not evaluated it. And also, for the Commission to know that Tesuque Pueblo does have various housing and issues in there. They have a trailer park. They have their own transfer station. They do have housing along 73 that belongs to Tesuque Pueblo, so there's more to it than just the residents of County Road 73.

COMMISSIONER CAMPOS: I agree. Once you build an intersection somebody's going to use it and the Pueblo has land, so they're going to use it, so eventually, if they're not using it all today, or 50 percent or any of it, if you build it, it's going to happen.

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The other issue I'd like to raise to the Commission, I talked to Rebecca Bustamante. New Mexico Association of Counties is seriously looking at challenging these requirements as unfunded mandates in a lawsuit in the near future as I understand it. So that's something we need to keep in mind. Thank you.

CHAIRMAN SULLIVAN: Let me move things along with a suggested motion here. I'd offer a motion that Santa Fe County participate in the joint powers and lighting agreement for County Road 73 and Camel Rock interchanges on a 50-50 basis with the Tesuque Pueblo if that can be negotiated. If not, we'll come back and reconsider the issue.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Motion and a second. Any discussion?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya, then Commissioner

Duran. Mr. Lujan.

MR. LUJAN: Mr. Chair, you mentioned Camel Rock interchange.

CHAIRMAN SULLIVAN: That's what it says here.

MR. LUJAN: There were two different agreements. One was the -- the Camel Rock you denied I believe at the last meeting, two meetings ago. This one would be just the intersection at 73 and US 84/285.

CHAIRMAN SULLIVAN: Oh, that's right. The letter covered both, I guess. I'm sorry. Let me amend that. It's north County Road 73. Is this still CM-95?

MR. MARTINEZ: Yes.

CHAIRMAN SULLIVAN: That's the whole 285 project.

MR. MARTINEZ: It's from the opera all the way to Cuyamungue.

CHAIRMAN SULLIVAN: Okay. So my intent was just for north County Road 73. Is that okay with the seconder?

COMMISSIONER ANAYA: Yes.

CHAIRMAN SULLIVAN: Okay. So now we have discussion. Commissioner Montoya, then Commissioner Duran.

COMMISSIONER MONTOYA: Mr. Chair, could we -- is it possible in the motion to say "share" as opposed to a 50-50, because if it's something that's being negotiated, 60-40, whatever it is, rather than 50-50 that we're stuck with that.

CHAIRMAN SULLIVAN: I think that's certainly possible. I was thinking that if we said 50-50 then it would never have to come back here if that agreement was made. That might move it forward. If we said some agreement and they said 80-20, then we'd have to come back here and have to negotiate whether 80-20 was appropriate and that may take longer than just coming up with a number and I don't know if that's the perfect number but it just seemed like a starting point. It was just to give them something to say, Here we have an agreement if you're willing to go 50-50 it doesn't have to go back through any other processes, just sign here and you've got your lights. And we have our lights, because obviously county residents are involved as well. That's the only reason. Commissioner Duran.

COMMISSIONER DURAN: I think that this Commission should probably be

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prepared to pay for this lighting on our own. I think as our community grows there are certain services that we need to provide the community and lighting that major highway I think is one of them. There's going to be more traffic. There's breakdowns. I think it needs to be lighted. Whether or not the state or the Pueblo decides to participate with us. So I think that going to ask the Pueblo to participate is one thing but I think we need to prepare ourselves for providing this safety to the community.

CHAIRMAN SULLIVAN: Okay. Commissioner Campos.

COMMISSIONER CAMPOS: Question for Mr. Martinez. When do you need this agreement? Do you have any kinds of deadlines that you're working up against?

MR. MARTINEZ: Actually, we should have already had an agreement by now.

COMMISSIONER CAMPOS: When do you need to have it?

MR. MARTINEZ: We would -- really as soon as possible. We have let the contract out. The contractor is going to be breaking ground probably within a few weeks. He's going to start ordering materials, conduit, luminaires and the like. We'd like to catch him as soon as possible before he can order all those materials to determine whether or not we need them. So as soon as possible I guess is the best answer I can give you.

To address a couple of the other comments you had made about a necessary -- about lighting being necessary, a necessary safety improvement, from the department's perspective it's not a necessary improvement. It's an enhancement to the safety of the interchange because it gives more visual area at night. And with regards to your question with the department forcing local governments into the agreement, from my experience, it's not that we force any government to participate. It's based on their own policies and review of whether or not they want to get into a partnership agreement with the department. Basically, if no agreement is made, if an entity does not agree to the terms, there will be no agreement and typically there will be none of those improvements.

COMMISSIONER CAMPOS: My comments, Mr. Chair, are that I would prefer to wait. The New Mexico Association of Counties certainly is going to challenge this legally in the near future. There is no requirement that these be lighted for safety. It's an enhancement. Our budget is being stressed by a lot of the things that the state is requiring us to do and that's why we had this discussion. Sure, we would all like to light everything up if we could, I guess. But it's a question of resources. The State Highway doesn't have the resources, so they're saying that it's up to us. We're having the same problem that you are. We have a limited tax base. So that's really what it comes down to. I think the discussion with the Tesuque Pueblo could continue in the next 30 or 60 days while we resolve this issue. I don't think we should be pushed into it. Thank you.

CHAIRMAN SULLIVAN: Any further discussion? Looks like Commissioner Duran, then Commissioner Montoya.

COMMISSIONER DURAN: I'd like to offer an amended motion and that is to approve this lighting -- to approve the request to enter into a lighting agreement with the state of New Mexico. I think that it's needed. I think that it's a safety issue and I would also ask that the motion would have an element to it that would ask staff to go to the Pueblos, whether the

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Pueblor or join us in this or if the Association of Counties is successful in suing the state, that's all neither here nor there. The fact of the matter is it's a safety issue. I think it needs to be lit and I think we need to take responsibility for that. The county is growing. Our tax base grows. Our general fund grows based on the growth that we've experienced and this is a major highway that needs to be lit. So I would like to make a motion that we approve it with staff and the state going to the Pueblor to see if they would participate in it. But I think we need to move on this now.

CHAIRMAN SULLIVAN: I think as the maker I'd like to see this go as a joint venture. I think it would set some precedents, but it would also indicate that there is mutual benefit here and it would give the department at least a firm, the Public Works Department and the Highway Department a firm directive that they could present and it wouldn't involve any negotiations. It would involve a joint participation. I think it would work, but there are people of course that don't want the lights at all out there.

COMMISSIONER DURAN: Could I find out if I have a second to my motion?

CHAIRMAN SULLIVAN: We have a motion now.

COMMISSIONER CAMPOS: We have a motion on the floor.

COMMISSIONER DURAN: I know, but I'd like to make an amended motion.

CHAIRMAN SULLIVAN: I know, but the maker is not agreeing to it.

COMMISSIONER DURAN: I'll just say that this is a second motion.

COMMISSIONER ANAYA: I second the amended motion but I want

clarification.

COMMISSIONER DURAN: If it's not an amended motion, what do I call it, legal? It's just another motion.

CHAIRMAN SULLIVAN: We've been through this before.

COMMISSIONER DURAN: And we allowed the second motion to take

precedence.

CHAIRMAN SULLIVAN: No, no we didn't.

COMMISSIONER DURAN: Yes, and then we voted on it.

CHAIRMAN SULLIVAN: No. We have a motion on the floor. We'll vote on the motion. If it fails, you'll repeat your motion.

COMMISSIONER DURAN: Could I -- point of order. Mr. Chair, could I get a reading from legal? Could I make a motion?

MR. ROSS: I think that you were asking -- were you asking the Chair if he would amend his motion?

COMMISSIONER DURAN: Well, I wanted to make a motion that would override the motion that he made.

CHAIRMAN SULLIVAN: Then just don't vote for it.

COMMISSIONER CAMPOS: Vote against it.

MR. ROSS: Yes, that would be outside of the scope of Robert's Rules of Order as I understand it. You should have to take them in order.

COMMISSIONER DURAN: Okay. Thank you.

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CHAIRMAN SULLIVAN: Let's deal with the motion at hand and if that's not the way the Commission wants to move then we'll work an alternate methodology. Let's go ahead and get this motion voted on, unless there's any other discussion.

The motion to approve to approve the lighting agreement on a 50-50 cost-sharing with the Tesuque Pueblo failed by a 1-4 voice vote, with Commissioner Sullivan casting the sole affirmative vote.

CHAIRMAN SULLIVAN: Now, the floor is open for a new motion.

COMMISSIONER DURAN: So I'd like to make a motion that we approve this request to enter into a lighting agreement with the New Mexico State Highway and Transportation Department and as, not a condition but to ask staff to petition both the Pueblo and the state to help participate in the cost of this or whatever level they can negotiate with. That's it. James, do you get that?

MR. LUJAN: Mr. Chair, Commissioner Duran, in your motion could you state -- see, the agreement is with the New Mexico Department of Transportation. They would have to initiate the negotiations. We're entering into an agreement with them. If I'm not correct, I'd be willing to go sit with the Pueblo and do it but it's got to come from their initiation because it's their agreement. Is that fine?

COMMISSIONER DURAN: That's fine.

CHAIRMAN SULLIVAN: Let me ask for clarification from Commissioner Duran. And if, as I would anticipate, the response from the Pueblo would be, no, we don't want to participate, then your motion is that we would enter into an agreement and pay the full cost.

COMMISSIONER DURAN: My motion is that we enter into the agreement and pay the full cost. Period.

CHAIRMAN SULLIVAN: Yes. That's what I said.

COMMISSIONER DURAN: And at the same time, we go to the Pueblos and see if they feel any obligation to participate.

CHAIRMAN SULLIVAN: And if they don't?

COMMISSIONER DURAN: And if they don't, it doesn't matter.

CHAIRMAN SULLIVAN: We drop it.

COMMISSIONER DURAN: They're going to say no anyway.

CHAIRMAN SULLIVAN: Okay. So, basically, that's what I was getting at.

COMMISSIONER ANAYA: I second it.

CHAIRMAN SULLIVAN: Okay. We have a motion and a second from Commissioner Anaya.

COMMISSIONER ANAYA: I second it but I hope they would at least talk to us and listen to our concerns.

COMMISSIONER MONTOYA: And Mr. Chair, during that negotiation, if we need to bring up the other luminaires on the other intersection too, I thought we should have

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done that when we voted on that one some time back.

COMMISSIONER DURAN: How did we vote on that? To participate?

COMMISSIONER MONTOYA: No.

MR. LUJAN: Mr. Chair, members of the Commission, that was just to participate in getting reimbursed. It was a third party agreement at the Camel Rock and that was just to get reimbursed. They were going to pay for the maintenance and we were just going to get reimbursed. So that's a little bit of difference in that agreement.

MR. MARTINEZ: On the project that's under construction right now, the south County Road 73 intersection, there is a current agreement in place signed by the County for lighting the ramps at that interchange. So this would essentially match what's going on there on the north interchange.

COMMISSIONER MONTOYA: So is our request an attempt to negotiate with the Pueblo even a reasonable request?

MR. LUJAN: Mr. Chair, Commissioner Montoya, it's worth a try. We are currently, the same thing is going on with Pojoaque Pueblo. We already maintain all the luminaires in that corridor. We have had some discussion with the Lt. Governor George Rivera on possibly cost-sharing on those after the fact. We've been in that agreement approximately four years now and we'd like to see if we could still continue working with Pojoaque Pueblo on that issue. So it's a possibility.

COMMISSIONER MONTOYA: Mr. Chair and James, my last question. What is the estimated cost of what these 34 luminaires will be?

MR. LUJAN: Mr. Chair, Commissioner Montoya, approximately \$300 a month. From a similar intersection that we currently have a lighting agreement with.

COMMISSIONER MONTOYA: Thank you, Mr. Chair. Thank you, James.

COMMISSIONER DURAN: That's lunch.

CHAIRMAN SULLIVAN: Okay. We have a motion and a second. Further discussion?

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: It seems that this motion is totally useless. It has very little direction. It has no chance of success. It's kind of just a waste of our time. Thank you.

COMMISSIONER DURAN: Call for the question, Mr. Chair.

CHAIRMAN SULLIVAN: Okay, we have a vote on the question.

The call for the question passed by unanimous [5-0] voice vote.

CHAIRMAN SULLIVAN: We now have a motion on the floor: the motion is to accept the joint powers and lighting agreement and as I understand it, to ask Tesuque Pueblo if they would cost-share with us on a voluntary basis. Is that correct?

COMMISSIONER DURAN: That's correct.

CHAIRMAN SULLIVAN: Okay. There's the motion. And second.

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The motion to approve the lighting agreement passed by majority [3-1] voice vote with Commissioner Campos voting against and Commissioner Sullivan abstaining.

X. Matters from the County Attorney

1. Executive session
 - a. Discussion of limited personnel matters
 - b. Discussion of pending and threatened litigation

Commissioner Duran moved to go into executive session pursuant to NMSA Section 10-15-1 (2 & 7) to discuss the matters delineated above. Commissioner Campos seconded the motion which passed upon unanimous roll call vote with Commissioners Anaya, Campos, Duran, Montoya and Sullivan all voting in the affirmative.

[The Commission met in executive session from 3:35 to 5:35.]

Commissioner Montoya moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Anaya seconded. The motion passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XI. D. 4. Request Approval of Amendment No. 1 to the Memorandum of Understanding #23-56-FW with the City of Santa Fe for Recycling Services to Increase the Total Compensation in FY 04

JUSTIN STOCKDALE (Recycling Coordinator): Good afternoon, Mr. Chair, members of the Commission. We're asking to expand the total compensation to this MOU to \$4,300 for a total of \$14,300 in order to provide recycling services for county residents in fiscal year 2004. Pretty straightforward. It's just expanding total compensation.

CHAIRMAN SULLIVAN: Are there questions of staff?

COMMISSIONER CAMPOS: Are you ready for a motion, Mr. Chair?

CHAIRMAN SULLIVAN: No, I've got a question but I can't find it. Here

it is.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: I didn't catch your --

MR. STOCKDALE: Justin Stockdale from the Solid Waste Division.

COMMISSIONER MONTOYA: Okay, Justin, this additional \$4300, that's coming from where?

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MR. STOCKDALE: It's from currently budgeted monies from the Solid Waste Division's contractual services. So the money is budgeted. It's actually already encumbered into a purchase order.

COMMISSIONER MONTOYA: Okay. All right. Thank you, Mr. Chair.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: So, Justin, why are we adding \$4,300?

MR. STOCKDALE: The original contracts limited compensation to \$10,000 for the original MOU and we spent about \$6,800 this previous fiscal year. We anticipate about \$7,500 this coming fiscal year, so we just need to expand the total compensation to allocate or have the funds available to continue that service.

CHAIRMAN SULLIVAN: Oh, so this is a two-year contract?

MR. STOCKDALE: As an MOU with the City I believe it's unlimited in its term. So we would likely be coming back again next year and reauthorizing more funds for fiscal year 2005.

CHAIRMAN SULLIVAN: That was my question. I couldn't realize or understand how you had gone from \$6,800 in one year to \$14,000 in two years, I mean in the next fiscal year. But what you're saying is it was \$6,800 last fiscal year and it's \$7,500 this year.

MR. STOCKDALE: Correct.

CHAIRMAN SULLIVAN: For a total -- so it is, we're looking at a two-year.

MR. STOCKDALE: Two years. Correct. And this is essentially reauthorizing this MOU for FY04.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER MONTOYA: Second.

CHAIRMAN SULLIVAN: Motion for approval and second by Commissioner Montoya. Further discussion?

The motion to approve the amendment to the MOU passed by unanimous [3-0] voice vote. [Commissioners Duran and Campos were not present for this action.]

XI. D. 5. Discussion and a Schedule for Developing a Traffic Calming Policy for Santa Fe County

MR. RYDBERG: Mr. Chair, Commission, at the June 24, 2003 meeting the BCC requested that Public Works prepare a draft policy for traffic calming within Santa Fe County. Public Works currently has a draft policy available but we are recommending the

2677645

solicitation of an engineering firm to prepare a more complete proposal. Public Works would like to present to the Commission the entire scope of such a policy and program to include a start-up budget, a maintenance budget and yearly costs for traffic calming in Santa Fe County. And if you agreed with that, an RFP could be sent out, possibly at the end of August and we could possibly have a consultant onboard within 60 days and then Public Works anticipates being able to present back to the BCC probably at the December meeting with a full package on exactly what traffic calming in Santa Fe County will involve. And I stand for questions.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Regarding this date of December. Is there anyway of this being moved up? If we're going to hire a consultant to do this and a related question to that is how much is that going to cost, but if we're going to have a consultant, could they not do this -- this doesn't seem like this is six-months worth of work.

MR. RYDBERG: Well, the way we were thinking about it actually, Commissioner, was that it would probably take 45 to 60 days to get the RFP out and accepted and somebody onboard. And then after that, there would be a lot of discussion with Public Works to develop the scope of it. Public meetings and all that's involved. What exactly you guys had in mind as far as how many roads, how many devices are we talking about. So we anticipate that there would be a lot of information needed to be gathered by the consultant to be able to give us a complete package.

It's possible it could be sooner than that but we're trying to anticipate putting out the RFP, writing the RFP, putting one out, getting somebody onboard and then supplying them with all the information to come back to us with an end product and be able to present to you.

COMMISSIONER MONTOYA: So what's budgeted for this consultant?

MR. RYDBERG: There's isn't anything budgeted right now. We were asked to develop a policy and like I explained, we'd like to have help in doing that because of the scope of this project. So there's not really, as far as I know, there's not any money budgeted to hire a consultant to do this so Mr. Lujan or yourselves would have to figure out how we would come about those funds. But it's a big project to take on, traffic calming in Santa Fe County. I mean, it's a big deal and we would feel more comfortable in giving you all the information of what this would take for years to come, because once you start this it's along term agreement to do. Funding and maintenance. It's a long terms deal and we'd feel more comfortable having a more comprehensive packet to present to you than just putting some speed humps on some County roads.

COMMISSIONER MONTOYA: So, Mr. Chair, Gerald, do you know if the Association of Counties or the National Association of Counties has a policy bank? I know with the School Boards Association, National School Board Association, they had a policy bank where in order to cut down the costs of school districts having to hire consultants to create whatever district policy, we'd be able to pull these things off the net, practically, to use as models and then tailor for our own use. Is there that sort of vehicle or mechanism? It doesn't sound like we have a budget. The time line that we're looking at is five months down the road.

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This is something that I have a lot of concern about.

MR. GONZALEZ: Mr. Chair, Commissioner Montoya, I'm not sure whether the National Association has a bank. My guess would be that it's more generic and not necessarily tailored to New Mexico approaches to the issues. I have discussed the issue with Samuel Montoya about creating a bank at the State Association of Counties, the New Mexico Association of Counties, but I don't think that we're there yet. What we normally have been doing is contacting other counties who we think have faced similar issues and sharing materials directly with them but I think the suggestion is an excellent one and needs to be pursued.

COMMISSIONER MONTOYA: That's all I had, Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I know I brought this up at the last meeting. In the meantime I went and spoke with the Mayor of Santa Fe and he, we talked about traffic calming devices and he now regrets everything that he did for traffic calming because it cost the City millions of dollars and now the streets of Santa Fe are littered with signs and speed bumps and things that were meant for traffic calming devices. He mentioned that he's getting complaints from the neighbors. When he drives down his own street, it's not the same. So he advised me to be very careful about traffic calming devices because it does get very expensive. I know that our concern is speeding through the small communities and I just want to mention that to the Commissioners that I had the conversation with him and some Councilors and it is very costly and I didn't begin to think, Okay, if we did this for example in the Village of Galisteo where we have more signs up and more speed bumps, how would that look in the Village of Galisteo? I don't think I would really like it. And I think that the people probably there wouldn't really like it after they begin to see what takes place and how things look.

So this is a difficult issue but I just wanted to throw that out to the Commissioners and it's something else to think about because I did hear from the Mayor and the Councilors. Thank you, Mr. Chair.

CHAIRMAN SULLIVAN: Okay, Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chair, Commissioner Montoya, it's an issue that I raised when I was in here for the first couple of years and the vote was always four to one against traffic calming and the staff consistently took the position that it was very expensive. A lot of maintenance, a lot of signs and usually the communities were fairly well split, 50-50. Some people wanted it, some people didn't. Once it goes up, you're going to have people wanting it down. And once you establish a procedure and people are starting to make their applications, we talked about that. How do you do that? Everybody is going to want something at some point. It's going to be very expensive and then it's hard to say no once you've set a precedent, once you've opened that door. And it consumes your budget. Essentially, it's a multi-million dollar kind of endeavor. That's how it was presented to us and maybe Mr. Rydberg would like to comment on staff's position.

MR. RYDBERG: The staff has always taken a position that we'll follow your direction but that is some very true statements that it is very expensive and it's a long-term commitment. In fact it was just in the paper today about the City of Santa Fe asking for another

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\$2 million and I guess it was two years ago that they had their original budget and that was \$2.4 million. It is something that needs to be considered budgetarily. It's very costly to do so and cities, counties, it's something -- and I don't know if the Commissioners are aware of this, but it's something that you do on paved roads. Well, we have 586 miles and only 100 and some of them are paved, so we're really limited to the area and parts of the county that we can do so if we open this up, we open it up to the entire county and it's also going to be for a certain amount of roads but it has been our concern that it would be costly but of course we serve you guys so whatever you decide to do.

COMMISSIONER CAMPOS: Mr. Rydberg, we did deal with this issue in Cañada de los Alamos somewhat. We did a few more signs. We did some striping. Do you know what result we've had there?

MR. RYDBERG: I don't have information with me right now but we could do some, I could check my records to see on follow-up counts, traffic counts to see what speeds have changed in there since then. Sometimes small communities like that that have certain residents in there for a while that will speed and then those residents move on or situations change where it's not always a problem. Sometimes people complain about it for a while pretty hard and then you could go for a year and not hear from anybody and there not be a problem in there. But like Commissioner Anaya said, once you put it in, it's in and it's a long-term commitment and it's very costly. So it's just something, we were looking for direction from you guys on it. If we're going to do it, we need to do it and be in it all the way, which is a big expense.

CHAIRMAN SULLIVAN: The thing that concerns me, Commissioner and staff is that first of all the study, I think it's very hard to establish a scope. In other words, what is this consultant supposed to be doing. Is he supposed to be telling us what the cost of doing speed bumps is? Whether it's a good idea? Would you hire an engineer? Would you hire a planner? Would you hire a community activist? I think we're going to get, whatever answer we're going to get, it's going to be a function of the scope and the kind of person we hire for the study. I think our money is better spent in improving the safety of our roads.

The issues that we always hear are those of safety and endangerment of children who might be playing near the road and that type of thing. And those are valid concerns. But we just have so many roads that are unsafe. Where do we put our money? We should put our money where it does the most good. Where it prevents the maximum amount of injuries and property damage and we may need to consider guardrails or fencing or things like that to protect some of these smaller roads that have these problems of people speeding through small communities, but on a case by case basis. I think to start on a speed bump road, it just seems kind of odd to be spending money on making paved roads less efficient when we have 400 more miles of road that we'd like to pave to make them more efficient. I'd like to take the paving from speed bumps and use it to pave some other roads in Santa Fe that people could get to their homes and the elderly could get to doctors and so forth.

I just have not been a big fan of speed bumps. I know the way the City does is they actually let the residents vote and if 50 percent of them petition it, then they will go in and do

2677648

that. And as you say, people move, you have that fluctuation. I don't know what the direction of the Commission is here but I'm not too enthusiastic about spending a lot of time and money on the speed bump issue, to be honest with you. Commissioner Montoya.

COMMISSIONER MONTOYA: I myself am not too thrilled about having to hire a consultant that I don't know how much it's going to cost. Secondly, if we do look at people, if they're given the opportunity to voice their concern as to what they'd like to see. I just gave Gerald a petition last week. Almost 100 percent of the people, probably the only one that wasn't on there was myself and my wife on 84C that want some sort of traffic calming mechanism along 84C. That's the type of -- I told these people, if you want something, I think it would be important if you want to do a petition or however you want to do, call the other Commissioners, let them know you're concerned. They took it to heart. Gerald's got that petition now and I've asked him, that's part of something that needs to be addressed. I'm not ready to say that we need to spend our personal, our in-house time and efforts doing something else.

This needs to be in addition to whatever else is being done but I'm not ready to say that we need to spend money to hire a consultant to tell us what different types of policies there are or what different things that we should be looking at. I think that if we can get just some sort of preliminary guidelines to begin, I think that's a step in the right direction. And that's just one -- I have a request from every community, practically, in that northern part, asking for some sort of traffic calming, for speed bumps, speed humps. That's what they were asking for. And then finally, this one individual, I said, Well, you know what would be helpful? I probably told the other ones the same thing, which I probably should go back and tell them, I'll probably get the same response from those folks too.

They're talking about safety, they're talking about people's lives. They're concerned about viejitos and they're concerned about chiquitos. The old ones and the young ones in terms of their safety because it's the one in the middle who tend to speed out of control in those communities. So that's something that I would like to continue to see if it's something maybe for that district alone. I don't know what the costs are. This is new to me and I'd like to know and get some more information in terms of what it would actually be and what we're looking at.

MR. RYDBERG: And actually, hiring a consultant, there's all kinds of policies. We can have a policy tomorrow if you want but to tailor it to Santa Fe County and to know exactly what it's going to cost and what we're getting into in the long haul. If you have certain roads in your district that you want done and if he's got roads in his and his, how many roads do we have? How much is it going to cost? So to be able to gather all that information in and get public input, it's something that just myself in Public Works wouldn't be able to do at any time in the foreseeable future. We wanted to get the scope in to give a complete package of what it would be because if you open this policy up, you have to open it up to the whole county. And to know what that's going to cost five years down the road from now, once you put that speed hump in, you own it, you have to maintain it. What does it cost a year to maintain a speed hump and if you have 30 in your district and 40 in his.

To get you guys a real comprehensive look at exactly what this program entails -- a policy, there's all kinds of policies that we could adopt. But that's not going to give us a long-term look at what it actually means to Santa Fe County and what our budgetary expenses would be. So that's where we were going with the consultant was to design something for Santa Fe County. I'm sure they would come and interview each Commissioner and know what the concerns are in your district and then tailor it specifically to Santa Fe County. And this is something that Los Alamos County is going through right at the moment right now. They just put out an RFP to develop a program for their community, because each community is different. Los Alamos is a different community than Santa Fe County. And they have the city as well as the county over there.

So there's all kinds of policies around but to get something designed for us that's going to work for us. I mean, that's kind of what we're looking at. We're rural and our applications are much different than the City of Santa Fe. Traffic calming in an urban area is different than it is in an urban area and to just get a general policy and just open it up and use it, to us it seems like we can't give you hard answers on how much it's going to cost. And if we start the program and we offer it to people and then we can't fund it, we just wanted to make sure that we had all the information for the Commission, and that's why we proposed having a consultant do it, because it is a long-term commitment and it is expensive.

CHAIRMAN SULLIVAN: Any further comment?

COMMISSIONER MONTOYA: Well, the thing that I would maybe suggest in terms of maybe looking at possibly the different aspects of the county in terms of how we're comprised. It may include the traditional communities and using maybe that as a mechanism for having some sort of traffic calming policy within those types of communities or villages, in maybe the same way we're doing some of the land use planning now. We look at tying in some of the policies. So it may not be a blanket policy. It may not be one size fits all. It may be similar to our Land Use Code in terms of the different variances that we have within that type of a Code. That would just be a suggestion in terms of maybe looking at an avenue to take rather than -- the City probably has a policy that just fits everything. I don't know. Maybe they don't.

MR. RYDBERG: Yes, they have one policy that fits the City.

COMMISSIONER MONTOYA: Yes.

MR. RYDBERG: And they have various amounts of input from different communities. Some communities are real strong in wanting it and some are against it. So each little area, just like your different districts, in your area you have a lot of roads that are in the Pueblos that the County maintains but doesn't own the road. Can we actually even put speed humps on 84C. Does that road, because it's a County maintained road, does the County own it. So we can't -- there may be a lot of roads in your district that we can't do it on because we don't own the road; we only maintain it.

COMMISSIONER MONTOYA: Right.

MR. RYDBERG: So we're glad to help you and talk with you on any options that we have out there but to have a broad policy for the County, we felt it was best to give you

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a complete and comprehensive package and that would be requiring the services of somebody to help us to do that and know what it's going to be long-term.

COMMISSIONER MONTOYA: But again, we don't know what that's going to cost.

MR. RYDBERG: Right. Until we put together an RFP and put it out.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Thank you. I guess what I'm hearing is that the Commission doesn't want to spend any money to hire, to get an RFP, but can we go as the County to, let's say for example, the City of Santa Fe or another city that does traffic calming devices and just get their input on it and their cost figures for what they're doing and go from there. And come back and then listen to what our staff has to say and if we want to pursue it further we can. If we don't, then we drop it. Is that what I'm hearing?

CHAIRMAN SULLIVAN: It would seem that the City has some cost information that we could use. And I think the problem is we're looking at two sides of the elephant. We have the tail and we have the trunk and every one of these traffic calming problems is a different one. It's often speeding through narrow streets, which we can't do much about, and it's speeding because the streets aren't properly designed, and the streets aren't going to change because they're traditional communities. So do speed bumps change that or do bumps just create more danger of people bumping off the road and into somebody's fence and garden or some personnel.

And I don't think speed bumps are actually safe on small, confined road situations. In a subdivision street where you can perceive them with enough sight distance, where they're properly signed and where they're maintained and painted and where there's time for the driver to regain control of the car if they're going to fast on a Saturday night and they've been involved in drugs or alcohol and they can recover, then you have a possibility of a safer situation, but on the smaller roads, put those bumps in and those cars go airborne and when they go airborne they end up in somebody's yard.

So I don't know that that's necessarily the answer. The question is how do we arrive at the answer. How do we do this and I don't know that all of that can be addressed in one consultant study. Is there something, some information the City has that would help us in putting together some decisions here?

MR. RYDBERG: It's pretty much tailored to the area. We only have a certain amount of paved roads. The City has -- I could find out a cost for putting in a roundabout and a speed hump but the City has so many paved roads and the devices that they've put in fit their roads. If we're asking for how much does it cost to fit the County roads, well, we don't know the scope of all the County roads and how many we actually want to put devices on. Like I said, I can get you some basic information on what it costs per speed hump or roundabout, but how many do we need in the county and maintenance costs, I guess it's kind of hard to answer your question because everything is individually tailored to the area.

CHAIRMAN SULLIVAN: You mention Los Alamos County. Are there any other counties in New Mexico that have a policy on these traffic calming devices?

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MR. RYDBERG: Bernalillo County has and I'm sure there's some other ones out there now.

CHAIRMAN SULLIVAN: Could we get someone to help us out in one of those counties, that you might contact that might either come and make a presentation for us or give you some comments? What, rather than us reinventing the wheel here, is there some possibility for that?

MR. RYDBERG: I guess so. What you're pretty much asking for is you're trying to find out what it's going to cost. Is that --

CHAIRMAN SULLIVAN: Cost is important, yes. That's a part of it. But if someone says it's going to cost \$2,000 a speed bump or \$100,000 a roundabout or whatever, I guess I'm more concerned about safety implications. What were the accidents before and what are the accidents now? Is this, how do you craft a policy that it does in fact reduce accidents and save lives and lessen injuries? Can we learn from some others that have been through this? Bernalillo, certainly, might be a help. If we can get their traffic engineer up visiting with you --

MR. RYDBERG: Actually, I have a tremendous amount of information that I would gladly share with any of the Commission at any time. If you'd like to have a separate meeting where we just sit down and talk about traffic calming. I can bring lots and lots of information about it. There's programs all across the country, and answer any questions you may have. I've worked in Bernalillo County and I actually worked on that program down there so I know. I had \$100,000 a year for speed humps and it went like three months into the year. Then I had to wait for the next budget cycle to get money to use next and I always had a long list of roads waiting. And that was severance tax money.

CHAIRMAN SULLIVAN: Was there any correlation, did you do any accident analysis before and after on any of these roads?

MR. RYDBERG: It's all -- yes, to answer your question, yes. There are all kinds of studies on follow-ups and depending on the area and the type of road you're trying to calm, your results are different. If you have a roads that's paved and you put five speed humps on it and you had three accidents and the speed limit -- the average speed is 50 miles an hour, you put the humps down you may cut down on one accident but your speeds may go up. In other words, it's relative. It's really hard to analyze where it's going to fit on a specific road. Each application is different.

I've just been to Boulder recently to a class up there and in fact we passed the information on to one of the Commissioners here and they've had different successes on one side of town than they have on the other side of town with the same devices. Different neighborhoods act differently to the different devices. So it's a pretty complex situation and like I said, I have lots of information. I'd gladly have individual meetings or joint meetings with you guys to give you as much information as you want or need and then have a decision later on.

CHAIRMAN SULLIVAN: Okay. Let's try to put some closure to this. What would the Commission's direction like to be on this item to the staff? Can we provide them some consensus here?

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COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: This is a big issue with speeding. The communities brought it up, but yet now I'm seeing how the Mayor is reacting and how the rest -- some of the people are wishing they didn't have it. I know the Council and the Mayor, it's because of the cost and then the visual aspects of it. I guess I'd like to maybe hear what the City has to say. They could come and say, You're opening a big can of worms. All it does is create a big problem, or not just the City but maybe Los Alamos, Bernalillo and really look at this. They've been there. They've done it and instead of us going there and doing it and failing too, or succeeding, I just want to hear what they have to say.

MR. RYDBERG: And actually, I have a copy of the RFP that Los Alamos County put out which I'll gladly share with you so we can get an idea of what they were asking for in their scope of services.

CHAIRMAN SULLIVAN: Commissioner Campos, do you have some comments?

COMMISSIONER CAMPOS: Just briefly. One, it would be nice if we could do it in very limited situations where there was a criterion of high danger, but I'm not sure we can do that. I think it would probably be comprehensive. If it were comprehensive, it's going to cost us millions of dollars, we don't have that much money anyways. So I'm reluctant to go with a consultant at this time. I understand. I have a community too that's very interested. Cañada de los Alamos is very concerned about speeding through their village. We've done a few things that are simple and inexpensive. I don't think we have the resources and I don't think we're going to have the resources in the foreseeable future to deal with it.

CHAIRMAN SULLIVAN: Commissioner Montoya, some direction?

COMMISSIONER MONTOYA: Again, I'll just say I'd like more information. I think it's premature now to go with a consultant. I'd be glad to sit down with you or whoever to get more information to see what we need to do to address the concerns that I'm getting from my constituents and basically responding to their requests. That's what I'm here for.

MR. RYDBERG: I'd be glad to sit down with you. We'll schedule something real soon, James Lujan and myself and give you all the information you want and anybody else on the Commission.

CHAIRMAN SULLIVAN: Sometimes I think maybe at this point we're asking the staff to give us a little more information, perhaps by getting the Los Alamos RFP, getting the Bernalillo ordinance, assembling whatever you can assemble. Make that available to the Commissioners and each one can talk to you individually about it and problem areas in their district and see how that gels before we turn it over to a consultant.

MR. RYDBERG: I think that's great. I'd be happy to do that.

COMMISSIONER MONTOYA: And Mr. Chair, this maybe something that is just phased in. Maybe it's not something that's a countywide policy. If it's something that can't be done countywide, then let's take baby steps.

CHAIRMAN SULLIVAN: Well, if a road's unsafe, the question is what's the

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first thing we can do to make it more safe. Is that answer traffic calming or is that answer something else? There may be other -- what was the accident history on the road? Was it skidding? Was it inadequate sight distance? Was it just high speed? I think when we look at these, we have to look at those issues. I don't think traffic calming is the universal answer to every accident or every unsafe road situation. We need to evaluate those and the accident history.

So that may not be exactly what you wanted.

MR. RYDBERG: No, it's exactly what I was looking for because we were asking you for direction on whether we should move forward with the consultant or not and you're pretty much telling us not to do that but to have meetings and educate the Commission on what our options are. So we'll work from what we have now before we go and hire someone.

CHAIRMAN SULLIVAN: Just a little more information on it.

MR. RYDBERG: That's fine. And as Commissioner Anaya says, perhaps some information from the City and what their experience has been. Commissioner Anaya.

COMMISSIONER ANAYA: Yes, I just want to get more information. That way, when I go back to my communities and they start talking about traffic calming devices, then I can give them some information on what has been done and what were the problems and maybe they'll say, Well, maybe that's not the route we want to go. But I just want to get more familiar with it and that way, when I go to my communities I can explain that.

MR. RYDBERG: I'll be glad to furnish all that information and meet with you.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN SULLIVAN: Thanks a lot. Thanks for investigating that for us.

XI. E. Utilities Department

1. **Request Authorization to Open and Pursue Discussions with Third Parties Towards the Acquisition of Ground Water Sources and/or the Terms and Conditions Under Which Groundwater Sources May Be Developed on the Property Owned by a Third Party**

CHAIRMAN SULLIVAN: We discussed this to some extent in our work session, executive session last week. Mr. Roybal.

GARY ROYBAL (Utilities Director): Good evening, Mr. Chair, members of the Board. This request it brought to you by the Utilities Department to request authorization to open up discussions with third parties in the acquisition of groundwater sources or in the development of groundwater sources.

The catalyst to this request came at the heels of RFP 23-33 in which the Utilities Department issued this RFP to go out and test certain groundwater sources and develop some other groundwater sources. One of the groundwater sources that was going to be tested for

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quality and quantity was the Rancho Viejo well. After reviewing the costs or the estimated costs of testing the well in accordance with the standards set by the County, those costs were significant. And at the time that we issued that RFP we had a letter from Rancho Viejo authorizing the emergency use of this well but there was no discussion of acquisition.

So this request was brought to you so we could begin discussions towards looking at the terms and conditions of what an acquisition of that well would be prior to expending any funds on the testing of that well, so we could determine what the economic viability of that well is. We do have some information that was done on preliminary testing of that well by Ballew that we could begin some preliminary judgements on that but I felt it was appropriate to hold off on that issue until we could determine whether the terms and conditions of an acquisition of that well, or even if Rancho Viejo wanted to do some type of a transaction where the County would acquire that well would take place. So that's the basis of this first request, and there have been a couple of other parties that have contacted me that have wells on their property that would like the County to consider in their development of groundwater sources.

The other part of this request is to look at the development of other groundwater sources within the county and close to the County service area. I have been approached by some other parties who don't have wells but are interested in developing wells in conjunction with the County to help serve potential developments on their property or surrounding property. But as a policy matter, I wanted to bring this before the Commission to get your authorization to begin to explore the possibilities of working with these parties and under what terms and conditions these parties would want to work with the County in the development of groundwater sources. And with that I stand for any questions.

CHAIRMAN SULLIVAN: Questions for Mr. Roybal.

COMMISSIONER MONTOYA: Mr. Chair, I move that the Utility Department pursue discussions with interested parties in the development of groundwater sources.

COMMISSIONER ANAYA: Second.

CHAIRMAN SULLIVAN: Discussion? One concern I had, which we discussed to some extent in previous meetings is that, I think you said it would cost \$40,000 to \$50,000 to test the well at Rancho Viejo and you brought up, I think quite rightfully the issue of whether we want to spend that kind of money before we know more about not only the terms and conditions but the well itself. There was a test done by Ballew Groundwater that Rancho Viejo itself did, or it wasn't disclosed to us, we subsequently learned that the arsenic levels in that well were above the new federal standards for arsenic. So I think, and we have, I believe we're going forward in testing some other wells and I think what we need to do is certainly test those wells that we own. We need to get information, first priority, on wells that we own or have an interest in, such as the Hagerman well and Valle Vista wells and find out what their productivity is and what their water quality is.

I certainly have no problem with pursuing discussions with Rancho Viejo or anyone over terms and conditions. I'd have a problem spending \$40,000 to \$50,000 when we already have a test until we see what other tests are coming up with and how they compare to the test data we already have for the Rancho Viejo well. So I think perhaps a phased approach there

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would be a more appropriate one with regard to that particular well. I think certainly, again as you mentioned, Mr. Roybal, prior to this that a condition of discussions would be that show us the data that you have that this well meets the County requirements, that it has the water rights, it has the hydrologic studies or whatever data that you have, I'm concerned that we continue to keep an arm's length procedure in dealing with these so that if we want to purchase an asset, that's fine. But in terms of partnering on developing wells, I'm afraid we get ourselves into agreements that we may not be able to get out of and then when it comes time to approve development projects, we're approving a project that we have already a financial interest in and that's a concern.

But I certainly don't think we want to prevent anyone from bringing an idea forward anywhere in the county, northwest area as well, in bringing these things forward. I think we were in general agreement at the last meeting. Does that mesh with what your thoughts were?

MR. ROYBAL: Mr. Chair, that's correct. And one of the primary reasons of bringing this forward is to address the issue of arm's length transactions. These transactions, conditions, terms would be brought forward to the Board for your review and your approval so that the Board is assured that these are arm's length transactions taking place. And we certainly would be looking at not only our immediate metropolitan area but there are other areas that we would also look at that may require some County partnership in the future.

CHAIRMAN SULLIVAN: I certainly could support the motion with that phasing understanding in there as a part of it. I think we'd take assessment first of the assets we own, and then we move out and say with this \$40,000 or \$50,000, where would that be best spent on evaluating other options that we may have of which Rancho Viejo is one. There may turn out to be another potential well that has good data that we might want to bring back to the Commission for discussion.

MR. ROYBAL: Mr. Chair, we'll do that and I'll also, once we're in negotiations with our contract on that RFP and once we finalize those, we'll bring those to the Board and we will give you what the phasing schedules are for that RFP, one of which will be to hold off on the testing of the Rancho Viejo well.

CHAIRMAN SULLIVAN: Additional discussion? Commissioner Campos.

COMMISSIONER CAMPOS: Just a question. Mr. Roybal, have you talked to people at Rancho Viejo about their interest in selling their well or donating it?

MR. ROYBAL: Mr. Chair, Commissioner Campos, when we were looking at the emergency use of the well, I did --

COMMISSIONER CAMPOS: Lately. I know the history. Lately, in the last month or so.

MR. ROYBAL: No. I have not discussed the acquisition of it.

CHAIRMAN SULLIVAN: If there's no other discussion. We have a motion. The maker is not here but I assume he is still favor of his own motion and we have a second.

[Commissioner Montoya arrives as the Chair makes the above statement.]

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The motion to authorize discussions on groundwater resources passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I'd like to recognize our past County Commissioner, who is in the audience. Thank you for showing up.

CHAIRMAN SULLIVAN: Commissioner, would you like to address the Commission? You say that to everyone. What he said, for those on TV who can't hear him, is you're doing a great job.

COMMISSIONER CAMPOS: Mr. Chair, have him say it on TV.

CHAIRMAN SULLIVAN: Have him say it on TV. That will fix his wagon. Thank you for being here, Commissioner.

XI. E. 2. Request Authorization to Implement the Following: Increase Residential and Non-Residential Water Service Rates; A Monthly Standby Service Charge; A New Meter Connection Fee; and; Adopt Santa Fe County Ordinance 2002 - 13, Water Conservation Ordinance as SFCWU Policy No. 23

MR. ROYBAL: Thank you, Mr. Chair. The next request is authorization to implement the following: an increase in residential and non-residential water service rates, a monthly water service availability charge, a new meter connection fee, and adopt Santa Fe County Ordinance 2002-13 as Santa Fe County Water Utility Policy Number 13.

CHAIRMAN SULLIVAN: What part are we not considering tonight?

MR. ROYBAL: The portion that was amended was the portion that would be for consideration on a water service agreement fee. That was approved last fall, but I will include that tariff in with the rest of these tariffs, if and when these new tariffs get approved.

CHAIRMAN SULLIVAN: And water conservation ordinance? That's a part of this?

MR. ROYBAL: Yes, Mr. Chair. What I would like to do is codify, if you would, or if you will, the Santa Fe County Water Conservation Ordinance as a water service policy of the utility so that all water customers follow this water conservation if we're outside of any type of water use restrictions or any type of emergency use restrictions.

CHAIRMAN SULLIVAN: So the water service fees are not a part of today's deliberation.

MR. ROYBAL: The water service agreement fee --

CHAIRMAN SULLIVAN: Oh, agreement fee. Oh, okay.

MR. ROYBAL: Right.

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CHAIRMAN SULLIVAN: But increasing the water commodity rate from \$3.94 per thousand gallons to \$4.09 per thousand gallons is a part of tonight's agreement.

MR. ROYBAL: Yes, Mr. Chair. What this request is, and if you read on the supporting documentation, it's a request to schedule two public hearings for these fees to allow the public to come and give their comments on these rates that are being proposed. And my proposal is that we hold the first public hearing the first BCC meeting in August and the first BCC meeting in September to implement these rates if approved by the Board in October for September usage.

CHAIRMAN SULLIVAN: Now you mention holding these public hearings and discussing the proposed water conservation policy but we've already had public hearings and we've approved that.

MR. ROYBAL: Mr. Chair, that's correct. But since these are new water service policy rules, I just put it there as a group to be considered in general.

CHAIRMAN SULLIVAN: Other questions for Mr. Roybal?

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: You're proposing to raise the thousand gallon unit from \$3.94 to \$4.09.

MR. ROYBAL: Mr. Chair, Commissioner Campos, that's correct.

COMMISSIONER CAMPOS: How much additional revenue will that produce?

MR. ROYBAL: Mr. Chair, I believe for this fiscal year it will be somewhere in the area of approximately \$10,000.

COMMISSIONER CAMPOS: It's really minimal.

MR. ROYBAL: Yes. Relative to our revenues, yes. I believe our revenues were right around a million dollars last year so it is a very minimal increase.

COMMISSIONER CAMPOS: What I'm interested in is the issue of the high cost of obtaining water, of bringing it into the system. It gets more expensive every day. Are you looking at that issue?

MR. ROYBAL: Mr. Chair, Commissioner Campos, we haven't done a cost of service study as of yet. I believe we need to do a cost of service study so that we can appropriately cover our costs of providing service. One of the components that I would say is not included in our rates is a depreciation expense or some type of a capital replacement fund where we would, on an annual basis collect revenues and put it into a fund, so that some time in the future we can replace the old plan as it needs replacement. That would be a component that would need to be considered in a full cost of service study.

COMMISSIONER CAMPOS: When are we going to do that?

MR. ROYBAL: Mr. Chair, Commissioner Campos, we could get a consultant to do that any time we need to get that done.

COMMISSIONER CAMPOS: Is it a high priority for your department, Mr. Roybal?

MR. ROYBAL: Mr. Chair, Commissioner Campos, yes, I think sending the

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right price signals to our customers is a priority. Last year we increased rates by 35 percent. We're going to go through another rate increase right now. I don't want to cause any type of rate shock to our customers. So I think we need to develop a rate path, kind of like what the City of Santa Fe is doing, is develop a rate path so that over a period of time we are increasing our rates to a point where the full cost of service is being recovered and our customers are getting the right price signal, that the cost of water is not cheap. That it is a rare commodity and that it is expensive to produce and transmit and distribute.

COMMISSIONER CAMPOS: Now, the rate of \$4.09 per thousand gallons, is that what the City is currently charging or are those the new fees that they've just recently adopted? Haven't they recently changed their charges?

MR. ROYBAL: Mr. Chair, Commissioner Campos, in May they implemented the \$4.09.

COMMISSIONER CAMPOS: Okay, so that's their current --

MR. ROYBAL: That is their current rate. We're just lagging behind a few months.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN SULLIVAN: Other questions for Gary? If not, what's the direction of the Commission here?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

CHAIRMAN SULLIVAN: Motion.

COMMISSIONER CAMPOS: Approval of what?

CHAIRMAN SULLIVAN: To increase residential, non-residential water service rates --

COMMISSIONER CAMPOS: Public hearings?

CHAIRMAN SULLIVAN: Or to go to public hearings on these items?

COMMISSIONER CAMPOS: I think the request is that we give direction as to public hearings of how we want to do this.

CHAIRMAN SULLIVAN: It's a little confusing on the agenda. It says request authorization to implement but then in the packet it says that they want the public hearing be scheduled for the first BCC meeting in August and the first BCC meeting in September. Is that acceptable?

COMMISSIONER ANAYA: Mr. Chair, so are we doing this to have two public hearings?

MR. ROYBAL: Mr. Chair, I apologize for the confusion. Yes, that's correct. Last year when we went through this rate proposal or rate increase, the Commission required that we go to public hearing on it first. And I'm recommending that we do two public hearings and we will provide notice to our customers so that they have an opportunity to attend at least one of the two of them.

COMMISSIONER CAMPOS: Mr. Chair.

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CHAIRMAN SULLIVAN: Just a minute. We're still clarifying Commissioner Anaya's motion and we don't have a second yet. So we're not ready for discussion. Do you want to clarify your motion a little?

COMMISSIONER ANAYA: Yes. I move that we approve this to go to two public hearings.

CHAIRMAN SULLIVAN: This authorization for rate increase.

COMMISSIONER ANAYA: Authorization for rate increase.

CHAIRMAN SULLIVAN: Okay. Now do we have a second to that? I'll second that for discussion. Discussion, Commissioner Campos.

COMMISSIONER CAMPOS: Question for Mr. Roybal. It seems to me that the rate increase is so nominal, going to two public hearings isn't important, I don't believe. We're raising \$10,000 in our whole system. It's a very nominal -- are we required to have the hearings? Last time it was a 35 percent increase. It was substantial. This is just 15 cents.

MR. ROYBAL: Mr. Chair, Commissioner Campos, there are no set guidelines or policies or rules on how we would increase our rates within the Water Utility Department. I just took it from our last rate increase that these would go to public hearing. I would also note that there's also a new meter connection fee that's included in this, and also a water service availability fee. And I did, or I will take this opportunity on the water service availability fee, my memo says that it would be \$28 a month. That should be \$15 a month.

COMMISSIONER CAMPOS: This is for the 5/8" meter size?

MR. ROYBAL: That's correct.

COMMISSIONER CAMPOS: What about the bigger meters? Are they all --

MR. ROYBAL: Mr. Chair, Commissioner Campos, right now what we're basically faced with are residential lots. Normally, a commercial lot will come in and build and take water service pretty quickly. However, we could look at doing an equivalent meter type analysis where, based on the equivalent meter size, we could use that as a multiplier to the \$15. For instance, a 2" meter could run about \$60 a month.

COMMISSIONER CAMPOS: Yes. You're saying that the fee is only \$15 a month, is what you're proposing?

MR. ROYBAL: Commissioner, that's correct.

COMMISSIONER CAMPOS: The City charges \$20-some a month, isn't it?

MR. ROYBAL: Mr. Chair, I'm not sure if the City does have a water service availability fee.

COMMISSIONER CAMPOS: I think they do. They charge you \$20-some dollars for a 5/8" connection, plus the gallons.

MR. ROYBAL: Mr. Chair, are you talking about -- the fees that we charge right now are identical to the fees charged by the City. This water service availability fee, another term used in the regulatory environment is probably a standby fee. These are lot owners that don't have a meter connection. They're not taking water service but the system is in place to provide them service so whenever they are ready to take service we will provide them service, but there is a cost --

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COMMISSIONER CAMPOS: To standby.

MR. ROYBAL: There's a cost to operate and maintain that system, yes.

COMMISSIONER CAMPOS: Okay.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: So that when we take this for public hearing, we're going to be talking about the rate increase from \$3.94 to \$4.09, which is what we pay from the City, and we're also going to be talking about the stand-by fee, which is \$15. Correct?

MR. ROYBAL: Mr. Chair, Commissioner Anaya, that's correct. Now, we don't pay the City the \$4.09. We pay them a lesser rate than that. The \$4.09 is the rate that we charge our customers. The City also charges \$4.09 to their customers. So our rate would be identical to the rates they charge their customers.

COMMISSIONER ANAYA: Okay.

MR. ROYBAL: And this brings it in line with that, with those rates.

COMMISSIONER ANAYA: Okay, and then will we also be discussing the new \$300 rate for new installations?

MR. ROYBAL: Mr. Chair, Commissioner Anaya, I would envision that all of these rates would be subject to public comment and scrutiny.

COMMISSIONER ANAYA: And would we put those all on one public hearing so we can talk about all of them at the same time? Is that what we're doing?

MR. ROYBAL: Yes.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN SULLIVAN: Let's do this in one public hearing. How about that? There's no requirement that there's two, is there? No. I would say, first of all, I'd say the system charge is a little low, personally. I think \$28 is more like what it ought to be but that can be discussed during hearing. I would get adequate notice out to the users, to your users and I think August is a bit early because we're at the end of July and the August meeting would only be two weeks from now, so I think it would have to occur in September. And do one public hearing in September. How does that sound. Commissioner Campos says no public hearings and I'm kind of suggesting something in the middle. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, one public hearing is okay with me. I think we need to let the people, the public come in and comment on it.

CHAIRMAN SULLIVAN: Oh, yes. I do too. Commissioner Montoya.

COMMISSIONER MONTOYA: That's fine. One's fine with me as well.

CHAIRMAN SULLIVAN: Okay. I think if there's tremendous outcry we always have the option of going to a second public hearing and I doubt there will be. Okay, so we have a motion and some clarification to go forward with the public hearing. That there would be one public hearing in September. Is there any other clarification?

COMMISSIONER CAMPOS: If there's a pending motion for two, I guess you're going to amend that.

CHAIRMAN SULLIVAN: I'm suggesting that he amend it.

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COMMISSIONER CAMPOS: Okay.

COMMISSIONER ANAYA: I amend my motion to one.

CHAIRMAN SULLIVAN: And who seconded it?

COMMISSIONER CAMPOS: You did.

CHAIRMAN SULLIVAN: I seconded it. Okay. Thank you. I'll agree with my amendment.

The motion to authorize one public hearing on rate changes and other utility matters passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

MR. ROSS: Sorry, Mr. Chair. I think we're a little bit farther along than I thought we were a few minutes ago. If we're proposing an ordinance, the motion should also include direction to staff to publish title and general summary of the ordinance so we can -- if we're talking about enacting an ordinance we need to make it --

CHAIRMAN SULLIVAN: No, we're not enacting an ordinance. We're enacting rates under the power given to the County of the ordinance. I think.

COMMISSIONER CAMPOS: The question is are the rates part of an ordinance or part of a resolution.

CHAIRMAN SULLIVAN: That I don't know.

MR. ROYBAL: Mr. Chair, Commissioner Campos, they were adopted by resolution. My proposal would be is once we get approval or authorization to move forward on this, I would submit a resolution ratifying these rates with a whole new set of rates and rules and regulations. That would supercede the previous one.

COMMISSIONER CAMPOS: Do we have to amend any ordinances? The new meter connection, is that ordinance based or resolution based?

MR. ROYBAL: Mr. Chair, Commissioner Campos, that's a new rate.

COMMISSIONER CAMPOS: And we can do that by resolution?

MR. ROYBAL: The rates that have been adopted have been through resolution.

COMMISSIONER CAMPOS: All these could be handled by resolution then?

MR. ROYBAL: That's correct.

COMMISSIONER CAMPOS: That's the preferred route, isn't it?

MR. ROYBAL: Mr. Chair, Commissioner Campos, I would prefer resolutions because these rates will change on an ongoing basis and it's easier to change a resolution than it is an ordinance.

COMMISSIONER CAMPOS: It's confusing, the language in the caption.

CHAIRMAN SULLIVAN: Staff? Steve? Are you comfortable with this now?

MR. ROSS: I'm comfortable if we're not doing an ordinance. You've directed staff to have a public hearing and conduct this process.

CHAIRMAN SULLIVAN: On a resolution.

MR. ROSS: It's just for ordinances you have to do special things.

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CHAIRMAN SULLIVAN: Correct. I understand. If there's any glitch in that you're going to have to follow the ordinance practice and come back and we'll give you notice to publish title and general summary. You can do that in August if you need to. But otherwise, we have a motion and we've just approve that motion. And I hope we all understand it.

MR. ROYBAL: Mr. Chair, just a point of clarification.

CHAIRMAN SULLIVAN: Gary doesn't understand it.

MR. ROYBAL: What meeting in September are we talking about? Because I need to give our customers notice and our billing cycle --

CHAIRMAN SULLIVAN: First meeting.

COMMISSIONER CAMPOS: First meeting.

CHAIRMAN SULLIVAN: First meeting is public hearings meeting.

MR. ROYBAL: Okay. So I will put notice in our customers bills about this and other affected parties.

COMMISSIONER CAMPOS: I guess comments could be in writing or by e-mail. However you can make it as broadly as possible. Comments by letter or e-mail, whatever you want.

XI. F. Matters from the County Manager

1. Consideration of Amendments to the First Amendment to the Operation and Maintenance Agreement for the Santa Fe County Adult Facility with Management and Training Corporation (MTC)

CHAIRMAN SULLIVAN: I believe you do not have items in your packet but I believe items were delivered to you on this subsequently.

MR. GONZALEZ: Mr. Chair, Steve Ross will assist me as necessary, but basically, this is bringing back an amendment that had been previously approved by the Commission last year. And the purpose of the amendment was to bring MTC into the loop in order to make them responsive to the requirement by the Department of Corrections that they meet certain standards with respect to incarceration and Department of Corrections inmates at the jail. And after the Commission approved the amendment, it was then forwarded to DFA for their review and also the Attorney General's Office and they had some corrections that they have suggested to what the Commission had previously approved. So the corrections suggested, or the changes suggested by DFA and the Attorney General's Office, who both have to approve this agreement because it relates to the jail have been sent back and so now we're presenting them back to the Board of County Commissioners for your reapproval.

CHAIRMAN SULLIVAN: Questions for Gerald?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Do we have --

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CHAIRMAN SULLIVAN: It's not in the packet. It looks like this and they passed it out to us separately, should have brought it by your office. Dated July 21. Gerald, this has nothing to do with the DOJ.

MR. GONZALEZ: No, it's completely separate. It has to do with the State Department of Corrections, as opposed to the Department of Justice.

CHAIRMAN SULLIVAN: The state, it's not a part of their recent audit?

MR. GONZALEZ: That's correct. Because this goes back into last year and it was done when we had the initial agreement with the Department of Corrections to take the State Department of Corrections --

CHAIRMAN SULLIVAN: And they had some concerns because certain things were amended afterwards and they weren't resigned and dotting i's and crossing t's and things.

MR. GONZALEZ: That's correct.

CHAIRMAN SULLIVAN: Okay. Other questions for staff?

COMMISSIONER MONTROYA: Mr. Chair, move for approval.

CHAIRMAN SULLIVAN: Motion for approval. Is there a second?

COMMISSIONER C. MPOS: Second.

CHAIRMAN SULLIVAN: Second from Commissioner Campos. Discussion? Anything else you want to point out to us Steve or Gerald that you want to highlight?

MR. ROSS: Well, the memo I sent to Gerald highlights the changes from the earlier amendment and the changes are minimal, basically just including the Department of Corrections in some of the boilerplate that's in the existing contract. The one hitch we may run into, and you might want to consider this when you're making a motion is we might need to forward a cover letter along with this requesting retroactive approval. I had a conversation a couple days ago with the attorney for DFA and they indicated that might be required. So that the amendment would take effect essentially some time in October of last year, whenever we signed the Corrections contract. And then apply from that time forward. So we might need the assistance of say, the Chairman to sign a letter wherein we request retroactive approval pursuant to their procedures.

CHAIRMAN SULLIVAN: The Chair is at your disposal.

MR. ROSS: Thank you.

CHAIRMAN SULLIVAN: Any other questions?

The motion to approve amendments to the agreement with MTC, retroactive to October 2, 2002 passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

CHAIRMAN SULLIVAN: We've already twice dealt with executive session. Are there any other Matters from the County Manager, Gerald?

MR. GONZALEZ: I do have two quick updates, Mr. Chair. First of all, in response -- I was out of the room when Commissioner Montoya asked for consideration of a separate Health and Human Services Department within the County. I have had internal

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discussions with Robert Anaya concerning that possibility. In part we have held our punch, if you will, pending the outcome of bringing forward the issue of creating a separate Housing Authority because that would have an impact. And also, I want to make sure that whatever we do will not result in having to increase the number of FTEs that we have if at all possible.]

With respect to the second item, the strategic planning session, just to update all of you, I've solicited from all of the department directors their priorities concerning strategic planning. They're in the process of preparing those memos. I've already received a couple of them from the different department directors. All of those priorities will be collected, will then be put together and circulated to the Commission members for your input concerning your priorities as well. And then at that point we will take the collective information and use that as the basis for moving forward with our strategic planning session. Currently we're targeting either the end of August or the first part of September to have that strategic planning session and we feel that at a staff level it's important to have the input from the Commissioners as far as strategic planning is concerned. That's all I had, Mr. Chair.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Gonzalez, when do you think we'll know on a date, more or less? The sooner the better, just because my calendar is filling up more than what I'd like to be.

MR. GONZALEZ: After some discussions internally among staff and looking at everybody's schedules and trying to get people back here, my guess is that, my best estimate is there will be somewhere around the time of the first BCC meeting in September. But we're planning to have it on probably a Friday-Saturday or a Thursday-Friday. As soon as we can finalize that date, and I'll have continued discussion of that at the senior staff meeting this coming Monday. Then we'll contact all of you to make sure that you can fit it in to your calendars as well. So tentatively it would be probably the first Thursday-Friday or Friday-Saturday following the first BCC meeting in September.

COMMISSIONER CAMPOS: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Just a comment that's not on the agenda but relates to our prior discussion about water. Just a thought that delivering water in the County is much more expensive than delivering water in the City. The City delivers water in compact areas for a lot of people. We have to deliver water in big -- we have to travel further and there are fewer people out there. So we have to think that our rates may have to be different from City rates. It didn't come up in the discussions but I'd like to throw that out to Mr. Gonzalez to think about.

MR. GONZALEZ: I'll be glad to pass that along to --

CHAIRMAN SULLIVAN: Mr. Sayre is in the audience so we can pass it along to Doug. Okay, any other comments or additions, Gerald.

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XII. PUBLIC HEARINGS

A. Protect and Facilities Management Department

- 1. Final Public Hearing and Adoption of Resolution No. 2003-101.
A Resolution Authorizing and Supporting the 2004 - 2008 Santa Fe County Infrastructure Capital Improvement Plan**

MR. FLORES: Good evening. Thank you. It's been a long three months, let me tell you, to bring it to today. Basically what we're presenting tonight is the ICIP plan in a condensed spreadsheet format for the Board to look at and consider. This is an accumulation of department requests, constituent requests as a result of our 14 community meetings. Back in April we brought forward the rule and basically our desired goal for this year's program. I consider the plan tonight really phase 1 of this year's capital planning process. This plan, as you all know, has to be submitted to DFA on Thursday after the adoption hopefully tonight and reprioritization or add to the list. We will be entering the plan tomorrow to get it off to DFA by Thursday.

But again, I consider this really phase 1 of this year's plan. Back in April we talked to the Board and received direction from the Board about taking from this list a pared down list, per se, of projects that we could bring forward that have status, project-ready or existing funding in place, or funding that will allow us to go after other areas such as the legislature of course. CDBG could be a component. GRT could be a small component of this and also grants or loans or bonds. So after the adoption of the plan, we would then bring back in August a pared down priority list. The number, we have not recommended a number yet of a number of facility projects or road projects per se. We're going to provide the Board different scenarios or different options to consider in August.

Once that is discussed and directed to move forward on it, then we'll start setting up not only our legislative process for this year but also an avenue to find other funding sources for these projects. The list, as you all know, we've gone through this for two years now, is very long and it's very detailed and of course it has more dollar requests than we can ever hope to garner in one year. However, if we all keep in mind that this is truly a planning tool that really lays out the foundation of where we as the County, the Commission level, staff level, constituent/ resident level, where we're planning to be then we really need to implement this as a tool and basically as a road map of facility projects or road projects or open space projects or water/ wastewater projects and how we get there.

The ultimate goal of course is to find projects that are ready and then can be looked at a myriad of funding options. I call it my pot of gold theory, or in some cases, my cheese theory, as other people have indicated in my diagrams, and then how we get projects that are on the list off the list and we can move other priorities up and shift other priorities around. So basically that's the intent. The plan that's before you tonight, I passed out a revised plan that has some shaded documents. I passed that out quite early this morning. I laid it on everybody's table.

The one that has shaded documents, which is the first one for the Community Health and Development Department, there's a couple of shaded blocks. Those have been revised

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since the plan was sent out to Board members on Thursday. These are programs or new projects that we have received comments from the community to be included in the list. The priorities that are included on here are looked at department-wise first. They're looked at Commission district. They're looked at if there's existing funding in place for any of the projects and then it was staff's best guess, or I guess I shouldn't say guess, it was our rationale then to prioritize those in the level that is indicated in the plan. Those are always subject to the Board's approval.

If there are plans or projects in there that need to be moved around or adjusted, this is the time. Although the plan is fluid in concept, we do need to at this point, because this is phase 1 of our project, really then look at how we then take that list and pare it down in August. The only other item that is not included in your packet and we have had a chance to discuss the Utility Department request, Mr. Sayre's priorities which is the last page, which is under Utilities. Because of some fluid action in the Utilities Department we were unable to prioritize those until just right before we came up here and I could go run down the list for you real quick that the priorities that the Utilities Department staff has indicated. Or, the Board has the option of just directing us how to prioritize that.

Again, this is really the first step of a long process. It's an accumulation of three months of process but this will really set up the foundation for our work in August, which will eventually set up the work, not only for the legislative process but also other funding sources. I would like to point out that the other funding sources, we are not looking at the general fund. I know that is a question that we've asked many times and we're all very aware that the general fund cannot fund these capital expenditures. One baby step in this plan is that we start including capital requests that you all see during budget times and that's really what this is a tool for. Some of the departments have included their items in there, especially along the line of vehicles.

Next year I would like to see equipment and other capital requests that come across your table during the budget cycle included in this plan because then that really sets forth the plan. I stand for any questions.

CHAIRMAN SULLIVAN: Tony, just one question. You explained this to me before and I've lost it again. Just for example, like on the second to last page, where we talk about the Sheriff's Department on priority ranks. He's got four items there, all of which are ranked priority one. Could you explain that to me?

MR. FLORES: Mr. Chair, members of the Board, quite a few projects are ranked priority one by departments and that is typical amongst any of our ICIP plans, whether they be County level or any other government entity from the state. They all prioritize things where the need in a sense, there is no one greater need than the other. The emergency services of course are priority one across the board. That's why in some instances you will see multiple number one priorities or multiple number two priorities. Especially on the Sheriff's side.

When we go to the facilities side, I have prioritized and looked at, actually the three of us have looked at priorities by Commission district to allow you then to look at projects within your area. So for the Sheriffs, it's purely a matter of emergency services all being a necessary

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evil, per se, or necessary requirements, so they're all ranked as priority one.

CHAIRMAN SULLIVAN: Does that mean that we're going to the legislature to ask, in this case, for \$570,000 worth of items for the Sheriff's Department?

MR. FLORES: Mr. Chair, no. Again, this is a component. The legislative process is a component of these projects, not the only source. What this would require us to do is if there's priorities, let's say in the Sheriff's Office, of vehicles and command posts, and staff needs to look at other funding sources, whether going through Department of Justice grants or Edward Byrne grants or etc. to find that. We need to get away from setting up a failure so to speak, going to the legislature with this list. All this does is tell us our capital needs. We will come back then to tell you how we can fund these capital needs with the priority list in August.

CHAIRMAN SULLIVAN: And within that listing from that department, they're listed in order of priority. Is that correct?

MR. FLORES: Mr. Chair, for the Sheriff's Department it's a random order. They were all ranked priority one. So I couldn't tell you that the mobile command post is any higher than the Sheriff units.

CHAIRMAN SULLIVAN: I guess that doesn't help us too much when everything's ranked priority one.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. So Tony, what you're telling us now is that if we approve this, then you're going to take this list and prioritize this list according to districts and according to Sheriff's Department, Community Health Development. You'll prioritize that and then come back with it?

MR. FLORES: Mr. Chair, Commissioner Anaya, that's the intent. Off of this list, which is purely to get us into the DFA cycle is then to bring back priorities to you in August that will set up, for instance -- this isn't set in stone today, but five facility projects, one for each district and possibly one countywide. And then have a myriad of funding sources to be able to go after that. For instance, if we had a community park that existed, we currently have \$35,000 in the bank and we need another \$55,000 to complete the improvements. I would show you project A has \$35,000 in current funding in the source, and then we would look at potentially GRT funds to be able to supplement that, potential legislative requests to supplement that, or scenic byways and grants to supplement that. And I would show you what type of patterns for funding we would try to appropriate over the next six months.

So it sets up a myriad of things. The legislative process is only a small portion of it, not the entirety.

COMMISSIONER ANAYA: So the main priority is to get this to DFA?

MR. FLORES: Mr. Chair, Commissioner Anaya, yes.

COMMISSIONER ANAYA: And then we can move forward.

MR. FLORES: Yes.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

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CHAIRMAN SULLIVAN: Another question I had, Tony. On the Project and Facilities Management, you heard some of the individuals talking about the Eldorado senior center and I just want to point out that there are very few projects in District 5 in here and basically all of the -- or the majority of them that have District 5 next to them, which is my district, are the prison. It just so happens that the prison is in District 5. So I rather consider that a countywide facility than a District 5 facility to be honest with you. So aside from that, one of the ones near the top of the list is the senior center in Eldorado. Above that is the second phase of the Youth Shelters at a million and a half.

If we kept that priority, would that mean -- that million and a half would obviously take up all the legislative money that we would request. Is that where we're heading?

MR. FLORES: No, Mr. Chair. Again the legislative dollars are only a component of it. Let's take Eldorado senior center first of all. We currently have \$123,000 on the bank per se. We don't physically have it because it's on a reimbursement basis, but we have that appropriation. That will get us the design. What the \$511,000 represents is the shortfall from design to bricks and mortar. In my opinion, because the design will be complete, that's a project-ready request. In other words, we've got the land, we've got the design, we're ready to go to bricks and mortar. I need to bring to you as the Board a funding mechanism to be able to show how we will ask for the \$511,000 or to secure the \$511,000 for bricks and mortar. A portion of that could be through the legislative body and I would look at the legislative body really as the infill, not as the front end.

We all know that historically the County has received between \$1.2 and \$1.8 from the legislature, at least over the past five, six years. We're piecemealing the projects. We're piecemealing the projects by giving them 72 projects and 72 million dollars in funding. I think we need to have a plan in place before we ever go to the legislature and say this is what we've secured for this project. This is the shortfall. Youth Shelters, for instance, we've currently applied for or are in the process of applying for a million dollar HUD grant. If that's secured, one of the funding sources for phase 2 of the Youth Shelters would be the HUD dollars. Maybe we would find other project dollars from other areas or other grants and then the last component would then be to go to the legislature in January and say, Okay, we've secured \$1.4 million or \$1.3 million, we need help from the state for \$100,000.

That's the intent of this. It's not to go out and ask the state for the \$1.5, I think, because we're not going to get it. I think we're all fooling ourselves if we try that every year.

CHAIRMAN SULLIVAN: Okay. So you're going to be coming back with a strategy.

MR. FLORES: Fine-tuned, yes.

CHAIRMAN SULLIVAN: A funding strategy for each of these with emphasis on the ones that already have some funding identified and then the Commission can arm wrestle over that when you have it.

MR. FLORES: Well, I hope that we don't arm wrestle, but yes, that would be the intent would be to come back with those priorities in one month.

CHAIRMAN SULLIVAN: One last question. Explain to me on that same page

2677669

what New Community College District New Mexico 14 Com Center is.

MR. FLORES: Mr. Chair, last year when we went through this process, you wanted to implement a study for the Community College District Community Center and also the South Airport Road Community Center. Those were the requests that we met with you on last year. Since we didn't receive any funding for those, I kept those projects on the list because we indicated last year they were of importance to us and I still believe they are today. So those are included, those are carryovers from last year.

CHAIRMAN SULLIVAN: Okay, that's a community center, kind of area-wide community center which actually a portion of it is in District 3 now.

MR. FLORES: Yes. Now we've kind of changed because of the redistricting in.

CHAIRMAN SULLIVAN: Okay. I understand. Other questions of Mr. Flores.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Flores, Tony, where is County Road 103? I had talked to Mr. Lujan actually late this afternoon and I apologize, when we met yesterday there's actually two things that I would like to consider adding to this list since we met.

MR. FLORES: Mr. Chair, Commissioner Montoya, we've added the County Road 103 before James left. I wasn't able to include that on the list that I prepared this morning. He has added County Road 103 in the amount of \$100,000 in the calendar year 2004. So that would be an add-on to that list that you have in front of you. So I apologize for that.

COMMISSIONER MONTOYA: Oh, no. I should have thought of bringing it up earlier too. And I should have brought these up yesterday also, is in District 1, in terms of Public Works again, road maintenance, they're in need of a loader and I had brought this to the attention of Mr. Gonzalez in the past as well and we managed to get a rental that runs like a jalopy. So it would really be nice if we could get a nice loader out there for these folks. They certainly need it.

MR. FLORES: Mr. Chair, Commissioner Montoya, I'll add that to the page following the roads as item number 4 under the equipment, I'll put that on there and I'll get a price for that also.

COMMISSIONER MONTOYA: Okay. And then the other place that we need a loader of some sort also is at the solid waste transfer station. We had one there at one time and now we've been relegated to a back hoe and it just isn't --

MR. FLORES: So a total of two.

COMMISSIONER MONTOYA: Two, yes.

MR. FLORES: I'd like to point out though that that's a perfect addition to this list. Again, change our mind set about the legislative process. Just forget about that for a second. You all as Commissioners, every May or April, start looking at capital requests during our budget cycle. We as a county, I believe, this is my opinion, is that we need to do a better job of our capital needs. Equipment, for instance should be included on this list because

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eventually you are going to see an equipment request in April and May to be funded in June or July. In my opinion, that's the only way we as a county can really start planning capital needs. And everybody thinks capital is just bricks and mortar and projects and roads and it's not; it's equipment. DFA has certain guidelines of what equipment can be included but it doesn't mean we cannot include other projects on here for equipment. Again, the legislative/DFA process is only a small component of it, and that's really where I think, in my opinion, we need to be moving this plan.

COMMISSIONER MONTOYA: Thank you.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: Then I'd like to include a water truck for District 3, the southern part. I know they've been asking for one. That's all I've got. Thank you.

CHAIRMAN SULLIVAN: Commissioner Campos, do you need a water truck?

COMMISSIONER CAMPOS: I don't know. I'll think about it.

COMMISSIONER MONTOYA: I've got a jalopy.

CHAIRMAN SULLIVAN: A loader.

COMMISSIONER CAMPOS: No, no, no. I don't want that District 1 thing.

Be careful about that thing migrating to District 4.

CHAIRMAN SULLIVAN: Any other questions, comments or additions?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Anaya.

COMMISSIONER ANAYA: I want to thank Tony and Rudy and Corky for all their hard work and going around to all the communities and meeting with the people. I know it took a lot of time and energy but they appreciated it very much. They told me that they appreciated it. They thank the County for going out and at least listening to them. And with that, I'd make a motion to approve.

CHAIRMAN SULLIVAN: We have a motion to approve the ICIP plan. Do we have a second?

COMMISSIONER MONTOYA: Second, Mr. Chair. I just too want to echo and reiterate that I previously attended one of the meetings as well and the folks were very appreciative. I think you guys heard all of and a lot of what we hear in terms of the needs out there.

MR. FLORES: I think we heard more.

COMMISSIONER MONTOYA: I think you did. But thank you guys. We appreciate all the work that you've done.

MR. FLORES: As a point of clarification, we actually have to adopt a Resolution 101. Just for point of clarification.

CHAIRMAN SULLIVAN: Okay, so if we could amend that motion, Commissioner Anaya, to approve the ICIP plan and adopt Resolution 2003-101. Is that okay.

COMMISSIONER ANAYA: Okay.

CHAIRMAN SULLIVAN: And the seconder?

COMMISSIONER MONTROYA: Second, yes.

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CHAIRMAN SULLIVAN: Further discussion. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Flores, we have a lot of information, a lot of projects. This resolution is pretty generic. When do we start getting down to what we really are going to be able to do?

MR. FLORES: Mr. Chair, Commissioner Campos, one month from now. It will be brought forward at the last administrative meeting of August.

COMMISSIONER CAMPOS: Is that going to be a public hearing?

MR. FLORES: Mr. Chair, Commissioner Campos, we've adopted the plan from theirs and the Board's priorities and how we start setting up our requests.

COMMISSIONER CAMPOS: So are you going to have recommendations that are more specific or are you just going to let the Board have at it?

MR. FLORES: Mr. Chair, Commissioner Campos, I'm proposing that we present a couple different scenarios and different ways of how we set up our process. Going back to the Chairman and the arm wrestling, I really don't want to get into that issue. I would really like to be able to set up priorities first of all by district and countywide and then let up as a group, staff and the Board, sit down and figure out how we're going to be able to move this project forward. So there will be some options for the Board to consider. Or for the Board to tell me to go start over.

COMMISSIONER CAMPOS: Any deadlines as far as time? Do we have to get something done by a certain date to get to the legislature and get the ball rolling, or the grants?

MR. FLORES: Mr. Chair, Commissioner Campos, this is our intent. We spoke to Gerald about this yesterday. We would actually like to start the legislative component of this in September/October to get ahead of the curve. Because we only have a 30-day session.

COMMISSIONER CAMPOS: You're looking at the January session.

MR. FLORES: Yes. For a component of this, so we really have a lot of work to do after this is submitted, to then come back to you with some options as to how we move a project forward.

COMMISSIONER CAMPOS: We're not looking at the September/October session, right?

MR. FLORES: No.

COMMISSIONER CAMPOS: All that's going to be a special session.

MR. FLORES: We're preparing for the January.

MR. GONZALEZ: Mr. Chair, Commissioner Campos, there are two other aspects of this that I think probably fit with what we've discussed. With respect to your comment, my observation when we met this week to discuss this plan was that we need to get to our legislative delegation much earlier in the season. We did it much too late last year. I think we all agree that we need to do that. So we've got to get it done in time to really shop it with our Santa Fe delegation.

The other point being that this also should become a component of our discussion concerning strategic planning and I want to compliment Projects and Facilities Management

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Department for structuring this as what I see as the first step to really putting together a strategic plan with respect to ICIP. So it's one component of dealing with strategic issues and I think they've done a wonderful job, Corky, Tony, Rudy, in taking us a little closer to that.

MR. FLORES: Thank you.

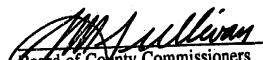
CHAIRMAN SULLIVAN: Okay, we have a motion and a second for approval of Resolution 203-101.

The motion to approve Resolution 2003-101 passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]

ADJOURNMENT

Chairman Sullivan declared this meeting adjourned at approximately 7:10 p.m.

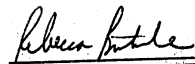
Approved by:


Board of County Commissioners
Jack Sullivan, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK

