

COUNTY OF SANTA FE)
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SANTA FE

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 31, 2004

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

SHC CLERK RECORDED 11/03/2004

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

August 31, 2004

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

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

Members Present:

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

Members Absent:

[None]

IV. Invocation

An invocation was given by Andy Dimas of St. John's Church.

V. Approval of the Agenda

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- B. Tabled or withdrawn items**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

GERALD GONZALEZ (County Manager): Thank you, Mr. Chair, members of the Commission. Looking at your revised agenda, section IX, there's the addition of item F.

CHAIRMAN CAMPOS: There's a new F?

MR. GONZALEZ: That's correct.

CHAIRMAN CAMPOS: Was that issued just recently?

MR. GONZALEZ: Yes. That just came out as of yesterday.

CHAIRMAN CAMPOS: Okay, so there's a new F.

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MR. GONZALEZ: Then items C, D, and E are a revision of the previous order and the addition of one item. So C was previously item section X. D.

CHAIRMAN CAMPOS: You've moved to X now, from IX to X?

MR. GONZALEZ: No, this one remains within the same section, X. It was just reordering because we felt the flow would be better that way, given items D and E. D and E were somewhat related. Item D was previously section XII, item C.3. That's the summary of bonding and tax polling.

CHAIRMAN CAMPOS: That causes a lot of problems for us, I think, when you start renumbering.

MR. GONZALEZ: And I was made aware of that yesterday. In the future, I think what we'll do is simply recommend that the item be moved but it remains in the same place in the agenda so it's not to confuse you in terms of packet material, Mr. Chair.

COMMISSIONER DURAN: I don't have a problem with the way you're doing it.

MR. GONZALEZ: And then item E was previously X. C within this same section, and that's the Santa Fe County space assessment. Looking at Section XI, the Consent Calendar, there's a request to table item H, item J, item U, and then the addition of, at the very end of item HH. That's an addition, and that material is being passed out at this moment. I think there was a time sensitivity there and I apologize for the fact that the material is being passed out right at this point.

Moving on to section XII, Section B, Corrections Department, the update on the Youth Development Program is being tabled in the interests of time. As I noted earlier – under subsection C, Finance Department, item 3 is the item I indicated had been moved to section X. Under subsection D, Health and Human Services Department, item number 1 is being tabled. Discussion and possible action concerning New Mexico Department of Behavior Health. That's tabled. Under subsection E, Projects and Facilities Management Department, items number 2 and 3 are also being tabled.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: Why are they tabling those?

MR. GONZALEZ: We did not have the packet material in toto and it wasn't ready to go forward yet.

COMMISSIONER DURAN: Thank you.

MR. GONZALEZ: And similarly for item number 4, memorandum of agreement between the County and the City on open space and trails.

COMMISSIONER DURAN: That's tabled also?

MR. GONZALEZ: That's correct.

CHAIRMAN CAMPOS: So 2, 3, and 4 are tabled?

MR. GONZALEZ: 2, 3, and 4 are tabled. Subsection F, Public Works Department, item number 3, the lease agreement with Pojoaque Pueblo is being tabled and under subsection H, Utilities Department, that item, the contract amendment to the Sheehan,

Sheehan and Stelzner is being tabled. And those are the recommendations I am making with respect to the agenda subject of course to the additional changes by the Commission, Mr. Chair.

CHAIRMAN CAMPOS: Okay, Commissioners, Commissioner Anaya.
Commissioner Duran.

COMMISSIONER DURAN: Gerald, on the Consent Calendar, items H and J, why are they being tabled?

MR. GONZALEZ: H is being tabled because I think a question was raised during the Indigent and Health Care Board meeting that would require doing a little bit of rewriting with that agreement and then the intergovernmental agreement with north central was not yet ready to come forward. There was packet problems.

COMMISSIONER DURAN: Thank you very much. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Okay, executive session, Mr. Ross. How much time are we looking at executive session for?

STEVE ROSS (County Attorney): About an hour, Mr. Chair.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Under section XII. B. 2, Mr. Chair, the heading on this is for a full-time, 1.0, and in the information that I received in my packet is for a half-time.

MR. GONZALEZ: Yes, Mr. Chair, Commissioner Montoya, it's being set in place as the full FTE but from a budgeting and operational standpoint it will only be staffed at one-half FTE.

COMMISSIONER MONTOYA: Oh, okay.

CHAIRMAN CAMPOS: Okay, Mr. Gonzalez, I didn't get all the changes in the agenda as far as the relettering and renumbering. Could you go over that again for me.

MR. GONZALEZ: Sure. Be glad to.

CHAIRMAN CAMPOS: I'm looking at two agendas now and then three with the amendments.

MR. GONZALEZ: Okay, the renumbering and relettering occurred in conjunction with section X, Presentations. And in that section, moving to items C, D, and E. Item number E was previously C in this order. So C became E. We added a new C and D, C was previously D in this order and then D has been moved from section XII. C. 3, and that's the bonding and tax polling.

CHAIRMAN CAMPOS: That's the poll survey information? Summary of report of bonding and tax poll survey results?

MR. GONZALEZ: That's correct. So C is Santa Fe Community Partnership Block Leaders, previously item D in this order. D is the report summary of bonding and tax poll survey results, previously section XII. C. 3, and then E was previously item C and that was the presentation and request for direction on the Santa Fe County space assessment.

CHAIRMAN CAMPOS: Okay. Did you guys get that? Let's see if we can

stumble through it. Is there a motion to amend the agenda as amended?

COMMISSIONER DURAN: So moved.

COMMISSIONER MONTOYA: Second.

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

CHAIRMAN CAMPOS: Any Consent withdrawals? That's V.C.

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER SULLIVAN: I'd like to discuss, and I believe there's a staff amendment also which you received in your mailboxes on A. 1 and 2. And G as in golf. Item U has already been tabled. I had U on there. That's been tabled so that's fine. W and X.

CHAIRMAN CAMPOS: W and X you want discussed.

COMMISSIONER SULLIVAN: And the last one was CC.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER SULLIVAN: Now, on HH, what are we going to do on that? They just now handed out something which we haven't had a chance to read.

CHAIRMAN CAMPOS: Ordinarily, I don't think we should consider those things unless they're extremely time-sensitive. What is the justification for that addition at the last moment with material?

COMMISSIONER DURAN: It was time-sensitive.

CHAIRMAN CAMPOS: Why is it time-sensitive? What is it? How many days do we have? That was the conclusion, what are the specifics?

MR. GONZALEZ: I don't see the Finance Director, Mr. Chair.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER SULLIVAN: Maybe we can withdraw it, Mr. Chair, HH, and if it doesn't come up until after lunch we can maybe have a chance to look at this over lunch.

CHAIRMAN CAMPOS: Let's move HH to matters that we're going to discuss on the Consent Calendar. Let's just do that. And we'll discuss all the matters withdrawn from the Consent Calendar after we approve the Consent Calendar.

COMMISSIONER SULLIVAN: That's fine.

CHAIRMAN CAMPOS: Any other changes?

COMMISSIONER MONTOYA: Mr. Chair, could you repeat those please?

CHAIRMAN CAMPOS: The ones that Commissioner Sullivan would like to take off the Consent Calendar for discussion, that's XI. A 1 and 2, G, W and X on the next page, and page 4, CC and HH.

COMMISSIONER MONTOYA: Okay. Mr. Chair, I think just procedurally, we should withdraw those items at the time that we approve the agenda. Because we've already approved the agenda and now we're going back and reapproving another one.

CHAIRMAN CAMPOS: It's part of our agenda and maybe I should have called all three of them together.

COMMISSIONER MONTOYA: Yes.

CHAIRMAN CAMPOS: Do we have a motion?

COMMISSIONER SULLIVAN: Have we approved the agenda yet at all?

Commissioner Duran moved it and I think Commissioner Montoya seconded it.

COMMISSIONER DURAN: But then you just amended it again.

CHAIRMAN CAMPOS: The Consent Calendar, items suggested by Commissioner Sullivan for discussion. Motion to move those.

COMMISSIONER DURAN: I'd like to make a motion that we isolate items

XI. A. 1 and 2, G, W, X, CC and HH for discussion.

CHAIRMAN CAMPOS: Okay. Is there a second?

COMMISSIONER SULLIVAN: Second.

The motion to withdraw the above-noted items for discussion passed by unanimous [5-0] voice vote.

VI. Approval of Minutes: July 27, 2004

CHAIRMAN CAMPOS: Is there a motion to approve?

COMMISSIONER DURAN: So moved.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Discussion?

The motion to approve the July 27th meeting minutes as submitted passed by unanimous [5-0] voice vote.

VIII. Matters of Public Concern - Non-Action Items

CHAIRMAN CAMPOS: Okay, Matters of Public Concern, non-action items. Is there anyone out there who would like to speak to the Commission about an issue of public importance? Okay, I understand that there is a case, that would be Public Works, F. 1.

COMMISSIONER ANAYA: Mr. Chair, I believe we have the president of the Fiesta Council here who would like to speak to us under Matters of Public Concern.

CHAIRMAN CAMPOS: Tony Lopez, come on up.

COMMISSIONER DURAN: The Mariachis aren't here.

TONY LOPEZ: First of all, I'm coming with my gang. Mr. Chair, distinguished members of the Santa Fe County Commission, allow me to first of all present two

of my board of directors and officer, treasurer first of all, Dean Milligan, and Mr. Albert Montoya, board member, and Dr. Robert Zone, board member as well. First of all, thank you very much for giving us the opportunity to come before you and of course as you've seen in your packet, I'm here to request your assistance in the oldest community celebration of its kind in America, celebrating our most continuous celebration in America of 292 consecutive years with that proclamation signed by the City of those times of course on September 16, 1712 by the City Council then.

Today we are here 292 years later still working at it. And on behalf of 120 members, and I asked them not to show up this morning because I figured the coffee wouldn't be hot enough for very long, but anyway, in the extended family we represent approximately 250 total membership and we have a total of 20 organizational representatives as part of the Fiesta Council as well.

The importance of course of our requesting your assistance is in the fact that obviously, as you probably have all marked is our budget basically is in excess of \$300,000. [Exhibit 1] This is not even including the in-kind contributions that are facilitated from different organizations at the state level, City and on and off with protection and police and in-kind services contributions which probably well exceed into a million dollar budget. Keeping that of course in mind, I'm asking for your consideration under your OTAB funding for a request of media outreach funding if possible, and of course we have requested actually a figure of \$20,000 which maybe pie in the sky but it's a beginning and of course the outreach for that would be with *New Mexico Magazine*, realizing and recognizing that the distribution of that is in excess of 200,000 throughout the United States, so I think that's quite important.

In the past, to my knowledge, other than police protection and assistance from the Santa Fe Sheriff's Office, the assistance has been pretty much at a minimum from the County level. And realizing that it not only brings in probably in excess – and this is just gestimated actually, by figures from Tourism and Travel, that probably in excess of a million dollars in hotels and motels alone in itself. And of course it does not include restaurants and so forth. And this was just taken on a survey, taken by 2000 signatures we collected two years ago. And that probably, if it was taken very accurately and we were aggressively after it, probably represents at least \$5 million of economic impact into our city and county.

So I respectfully request that you consider our request under your OTAB for the funding or for the assistance in the funding of the mass media. And I'd like to, if I may with your permission, allow anyone to answer any question of any magnitude having to do with the Fiesta.

CHAIRMAN CAMPOS: Well, let me just say this, Mr. Lopez. We did talk to staff and they may have some information that they'll share with us. There may be a small amount of money that the Commission could spend out of Lodgers' Tax. My question is the City seems to every year argue that Fiesta is tapped out. We've got too many people in the plaza; too many people on the streets. Blah blah blah. Why do you need to bring more people in. You're bringing in a lot of people every year. Do you have capacity to handle more people at the hotels?

MR. LOPEZ: I think the easy answer, obviously, Mr. Chair, is of course economic impact, and tax, when people come and shop in our city and county, in fact it facilitates the hotels and restaurants, the employees to extend an avenue and where it being the community celebration of its kind in America, it will attract that kind of magnitude of visitors.

CHAIRMAN CAMPOS: Doesn't it already attract more visitors than we can handle? That's the question.

MR. LOPEZ: I believe that the true answer to that one is there's plenty more hospitality left in Santa Fe to extend that invitation, even on a national level.

CHAIRMAN CAMPOS: Okay. Who on staff is addressing this issue? I know - Mr. Abeyta? Did we talk about that?

MR. GONZALEZ: Mr. Chair, I've addressed this matter with Finance and we've looked for a source of funding and we believe we've found one in conjunction with the use of the Lodgers' Tax that would provide a small amount of support for the Fiesta Council.

CHAIRMAN CAMPOS: That would be for next fiscal year, right?

MR. GONZALEZ: That's for this fiscal year.

CHAIRMAN CAMPOS: That could be used for this fiesta coming up?

MR. GONZALEZ: That's correct.

CHAIRMAN CAMPOS: And that was - I think the sum was \$2500.

MR. GONZALEZ: That's correct.

CHAIRMAN CAMPOS: Okay. Any questions from the Board? Commissioner Duran.

COMMISSIONER DURAN: I think that what the Fiesta Council does for our community is wonderful and I think that getting more people involved in the fiesta is a commendable effort. I think that the Commission should try to do whatever we can to participate in this effort. I don't think we ever have in the past. And being part of this community, the County Commission and the County just being part of this whole effort, I think we should contribute to that. And I guess when we start talking about the Lodgers' Tax, why are we limited to only \$2500?

MR. GONZALEZ: That's a function of what was available and what's already committed out of the Lodgers' Tax.

COMMISSIONER DURAN: Because the last time I heard anything about the Lodgers' Tax we had something like \$250,000 in that account.

MR. GONZALEZ: Yes, and we did go over the numbers and the budget for that amount, and there was a small amount of leeway, which is what we've set aside but the remainder has traditionally been committed for other programs run out of the Lodgers' Tax and I don't see Teresa out here but the other funds are already committed.

COMMISSIONER DURAN: And there's no other fund that might be available for promoting community activities?

MR. GONZALEZ: Not at present. In the long run we can look at trying to cultivate an additional source of support but this was the best we could do under the short time frame and having to work with the budget, Mr. Chair, Commissioner Duran.

COMMISSIONER DURAN: Okay. Thank you.

CHAIRMAN CAMPOS: Maybe we could work it into the budget later, next year, if we thought this was an important thing to do. Commissioner Montoya.

COMMISSIONER MONTOYA: Yes, that's exactly what I was going to say, Mr. Chair. I think - so this contribution we're looking at is for this year, Gerald?

MR. GONZALEZ: That's correct, Mr. Chair, Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Lopez, is that correct in terms of what Commissioner Duran said, we have not participated in the past? Santa Fe County?

MR. LOPEZ: That is absolutely correct, yes. Other than the assistance of the Sheriff's Office, which is basically a commitment of five officers during fiesta, that has been the extent of the contribution of the County. I truly feel with my heart and soul that it belongs to all of us and we ought to behoove from it. This is two days we start our visitations right here within the public schools which is an educational tool. If we also visit every nursing home, or the hospitals and we visit the homebound, the people who cannot come to fiesta where we take fiesta to them. Our entertainment budget is over \$100,000 of course, and this is for everybody. This is not something of just a Hispanic nature but it's a tri-cultural thing as you're well aware. We have the Indian representation, the church, and we also have of course a foundation which separates into church and state as well where we have a 501(c)(3) status organization dedicated to the contribution. As a matter of fact our letter of solicitation goes out here this Friday.

And we are- we struggle for every penny we make. Every function that we have is a fundraiser. Mr. Chair, I like that smile. That's a good sign. But in many cases they're break-even things because we want to bring fiesta to the people of Santa Fe. We want to make it affordable to everybody. Who would think that you could go to the Santa Fe Opera and listen to a mariachi extravaganza for as low as \$15. Unbelievable. Yes, we have tickets for \$50 as well. But we're trying to keep it within our means and make the true meaning of culture and that tradition and education.

We start off in February with our youth mariachi conferences and that's what it's about and bringing them into the culture and allowing them to be a real integral part of this community.

CHAIRMAN CAMPOS: Any questions of Mr. Lopez?

COMMISSIONER MONTOYA: Mr. Chair, I would just encourage us that we look also, Gerald, at potential in-kind contributions for this year as well and in the future we do look at this as a budget item because I think it's important that Santa Fe County should be a part of this as well and then also duly recognized in any materials and information that is sent out from the Fiesta Council. And I commend you gentlemen for the job you're doing and look forward to the fiesta.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think the real reason we asked the president, Mr. Lopez and the board to come forward was to tell us when the fiestas are starting and give us some of the little history like you did. I didn't know it was going to get into a money thing, but that's okay. Because we do want to help. I know the Commissioners would

really love to help. But the main reason that we asked you to come forward, Mr. Lopez and the board members was to give us a little bit about what's going to happen. We've got listeners out there that are watching television. Tell us what the fiesta – I was hoping to get the quadrilla here and that's what I wanted, but you're here and we want to thank you for coming. But let us know a little bit about what's going on.

MR. LOPEZ: I brought my very colorful shirt so that in the event that Genaro don Diego de Vargas Zapata y Lujan Ponce de Leones, Marques de la Martinez, since he's not here and his majesty and royalty, and had I know that that was the intent we would obviously have done it. The County is on our visitation. We visit over 200 different places in our visitations, concentrating again with our elderly and our youth. Of course the celebration itself without a question is a cultural event and officially, on Friday morning, el pregón de las fiestas, which means the proclamation for the honorable mayor, reads off and begins it and is celebrated by his Excellency the Most Reverend Archbishop Sheehan, but of course it officially begins the 292nd fiesta. The grand opening ceremonies of course will be at 1:00 on Friday at noon as well and you'll see in your packet there that most of these things – there's lots and lots of things that I could sit here and be redundant about. But the public obviously is invited to attend all and I would love to see the Commission Chairman and the Commissioners on the plaza at 1:00 also to be a part of the opening because this is for everybody, and I would love to see that. I think it could be an educational thing and we become more a partner and work together in this respect.

Of course the Mariachi Extravaganza which I mentioned a moment ago which is held at the opera and we have our very own Flamenco Con Gusto that will be performing here at the performing arts at the Lensic Theatre. We have the Desfile de la Gente on the plaza and we have of course the beautiful procession to the Cross of the Martyrs and celebration throughout the weekend on the plaza itself and of course we have the Carnival, basically fundraising. But everything is free to the public on the plaza except of course for food. And of course we encourage you to participate there also, because they're part of our fundraisers as well because they pay for the use of the booth and that of course helps us to defray expenses.

And while I say expenses I'm going to state that we have approximately \$60,000 that we get in different types of grants and that's from state government, the City, the OTAB, the Lodgers' Tax and different type of, McCune Foundation and things of that nature. So we are actively trying to make it happen and financially, obviously, it's something that we need assistance. And I'm sorry that this was a surprise to the Commission that I would be asking for help but I probably do so for a very good reason.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN CAMPOS: Mr. Gonzalez, what do we have to do to get the \$2500 to the Fiesta Council? Do we have to take action or can you do this administratively?

MR. GONZALEZ: This is an administrative action because of the size of the award being done and we'll handle it internally. There will be some paperwork that needs to be done and Fiesta Council but that can be done and I know in the past we actually have provided some funding for some of the brochures and so forth that they've printed. So it's renewal of an

old relationship and we're glad to see that happen.

MR. LOPEZ: Thank you, Mr. Manager.

CHAIRMAN CAMPOS: Thank you, Gentleman very much. Look forward to working with you.

MR. LOPEZ: Thank you for allowing us to be here and we'd love to see you on Friday at noon. Muchísimas gracias. God bless you.

CHAIRMAN CAMPOS: Thank you.

COMMISSIONER DURAN: Thank you, Gentlemen.

CHAIRMAN CAMPOS: Okay. Matters of Public Concern. Is Judge Hall here for Matters of Public Concern?

MR. GONZALEZ: He is here, Mr. Chair.

CHAIRMAN CAMPOS: Did you want to address the Commission, Judge? Mr. Flores said you might want to.

COMMISSIONER DURAN: In the space analysis section.

CHAIRMAN CAMPOS: Okay. Great. Thank you. Anybody else for public comment? Sir. Come forward.

VICTOR BACA: Mr. Chair, my name is Victor Baca and I'm here hopefully for you to consider our road for paving. The Santiago Subdivision and the name of the street is Entrada de Santiago and we're under Public Works.

CHAIRMAN CAMPOS: For the record it's item XII. F. 1. And do you have any - make your arguments as to why we should do this.

MR. BACA: Mr. Chair, a few people have talked to us including us three here that were appointed by the president of our association, our road users association. This has been a project of our road users association for about three years, four years, trying to work with the legislature and working with you people and trying to get our road paved over there because we're finding that it's very expensive to maintain roads, especially gravel roads and we've been - unfortunately we have also a small child that has asthma and the dust from this main road that we all use, it affects him quite severely. So this has been a project for about three or four years where we've been working with the legislature and working with staff and seeing what we have to do to get to this point.

Mr. Angel I think worked on it before I did and we all got together and hopefully you Commissioners would really consider this because it's been a long, hard road. We've had to get the cooperation, as you know, of all the neighbors and that kind of thing so we would appreciate your help on this. We've worked very hard with Representative Jim Lujan in getting the funding for this so your consideration in helping getting this road paved. It's only .3 mile so we're hoping that you can help us out with it. Thank you, Mr. Chair. I don't if Frank like to say something.

CHAIRMAN CAMPOS: Any comments?

FRANK ANGEL: We would just appreciate your consideration of this project. Like Victor said we've been working for several years on it and the dust, especially now during the drought, especially the main trunk that we're requesting paving which the whole subdivision

uses gets really bad. So we can answer any questions that you or members of the Commission would have.

CHAIRMAN CAMPOS: Any questions? Gentlemen, thank you very much, and you're welcome to stay all day if you want until your item comes up tonight.

MR. BACA: We'll come back if you wish.

CHAIRMAN CAMPOS: Okay. Good to see you. Thank you for coming. Anybody else, Matters of Public Concern. Okay, no one having come forward that Matter is closed.

VIII. Matters from the Commission

1. Proclamation Celebrating September 2004 as National Alcohol and Drug Addiction Recovery Month in Santa Fe County (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chair. In your packet you received that proclamation, again declaring September as the National Alcohol and Drug Addiction Recovery Month in Santa Fe County. We continue to work towards preventing the whole problem that we have with alcohol and drug abuse. This recognizes those people who have overcome those addictions and I would stand for any questions, Mr. Chair.

CHAIRMAN CAMPOS: Okay is there a motion to adopt the proclamation.

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Motion and a second. Any discussion?

The motion to adopt the proclamation passed by unanimous [5-0] voice vote.

VIII. 2. Discussion and Possible Action Concerning the Santa Fe County Jail Prisoner Release Transport Issue (Commissioner Sullivan)

CHAIRMAN CAMPOS: Was there any packet materials?

COMMISSIONER SULLIVAN: No, there was no packet materials. I just wanted to ask Greg Parrish to come up and make a brief report to you. I discussed this with him. I brought this issue up a year ago and the staff did some investigation on how we could provide some type of transportation to released inmates who are released four times a day and the latest release is late at night, dark. And they're also released without any of their valuables, which are kept in a locked safe. The results were that it is very expensive to try to provide some kind of bus service or something like that for people but the alternative is that they're out walking on Route 14 and hitchhiking. They're going to the Allsup's or the nearest place and trying to panhandle rides and money, because they don't have any because it's still in the safe.

It doesn't seem like a good situation. It didn't then and it still doesn't.

I didn't bring it up again because we had a number of very important things to get resolved with MTC which we have, including adding 25 more staff to the jail, but I want to bring this back again and ask you, Greg, what realistically we can do, and economically to solve this problem.

CHAIRMAN CAMPOS: How much time are you looking for this discussion, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Well, I think just a report from Greg is all I'm asking for at this point. I'm not asking for any Commission action unless he's got some monetary thing on his mind. As of my discussion with him yesterday that wasn't the case.

CHAIRMAN CAMPOS: I agree with you. This is a serious problem. Also the phone problem at MTC. You can call MTC and get no one to answer your phone. And that's been going on for months, perhaps years. As Commissioner Sullivan said, losing belongings of prisoners and not being able to find them or finding them a week later is really unacceptable. These are serious problems.

COMMISSIONER SULLIVAN: My hope was that we could restructure, Mr. Chair, the administrative issues. Apparently what happens is while, during these four release periods only two of them are during the normal eight to five working hours. If you're in the early morning or the late evening, really your belongings are put into a safe and you have to come back at some later time. Well, who wants to come back to the jail after they've just been released. And secondly, they have no money to call a taxi, to even find any kind of transportation so they walk. I just wanted to give Greg a moment to respond to how his department has been addressing that.

CHAIRMAN CAMPOS: Just keep it brief though. We do have a long agenda today, Mr. Parrish.

COMMISSIONER DURAN: I'd like to comment on that too.

CHAIRMAN CAMPOS: Okay. Mr. Parrish.

GREG PARRISH (Corrections Coordinator): Mr. Chair, several of the issues that were raised are inmates being released and not having any money. As I discussed yesterday with Commissioner Sullivan and then I talked to the new warden also after that, we're going to attempt to revamp that system where the warden will release property upon release of the individual. When he comes into the facility now his property is removed from him. It's stored. Valuables are put in a safe with only certain people having access. The warden is gone this week but upon his return we're going to discuss a procedure where those items can be returned at the discharge of the individual so that a person coming into the facility, when this property is removed from him, if he's released shortly thereafter, they would be released with all their property, including their valuables. He's going to address that issue with me upon his return next week and I'll try to get a written response to everyone about what procedures are in place.

He's also made available a telephone in the booking area where inmates when they leave they can call free for local calls and collect for long distance calls to arrange for transportation, either a cab or some other means. As Commissioner Sullivan pointed out

though, right now if they're released they don't have any money to pay a cab; they have to be taken somewhere where a friend or relative can make that payment. But he has made a telephone available and he's going to place signage there so that inmates are aware that they can use that.

The telephone, Mr. Chair, you and I have discussed. There have been some changes to the telephone system where the service – at one time there were only so many lines going back to booking. They've increased the numbers of lines and they've also increased the alert that the person – if the person's on the phone they get an alert. It used to be they only got one alert and then it went away. Now it's a constant alert at least letting them know there's someone else waiting to use the telephone. That doesn't address the customer service issue. When you do get a hold of someone they should be able to provide you with accurate information. And I'm working with the warden on that also. The monitor is also making periodic spot checks of the service being provided so that we can report to the warden problems that we may be having.

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: Mr. Parrish, I think that having that discussion and having the warden respond is fine but I think that for me, having a discussion and responding to it isn't acceptable. I want people to be able to get their wallets when they leave. When I was in there I was released and it was a three-day weekend and the only person that could get my things out of the vault was out of town for three days. So if I hadn't had the Sheriff's phone number I wouldn't have been able to get my car out, wouldn't have had any money and it's just totally unacceptable.

So I think that the strong message is that he needs to find a way of doing that. There has to be somebody onsite at all times, whenever there's a release of inmates, that can release those personal items to the people that are being released. Thank you.

MR. PARRISH: Mr. Chair, Commissioner Duran, I don't disagree with you. I will move very quickly with the warden upon his return to establish a policy that that takes place. And if not, what reason they have, the contracting operator, why they can't do that, and I'll report back to you at the next meeting or prior to that via e-mail to everyone on the committee.

COMMISSIONER DURAN: Well, I don't think there's any reason that's going to be acceptable to me why they can't do it.

CHAIRMAN CAMPOS: This is a basic service. If we're running a jail, let's do it right. This is basic, basic service. There's no reason – if the contractor is to do this they better do it right, is my impression. I think that's what Commissioner Duran is saying.

MR. ABEYTA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

MR. ABEYTA: If I may just add, regarding transportation, there was a meeting yesterday with Santa Fe Trails, Tom Williams, the transit director, and they're interested in a route going down to the jail along State Road 14. The cost would be \$120,000 a year. However, there is a federal grant that would cover up to \$60,000 of that cost that the City already has in place and which we would qualify for because we have our affordable housing

along State Road 14 and then also our economic development park. So we're going to look into how we could come up with our match, which would be \$60,000 and perhaps we could get a Santa Fe Trails bus to go back and forth along Route 14 and we'll report back to the Commission on that progress.

CHAIRMAN CAMPOS: Thank you, Mr. Abeyta. Commissioner.

COMMISSIONER SULLIVAN: One additional thing on that is that we talked during the budget hearings about the inmate fund and the need for better documentation and auditing of the inmate fund. But it's a substantial amount of money that's in there, and there's only so much exercise equipment you can buy that will fit into that open space out there. So you may want to look at the legal opportunities of that inmate fund to subsidize that transit service too, because typically it's been a fund that seems to pass from one contractor to the next without very much usage in it. It certainly would benefit all the inmates. Anyone would have the option to take advantage of the transit service just as anyone has the option to take advantage of the exercise facilities that are there, limited as they are. But it's just a suggestion.

MR. GONZALEZ: Mr. Chair, Commissioner Sullivan, Greg Parrish and I had that discussion last Wednesday and we're pursuing that option. I think that's a great item.

COMMISSIONER SULLIVAN: Mr. Chair, I just had one other items. If you wanted to go to the other Commissioners or however you wanted to do it.

CHAIRMAN CAMPOS: We usually start in a different order. We're going to start from Commissioner Duran's side today.

COMMISSIONER DURAN: Okay. Thank you. I was wondering - I just want to give you all a heads-up. I wish that this would go away but obviously it's not going to. But a year ago I was involved in a little incident with a DWI and since then, I've had an interlock device put on my car and it really has made a tremendous difference in my life and it just really has changed my behavior. So I've actually analyzed how this device has affected me and have become an advocate of the interlock device.

And I met with Dick Ross who has introduced some legislation in the past relative to that interlock device and actually was successful in getting it adopted at the state level. And he has asked me to bring forward a resolution that would require first time offenders to have this interlock device placed in their car. So at the next County Commission meeting I'm bringing forward a resolution for the Commission to consider making that a County ordinance, and then find out how we can implement that ordinance in the courts and at the same time I'm meeting with Senator Griego who is trying to introduce legislation at the state level to require that.

Because I really believe that the only way that we're going to make a dent in the DWI deaths is to modify the behavior of those individuals that seem to have a problem with driving and drinking. And this interlock device is really, I think, the first step in that effort. Thank you.

CHAIRMAN CAMPOS: Thank you, Commissioner. Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chair. Just briefly, I just wanted to comment and thank Lisa Roybal and Rob Yardman for the work that they are doing on the Santa Fe Connection. I hope all of you have had a chance to take a look at that e-newsletter in terms of keeping people, all kinds of people informed as to what Santa Fe County

is involved in.

I also have the first request here, and I'd like to hand this over to James Lujan for the speed calming, traffic calming. We have a request from the residents that live on Santa Fe County Road 109 North.

CHAIRMAN CAMPOS: Where's that?

COMMISSIONER MONTOYA: That's in Pojoaque, off so State Road 503, and that's from Felicia Trujillo. So that's that group. And then lastly, Mr. Chair, the discussion item that you brought up regarding enforcing County ordinances, I think we should seriously look at what you had proposed and I guess just for my clarification, is this already in the statute?

CHAIRMAN CAMPOS: That's basically state law that authorizes the County to fine people up to \$1000 by special ordinance for illegal dumping. So it gives the County the discretion, but we need to take that action by amending our ordinances. And that's an idea that Commissioner Anaya and you have been very interested in. I saw that in the statutes and I thought it would be worthy of discussion.

COMMISSIONER MONTOYA: Yes. I would certainly support us moving forward on this, Mr. Chair. Whoever needs to take the lead at staff level.

CHAIRMAN CAMPOS: Is there consensus that we should discuss increasing fined up to \$1000?

COMMISSIONER ANAYA: Mr. Chair, I think that it's something that we should bring forward and discuss because there is a problem out there with illegal dumping and I think that if we don't take a hard stance on that it's going to continue. I know we're working hard on the La Cienega area and throughout Santa Fe County in trying to prevent this, putting up fencing and bar-ditching. And if we don't take a hard stance on it it's going to continue.

CHAIRMAN CAMPOS: Okay, so is there consensus that we ask staff to come forward with an ordinance amendment and put it on the agenda? Mr. Abeyta, could you take the lead on that and talk to legal?

MR. ABEYTA: Mr. Chair, yes, we will.

CHAIRMAN CAMPOS: Okay. Thank you, sir. Anything else, Commissioner?

COMMISSIONER MONTOYA: No. Thank you.

CHAIRMAN CAMPOS: Okay, Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chair, the one other item that I had, I wanted to express some concern over a water service agreement and policies on that. At our last administrative meeting on the 27th of July, we heard, for some reason, staff brought forward in executive session a proposed water service agreement recommended by Rancho Viejo. This agreement suggested that we provide 72 acre-feet of water out of our existing 500 acre-feet that we wheel from the City of Santa Fe and in exchange, if that water were needed in the future, Rancho Viejo would provide an exploratory well which hasn't been permitted. In the event that that well couldn't be permitted then the agreement would be null and void, which would leave Santa Fe County holding the bag with a number of homes built and having water services and having to figure out how to meet that future commitment.

Just like we did in Suerte del Sol, we heard the water service agreement in public. It was controversial, but that's part of the business. I understand now that staff is working with Rancho Viejo to bring forward another water service agreement, hopefully a little more reasonable than the previous one, but I feel that water service agreements are not matters - at least this one was not a matter of purchase, acquisition and disposal of real property or water rights. It was simply a water service agreement. I had nothing to do with that. So I think it was inappropriate to be heard in executive session.

I've given a copy of that particular proposed water service agreement to the recorder so it's a part of the attachment for this record so the public can see what was in that proposal. [Exhibit on file with County Attorney] And I would just suggest to staff that when we deal with water service agreements, particularly ones that may affect people in La Cienega and the Route 14 area, Turquoise Trail areas, Cerrillos, Madrid, South Fork, Eldorado, the Community College District, those are public policy issues that need to be heard in public and need to be discussed in public and not brought forward in executive session for secret dealing. And I hope that we'll continue that policy and not provide the executive session as a forum for negotiating water service agreements which are public documents. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER DURAN: Mr. Chair, point of order.

CHAIRMAN CAMPOS: Hold on. We're going in order.

COMMISSIONER DURAN: But it's a point of order about what he just brought up.

CHAIRMAN CAMPOS: Okay. You're responding to his -

COMMISSIONER DURAN: No, no. I have a point of order I'd like to bring up - that's what I was trying to do. Not that I have a problem with what Commissioner Sullivan just brought up but what I'm concerned about is what was discussed in executive session was in executive session and Commissioner Sullivan has now brought what was discussed in executive session into the open.

CHAIRMAN CAMPOS: That's not a public point of order about the meeting. You can raise that issue later.

COMMISSIONER DURAN: I have the floor. I want to make this point. So I'm asking the attorney of what Commissioner Sullivan brought up from a point of order is within our rules and regulations. How can something that was discussed in executive session be brought up by a Commissioner in a public hearing? Shouldn't that have been discussed in executive session and then decided by the Commission to bring it up in a public hearing?

CHAIRMAN CAMPOS: Okay, Commissioner, you've asked your question. You're out of order. Now we're going to Commissioner Anaya.

COMMISSIONER DURAN: I want an answer.

CHAIRMAN CAMPOS: Please.

COMMISSIONER DURAN: Commissioner, I want an answer and I'm not going to release the floor until I get the answer.

CHAIRMAN CAMPOS: Let's go into recess now and we'll have a discussion

off the record.

COMMISSIONER SULLIVAN: This was a water service agreements. I don't think it's appropriate.

COMMISSIONER DURAN: Mr. Chair, I am not questioning what you brought up. What I'm asking is a point of order. I think what you should have done is brought that up in executive session to say you want to bring it out, but for you to come out, to bring that out in an open hearing -

COMMISSIONER SULLIVAN: And then who would make that determination?

COMMISSIONER DURAN: The Commission would. Why do you have the right to bring something up in executive session? Why do we have executive session.

CHAIRMAN CAMPOS: Okay, first of all, that's not a point of order because it doesn't deal with the way this meeting is proceeding. You could raise that question at some other point.

COMMISSIONER DURAN: I would like to poll the Commission as a whole.

CHAIRMAN CAMPOS: You would like to do it now but that's not appropriate.

COMMISSIONER DURAN: Since you are not -

CHAIRMAN CAMPOS: Okay, I want to ask for support from the Commission. I think he's out of order at this point. Do I have any support from the Commission so we can move on?

COMMISSIONER ANAYA: Mr. Chair, I would like to hear from the attorney to see if that is appropriate on anything we discuss in executive session.

CHAIRMAN CAMPOS: It's a question of order. Is he out of order right now?

COMMISSIONER ANAYA: I think he asked a question in concern to his comment. I don't think he's out of order.

CHAIRMAN CAMPOS: A point of order doesn't deal with that, Commissioner. You want the answer now.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Who else? Anybody else?

COMMISSIONER SULLIVAN: I would.

CHAIRMAN CAMPOS: Okay, Attorney Ross, if you feel prepared to answer that, answer it.

MR. ROSS: Mr. Chair, I don't know that I'm necessarily prepared to answer that. We've had this discussion before about how we handle these things procedurally. When the chairman declares something out of order it takes a majority of the remainder of the Commissioners to override that decision. That's a preliminary point. As far as executive session, it takes all five Commissioners or a majority of the Commissioners in a public meeting to make any decision about anything.

With respect to matters in closed executive session they should not be discussed in public unless a majority of the Commissioners, in my opinion bless that discussion. Now, as far as the discussion that just occurred, I'm not sure that the subject matter that was discussed in

executive session is something that's privileged. But the actual discussions that did occur I would think we'd want to hold under attorney-client privilege with respect to the matters that were discussed. And I'm not sure that we went beyond that in this last discussion. I think what Commissioner Sullivan was getting at is he thought the subject matter that we were in closed executive session was inappropriate. You can make that decision as a body for sure. We don't have to have those discussions in closed executive session but it did pertain to the acquisition or disposal of water rights so in my opinion we were properly in executive session to discuss that matter.

Beyond that, I'd caution the governing body to avoid discussing anything that we discuss in executive session in public or with your friends or what have you. Because it takes the entire body to make those kinds of decisions. What you're doing essentially when you bring those things into the public eye is you're waiving the attorney-client privilege and you're waiving other privileges that we can assert with respect to those discussions. The purpose of any kind of an attorney-client discussion is to have a frank discussion with your attorney about certain matters. And we should never discuss any of those matters in public. So, was that helpful?

CHAIRMAN CAMPOS: That's helpful. And I agree. I'm concerned by what Commissioner Sullivan did, but I think this is out of order. So let's proceed.

COMMISSIONER DURAN: Thank you, Mr. Ross and thank you, Commissioner Anaya.

CHAIRMAN CAMPOS: You're out of order. Let's move on. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I received a call from Councilor Chuck Ring in Edgewood and he is wanting to put together a tri-county animal shelter. I spoke with the Sheriff yesterday a little bit about it. He's going to get in touch with the Councilor and the Council down there. So I just want to make sure that we, Gerald, follow up with it and see what we can do to help that. Right now, animal control goes down there, they pick up an animal, they bring it to the animal shelter here in Santa Fe and then the person that owns that animal has to come from Edgewood and pick that animal up. So I just want to try to make it a little easier on the folks down in that part of the county. Mr. Chair, with that, that's all I have.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER SULLIVAN: Mr. Chair, let me ask a question. I don't know what Judge Hall's schedule is. It's probably fairly busy, but my estimation is on the presentations and appointments that we have here is that we're still at least an hour or more away from the item that he is here for which has to do with the County space plan, which is E under X. I don't know what the Commission feels about that. Whether they'd like to hear that early. I think for example, before that is the bonding and tax survey results. That's going to take a little while. It's entirely up to the Commission of course. I just would like to have Judge Hall's input and if he can't stay for the whole thing maybe prior to our getting to that agenda item.

CHAIRMAN CAMPOS: Mr. Flores, can you tell me how long, how much

time we're looking at for this discussion?

TONY FLORES (PFMD Director): Mr. Chair, members of the Commission, we have a condensed presentation this morning of about 20 minutes with the idea that we get it out before the Commission and then hopefully we can have some type of direction, possibly set up a second or a follow-up special meeting to discuss the matter in depth. So our presentation this morning would be no more than 20 minutes.

CHAIRMAN CAMPOS: My impression, I discussed this with you, Mr. Flores is that this should never have been set up in a major agenda like this. It should have been a special meeting agenda. This is a huge issue. It requires a lot of time and we're getting stuck with issues like this in the middle of a very tough agenda. He says 15, 20 minutes and we can have comments from the judge. Does anyone have any objection to changing our agenda to allow that to occur at this time?

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: I don't have an objection, but doesn't item D need to come before item E?

MR. FLORES: Mr. Chair, Commissioner Duran, item D under the bonding and tax poll survey results, there is a connection there as to what the survey results have indicated as far as going out for a general obligation bond for any type of bonding for any type of project, including facilities. So there is a direct linkage for that discussion.

COMMISSIONER DURAN: Does it matter if it's before or after though?

MR. FLORES: Mr. Chair, we could do the presentation and then we had hoped to give it first in that order but I think we can adjust the schedule to accommodate a brief presentation on the space.

CHAIRMAN CAMPOS: I don't think it has to be in order. Commissioner Montoya.

COMMISSIONER MONTROYA: I was going to say, I've got some other presentations and recognitions that people are here and away from their jobs as well. And it's going to take me probably five minutes to do both of them.

COMMISSIONER SULLIVAN: Could we do those, Mr. Chair? Under item X.

CHAIRMAN CAMPOS: Hold on. Judge Hall, come up for a minute, if you don't mind. How much time - are you free this afternoon or could you come back at let's say 1:30, 2:00, at a specific time?

JUDGE HALL: Mr. Chair, members of the Commission, I can come back whenever. If you can give me a precise time. I am in a trial but I'll break it whenever you're going to address the issue. So if you have a better estimate, if it's going to be an hour, I'll be back in an hour.

CHAIRMAN CAMPOS: But you're on break right now, from a trial.

JUDGE HALL: Yes.

CHAIRMAN CAMPOS: I suggest we accommodate the judge if we can.

And try to get this done before noon.

JUDGE HALL: It's not a problem for me to come back. Whatever works for the Commission.

COMMISSIONER DURAN: I would say come back at 1:30. That would be my vote.

COMMISSIONER SULLIVAN: How about this. Commissioner Montoya, your presentations are A, B, and C, aren't they? Under X?

COMMISSIONER MONTOYA: Just A and B.

COMMISSIONER SULLIVAN: Just A and B. And all the appointments, if we can hold off on the appointments and do those presentations, and then move into D and E, the bonding and that, would that get most of your constituents back on the road?

COMMISSIONER MONTOYA: Yes, if we get it done before noon, yes.

CHAIRMAN CAMPOS: We're just going to do E, Presentations and request for direction out of order. Not D.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: The problem is that at 12:00 we need to break for lunch. Everyone here, including myself needs to go to lunch. So I don't think that we're going to be able to get the space analysis discussion completed in time to have the judge here to respond to it or to participate in that. So I would suggest that we just make it a point to come back at 1:30 to start the space analysis discussion and go through the agenda as it's been approved and get as much as we can get done before noon.

CHAIRMAN CAMPOS: Commissioners, is there a consensus? We all come back at 1:30? Judge, does that work for you?

COMMISSIONER SULLIVAN: I just brought it up so he doesn't have to sit through everything.

IX. Committee Resignations/Appointments/Reappointments

1. Appointment of a County Commissioner to Serve on the North Central Regional Transit District

MR. ABEYTA: Thank you, Mr. Chair. On July 27th the BCC adopted Resolution 2004-82, a resolution that joined the North Central Regional Transit District. Pursuant to the resolution, the BCC must appoint one member of the Commission to serve on the district board as a director. Jack Kolkmeyer, our planning director, has agreed to serve as the County official designee. So we're requesting that one member of the BCC be appointed to serve on this board. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Mr. Chair, have you talked to any of the Commissioners to see if there's any interest in serving?

MR. ABEYTA: Mr. Chair, no I have not.

CHAIRMAN CAMPOS: Commissioner Montoya, would you be interested? You're somewhat familiar with this whole thing.

COMMISSIONER MONTOYA: Yes, Mr. Chair, and Jack Kolkmeier's been serving I think very, very capably and I have no problem with him being our designated representative on the board.

CHAIRMAN CAMPOS: But you would be the Commissioner on board? Would you be willing to?

COMMISSIONER MONTOYA: Sure. I'd be willing to be listed as the Commissioner on board. Unless anybody else wants to.

CHAIRMAN CAMPOS: Is there anybody else interested in that position? Okay, is there a motion then?

COMMISSIONER ANAYA: Move to put Commissioner Montoya on the board.

CHAIRMAN CAMPOS: And Jack Kolkmeier?

COMMISSIONER ANAYA: And Jack.

CHAIRMAN CAMPOS: As our County official designee.

COMMISSIONER ANAYA: Yes.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: Discussion?

The motion to appoint Jack Kolkmeier and Commissioner Montoya to the North Central Regional Transit Board passed by unanimous [5-0] voice vote.

IX. B. Appointment of Members to the Health Policy and Planning Commission

STEVE SHEPHERD (Health Department Director): Mr. Chair, Commissioners, the Health Policy and Planning Commission has recommended members for District 3 and 4. These two positions have been vacant for a while, at least several months. The two people recommended are Mr. Luciano Baca, who resides in District 4, is recommended for District 4, and Mr. Bill Dunbar, who actually resides in District 5, he's recommended for District 3.

COMMISSIONER MONTOYA: Mr. Chair, I make a motion to approve Mr. Bill Dunbar for the District 3 slot and Mr. Luciano Baca for the District 4 slot.

CHAIRMAN CAMPOS: Second? Is there a second? I'll second. Mr. Shepherd, let me ask you a question. There's two positions, we only get two names. Shouldn't we be getting more names so that we actually make a decision or basically we're just rubber-stamping whatever comes up here our way?

MR. SHEPHERD: Mr. Chair, Commissioners, we tried really hard to get

more names. We advertised three times in the newspaper and then tried a recruiting drive with our membership and this is basically what we came up with.

CHAIRMAN CAMPOS: Okay, there's a motion, second.

The motion to appoint Mr. Baca and Mr. Dunbar passed by unanimous [5-0] voice vote.

IX. C. Resignation of Member from the Santa Fe County DWI Planning Council

FRANK MAGOURILOS (Prevention Specialist/DWI Program): Mr. Chair, distinguished Commissioners, in your packet you have a letter of resignation from the Planning Council from Judge Frances Gallegos from the municipal court with the reasons stated because of her time constraints she will no longer be able to be a member of our planning council. And the staff recommends you accept her resignation with gratitude and appreciation for her services.

CHAIRMAN CAMPOS: Is there a motion to accept the resignation of Judge Gallegos.

COMMISSIONER DURAN: Mr. Chair, I'd like to make a motion to accept her resignation.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER ANAYA: Second.

The motion to accept Judge Gallegos' resignation passed by unanimous [5-0] voice vote.

COMMISSIONER DURAN: Discussion, Mr. Chair.

CHAIRMAN CAMPOS: It's done.

COMMISSIONER DURAN: You didn't ask for discussion.

CHAIRMAN CAMPOS: You want to discuss her resignation?

COMMISSIONER DURAN: For discussion, I was wondering if the Commission - I would like to take Judge Gallegos' place on the DWI Planning Council. Could you get with me at some point and tell me what has to be done? Could it even be done today? Could the Commission appoint -

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: I move to appoint -

CHAIRMAN CAMPOS: The question is can we do that today?

COMMISSIONER ANAYA: Yes, we can.

CHAIRMAN CAMPOS: Is there a legal - legally, can we do that? Do we want to do that?

MR. ROSS: Mr. Chair, I wouldn't do that today because it wouldn't be binding. It's not on the agenda.

COMMISSIONER DURAN: Okay. So why don't you get with me so we can put it on the agenda for the next meeting. Thank you very much.

CHAIRMAN CAMPOS: But the process is to seek public input as to who else might be interested in the position, right?

MR. MARGOURILOS: Mr. Chair, Commissioner Duran, I'll be more than happy to do that. The way the process works, any individual in Santa Fe County that's interested in being part of the Planning Council, they fill out an application and then it goes through the Commission for approval.

CHAIRMAN CAMPOS: You advertise, right? For people to apply.

MR. MARGOURILOS: Absolutely. It's not done in an official way but it's done through word of mouth and so forth.

CHAIRMAN CAMPOS: It's not done officially. Just word of mouth. So it becomes very closed then.

MR. MARGOURILOS: Mr. Chair, the way the whole process works is we have s-amount of individuals and it's always open. There's no – there are no seats that are necessarily needed at any one time. So it's not an RFP process per se or an advertisement in the paper.

CHAIRMAN CAMPOS: Okay. That's an issue that we've had. It really becomes like you can say it's open to everybody and anybody but actually most people would never hear about it.

COMMISSIONER DURAN: Mr. Chair, could you try not to be such an ass today?

CHAIRMAN CAMPOS: Thank you.

COMMISSIONER DURAN: Thank you. I'd appreciate it.

CHAIRMAN CAMPOS: If you could get with me next week or some time in the next few days so I can make application, I'd appreciate it.

MR. MARGOURILOS: Mr. Chair, Commissioner Duran, I'll be happy to do that.

COMMISSIONER DURAN: Thank you.

IX. D. Reappointment of Maternal and Child Health Council Members

RON HALE: Mr. Chair and Commissioners, my name is Ron Hale. I'm the chair of the Maternal and Child Health Council, Santa Fe County. You have a memo in your packet. I'll just read some of the highlights. The Santa Fe County Board of County Commissioners appoints the membership of the Santa Fe County Maternal and Child Health Council and has done so since 1993. In 1991 the New Mexico State Legislature passed the Maternal and Child Health Plan Act, which established and funded the

opportunity for county boards of commissioners to appoint MCH Councils. There are such councils, I believe, in 27 counties now. And as I said the Commission has been appointing the MCH Council since 1992.

This has been a strenuous year over the past year for all the Maternal and Child Health Councils around the state and we've been no exception. We've had to fight for state funding at the state level and to work with the Department of Health, New Mexico Department of Health to ensure that the program keeps going. The program has a long history of really solid accomplishments. At any rate, because it's been a strenuous year and we expect this year to continue to be difficult, although we're very optimistic, particularly since there's been a new Secretary of the Department of Health appointed.

For that reason we'd like to maintain the current membership as much as possible to draw on the experience and expertise that counts for strength. So we're requesting reappointment of six members of the council and they are myself, Ron Hale, Carol Herrera, Marcia Panagakos, Lynn Hathaway, Laurie Holmes and Kathryn Rice.

CHAIRMAN CAMPOS: Okay, Mr. Hale, when you have vacancies, what do you do to fill them? Do you advertise? Do you put the word out?

MR. HALE: Generally, what we do is we have either a nominating committee or sometimes the executive committee takes that role. They ask for suggestions from council members and from others in the community, the Health Policy Planning Committee?

CHAIRMAN CAMPOS: Did you do that in this case?

MR. HALE: We haven't because we didn't want at this point to expand the membership. It takes quite a while to orient new people in terms of just the lingo and the acronyms and so forth.

CHAIRMAN CAMPOS: We're talking about public participation though in these groups.

MR. HALE: Yes.

CHAIRMAN CAMPOS: Okay. Any questions of Mr. Hale?

COMMISSIONER DURAN: Move for approval.

COMMISSIONER MONTTOYA: Second.

CHAIRMAN CAMPOS: And that's the nomination of the six persons indicated in the report.

The motion to reappoint the six members to the Maternal and Child Health Council passed by unanimous [5-0] voice vote.

CHAIRMAN CAMPOS: Thank you, staff.

COMMISSIONER MONTTOYA: Thank you, Ron.

IX. E. Appointments for the Rio En Medio/Chupadero Community Center Committee

MR. FLORES: Mr. Chair, we're asking today for appointments of members to serve for the community center board. The community held a membership drive, a very active membership drive and have identified numerous numbers of individuals that would be willing to serve or area committed to serving on the board. We have included some simple bio sheets that they had filled out and a list of what their experiences are or what they would bring towards the community center. The resolution that the board adopted of policies and procedures simply requires that no less than five members are appointed to a community center board. We are asking through the communities that the members listed are appointed to the community center board. I stand for any questions.

CHAIRMAN CAMPOS: Is there a motion to approve these nominations?

COMMISSIONER MONTOYA: Mr. Chair, I move that we accept the recommendations from Mr. Flores regarding the appointments of the Rio en Medio/Chupadero Community Center Board.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: Discussion?

COMMISSIONER ANAYA: That includes the alternates, correct?

COMMISSIONER MONTOYA: Yes, sir.

The motion to appoint the Rio en Medio/Chupadero Community Center Committee members passed by unanimous [5-0] voice vote.

IX. F. Accept Resignation of Representative Ron Godbey (R) and Request to Consider Appointment of Representative Elect Kathy McCoy (R) to District 22 (Bernalillo, Sandoval and Santa Fe) - Commissioner Anaya

COMMISSIONER ANAYA: Mr. Chair, in a letter addressed to the Honorable Secretary of State, Rebecca Vigil-Giron, Representative Ron Godbey of District 22 said, It is with great anguish and distress that I submit this letter, my letter of resignation from the seat of the New Mexico House of Representatives. In that same letter he explained that the health of a close family member requires his family move to an area more suitable for respiratory difficulties, meaning he would have to move from his legislative district, House District 22.

While I regret to hear of this resignation, and I wish him and his family luck during the difficulties. I know that it is important to have legislative representation in his district, especially during the interim period preceding the 2005 47th regular legislative session. I am hereby requesting that the Santa Fe County Commission approve the recommendation of Representative-elect Kathy McCoy to Governor Richardson for consideration of appointment to

the House District 22.

CHAIRMAN CAMPOS: Commissioner Anaya, is Kathy here?

COMMISSIONER ANAYA: She didn't make it.

CHAIRMAN CAMPOS: Commissioner, can you explain how this is all working out?

COMMISSIONER ANAYA: Sure. Kathy McCoy was elected and there's no opposition.

CHAIRMAN CAMPOS: They're both Republicans?

COMMISSIONER ANAYA: Yes, they're both Republicans.

CHAIRMAN CAMPOS: So Godbey was going to finish his term at the end of this year.

COMMISSIONER ANAYA: He was going to, but he had to do.

CHAIRMAN CAMPOS: It's an interim appointment.

COMMISSIONER ANAYA: Yes.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER ANAYA: And the Governor would appoint. We're just recommending, if the Board would act on it, we would recommend Kathy McCoy because there is nobody that is going to run again in the upcoming general election.

CHAIRMAN CAMPOS: Okay. Is there a motion recommending Kathy McCoy?

COMMISSIONER MONTOYA: So moved.

COMMISSIONER DURAN: Second.

The motion to recommend the appointment of Kathy McCoy to the 22nd District House seat passed by unanimous [5-0] voice vote.

COMMISSIONER SULLIVAN: Is that a record? Santa Fe County Commission votes for a Republican? Unanimously? Are there any newspapers here?

X. Presentations

1. Recognition of Public Works Department on Completion of Gabion Structure on County Road 101E in Northern Santa Fe County

JAMES LUJAN (Public Works Director): Mr. Chair, members of the Commission, I want to thank Commissioner Montoya wanting to honor these guys that did this work on County Road 101-E and I would like to call them up in this order.

CHAIRMAN CAMPOS: How much time are you looking at?

MR. LUJAN: About three minutes. Two and a half. Lonnie Montoya, Sam Abeyta, Adam Alire, Eric Giron, Arnold Gutierrez, Ramon Trujillo. The foreman of this crew is not available. He had a death in the family, so he couldn't make it. And a slide presentation.

What went on here, we had a road, County Road 101-E that was being eroded by an arroyo and it was very close and we built this gabion structure led my this crew and we also want to thank District 3 who brought them up from Stanley to work with them a few days and it turned out to be a very good project, a very long project. We also had help from the jail crew inmates, thanks to Greg Parrish and his efforts, the Sheriff's Department. And this is a small presentation.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Montoya.

COMMISSIONER MONTOYA: I'd just like to recognize these gentlemen for the work that they do, not only on this gabion structure but also on all of the other work-related issues that come up within District 1. They've done an excellent job. I really appreciate the work that you do for the District 1 and for Santa Fe County as a whole. We have a little appreciation for them and I'd like to ask the Commission, we could maybe take a quick picture as well.

X. B. Recognition of Pojoaque EMT David Dogruel Honored at State Conference for Basic Emergency Medical Technician of the Year and Nick Martinez Honored as Emergency Medical Dispatcher of the Year

STAN HOLDEN (Fire Chief): Mr. Chair, I'd like to thank Commissioner Montoya for encouraging this public recognition for these two individuals. Both of them are volunteers with the Pojoaque fire district and I'd like to ask Nick and David to come up. Nick is full-time quality assurance director for the Regional Emergency Communications Center and as such he was recognized as the dispatcher of the year in the state of New Mexico for the 2004 EMS Conference. And David Dogruel is an EMT with the Pojoaque fire district and both of these gentlemen are valuable volunteers for our fire department and we appreciate their efforts in service to their community and once again we appreciate Commissioner Montoya for allowing us to bring them forward and be publicly recognized for their contribution.

COMMISSIONER MONTOYA: Mr. Chair, just briefly, just to add to what Stan said, I think it's important that both of them have their responsibilities. I know Dave works full-time at the lab as a chemist up there. Volunteers at least 24 hours a week in addition to working his full-time job and Nick just does a great job as well and I really appreciate for Pojoaque Valley the work that both of you have done and congratulations to both of you. We have a little award here for both of you.

DAVID DOGRUEL: Just as a matter of record, the *New Mexican* could not get it right even though the reporter wrote it down as she interviewed me. The spelling of my last name is D-O-G-R-U-E-L. No one can get it right so I'd like to enter that as a part of the record. Thanks.

X. C. Santa Fe Community Partnership's Block Leaders, Who Are Residents of the Valle Vista County Housing Authority and Community Activists, Wish to Present Highlights of Their Accomplishments for Fiscal Year 2004 (Previously Item X.D)

MELANIE DARLING: Mr. Chair, Commissioners, my name is Melanie Darling. I'm the director of the Santa Fe Community Partnership. The Santa Fe Community Partnership is celebrating its 15th year in Santa Fe. For the past two years we've had a block leader program. Block leaders are community activists who assist with tenant and landlord relationships and we help improve the areas that they live in. Earlier, the deputy County Manager mentioned affordable housing out on 14 and that is the area that we're talking about today. We're actually in three areas but this is the only county area that we are in.

We also help to educate residents on alcohol, tobacco and other drug abuse so that fits in with our September agenda of awareness on that. And if I may approach and hand out some things that I brought for you this morning.

CHAIRMAN CAMPOS: Please. Thank you.

MS. DARLING: We are in our second year in Valle Vista County housing and I'd like to introduce two of our three block leaders who are here this morning. Michelle Morales and Luanne Sanchez. I also want to let you know that Michelle Morales is the vice chair of the resident council in Valle Vista and Judy Pena who couldn't make it today because she's ill is a block leader and she's also the chair person of the resident council.

Some of the highlights of our last year in Valle Vista was, as you can see, our welcome packets which are handed out to new residents or owners. We also have this in Spanish and I didn't pick those up. I'm sorry, but we have those both in English and Spanish and they help residents become familiar with the area and give them some resources. We did three community clean-up days last year where we had the entire community out. We worked with the Boys and Girls Club on our last one and had hamburgers and hotdogs afterwards.

The Santa Fe Community Partnership has adopted the area and we have our little adoption sign out there. We have a program that Michelle Morales heads up and that's called Girl Power. There are now eleven members in that and it ranges in age from 9 to 17 years old where girls come together for a place to talk about issues and to learn some community leadership. And last year we delivered free Christmas dinners to shut-ins and disabled in the neighborhood. We did our red ribbon campaign which is where we have young people pledged to stay off drugs and we had over 50 kids pledged to stay off drugs that week.

We worked in tandem with the Santa Fe County DWI program and we recently did the designated driver rally on the plaza. I'd like to thank Commissioner Montoya for being at that rally and speaking and also Commissioner Anaya, thank you so much for your kind letter. We work with the Boys and Girls Club out there and this year we have a lot of new programs that we'll be working in tandem with the Boys and Girls Club. I also want to thank the Santa Fe County Housing Staff. We have some really wonderful improved communications this year and I think we're working as a partner and as team with them. They have been kind enough to give

our block leaders an office right in their mobile trailer out there, so that we have an office. They have a computer so things are working really well and I want to thank Housing for that and I also want to thank the Commissioners for that as well.

Plans this year are to have a referral to help residents. We're going to have - we're planning certain hours to have seniors come in who might need to be directed to a service and our block leaders are making 3 X 5 cards based on those kinds of services. Not only can they direct them to the service, they can help them with telephone calls, help them with filling out of forms for Medicare or Medicaid or whatever it is they need. And we're also going to also do a hope march. One of the things in housing is that most of the residents don't feel as much hope and we'd like them to feel about their future, so we're going to do a hope march and I believe it will be in October. So we will make sure that the Commissioners know about that. So you can be aware and maybe come out and support us.

At this time I'd like to kind of pass around this little board that our block leaders made with some of the highlights that I talked to you about so you can see what it looks like.

CHAIRMAN CAMPOS: Thank you.

MS. DARLING: Again I just wanted to thank the Santa Fe Housing Commission, the staff at Santa Fe Housing and the Commissioners for letting us present this to you this morning. It's been our pleasure to work out there and we hope to expand, maybe next year, and get into Camino Jacobo Housing as well. Thank you. Are there any questions?

CHAIRMAN CAMPOS: Any questions, comments?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: I just want to thank you for all the things that you're doing out there and moving forward.

MS. DARLING: It's our block leaders who are doing it. They're fantastic.

Thank you.

CHAIRMAN CAMPOS: Thank you very much. We appreciate it.

X. D. Report Summary of Bonding and Tax Poll Survey Results (Moved from Item XII. C.3)

BRIAN SANDEROFF: Good morning, Mr. Chair, members of the Commission. My name is Brian Sanderoff. I'm the head of Research and Polling, Incorporated. We were commissioned to conduct a public opinion poll among Santa Fe registered voters in the County to assess registered voters' support for various bonds and tax-related issues. And hopefully this public opinion poll will provide you with some guidelines as you make some decisions regarding what bond issues or tax issues you would want to bring to the public in upcoming general elections.

We surveyed 500 Santa Fe registered voters at random. But we stratified our sample in such a way that it had the right mix of city residents and unincorporated

residents in both northern and southern Santa Fe County. And we were careful to set quotas and make sure the sample was not only random, but representative. So we can generalize the results in such a way that had we interviewed all the registered voters in the County, we would have received the same results, plus or minus a sampling error of about four and a half percent. So hopefully, as I said, this poll will provide you with some guidelines as you move forward.

We started out our survey by asking an unaided question that's on page seven of your executive summary. We simply asked voters initially, without meeting any categories, what are the biggest issues, or what should be the top priorities for your local government in Santa Fe? If you notice on page seven there, three out of the top five issues that voters mentioned unaided pertained to water. Water shortage, water conservation, and water supply were three issues that voters mentioned in the county. Conservation issues were mentioned even at a higher percent among city residents. Also, education and planning for growth rated highly among voters when asked in an unaided fashion.

So this was just to begin the poll, to find out what's top in the voters' minds. Then on page eight, we read or we tested individual items. And we asked people, on a ten point scale, with ten being the highest priority and one being the lowest priority, how you would rate each of these items as a priority for projects to be considered for Santa Fe County. So this hopefully will give you a little guidance as you move forward. And notice that the top three items that scored highest in terms of priority among voters, these are ranked, pertain to water again. So whether we ask water unaided or aided, we found that it scored very highly as what people feel should be a high priority for government.

Specifically, on the drilling of new water wells, 59 percent rated it an eight through ten on a ten point scale of priority. Also, construction of wastewater treatment facilities and construction of a surface water diversion project transporting Rio Grande water scored highly. The diversion project scored slightly lower than the other two water projects. We think part of this, if you move forward, should involve a public education effort, if the diversion of surface water deals with, let's say, new water acquired through San Juan/Chama or transferring or agricultural rights to urban or residential use. A public education program will bolster that. But basically, water was in the top three.

Also, acquiring fire-fighting and medical equipment was the fourth item which at least 50 percent of the registered voters rated an eight through ten on a ten point scale. But improvement to County-owned and County-maintained roads, also a lot of people considered that to be a high priority. 41 percent rated it an eight through ten on a ten point scale. When people hear the words County-owned and County-maintained, support levels rises outside of the city. And some city residents may feel they're not benefiting from County-owned and County-maintained roads, and of course they are. And so one should be careful with the ballot language on this so that the city residents also recognize they are receiving benefits and utilizing a lot of those roads.

Solid waste transfer stations, support levels dropped a little, but still a significant percentage of people consider it a high priority for local government. One thing we learned

was a high percentage said five, and we recommend within our report – we’ve got a forty page report that backs the executive summary up – that we believe that some people don’t know what a wastewater treatment center is, and that more descriptive language should be used on the ballot to help people understand its functions and uses.

When it came to the adult/juvenile detention facility and maybe improvements, that was seen as a lower priority by many voters. But the one that fared least well on the ten-point scale was building a consolidated administrative and judicial government complex. 39 percent rated that as a low priority, if you combine the one through threes, and seventeen percent rated it a high priority. And throughout the state of New Mexico, when voters are asked priorities for building government buildings, it tends to fare least well. And it really takes a concentrated public education effort to have people understand the merits of such a plan.

On page ten, we tested four bond issues and two tax increases. And on page ten we combined those three water projects that we talked about, the wastewater treatment, water diversion from the Rio Grande, and the drilling of new wells. And we asked people whether they would support or oppose a \$24 million water bond measure. And we found that seventy percent of Santa Fe’s registered voters support such a measure, and 19 percent oppose it. So on page ten, you see that the vast majority of Santa Fe registered voters support a water bond measure that could include wastewater treatment facility monies, water diversion monies for transportation of Rio Grande water and the drilling of new wells and the improving of existing wells. So water clearly was a hit. This bond rated even higher levels of support among city residents and among seniors. And seniors are always a good group to have behind you, because on bond measures that could affect taxes, seniors are oftentimes most skeptical because they oftentimes lived on fixed income.

On page eleven, we test the second bond issue. And that was \$20 million for roads, County-owned and maintained roads, a solid waste transfer station, and other public works projects. So in the bond questions, we sort of combined some of those items that we had listed individually in the priority section, just to see how they would fare together. And what we learned was that 69 percent of County registered voters – city and county – support a \$20 million road bond measure that would include for roads, solid waste transfer stations, and other public works projects. 21 percent oppose. So strong level support for water and roads and waste transfer.

On page twelve, we asked about a \$49 million bond issue for public buildings and structures, and public works measures. We specifically gave the example of the consolidated administrative and judicial complex. There, however, we found that only eleven percent were strongly supportive, 23 percent somewhat supportive on the stacked bar chart. So 34 percent supported, 52 percent opposed it. So there we have a challenge. And I know that there was a bond issue one other time in Santa Fe where you had a bill.

As I looked it over to try to figure it out, you’ve got some obvious things going on. First, people think of water and fire and medical and roads as more important than government buildings. But if you were to try to pass something like this, I think what it

would take is educating the voters that in the long run they would save more money. The efficiency of the delivery of government services, where people could go to one facility and take care of a lot of their administrative and governmental functions, that that provides that one-stop shop convenience that customers have learned. We see what happens in a retail environment. Well, a lot of people would like that in more of a government environment. But on a first blush when asked this question, more people opposed it than supported it. So if you were to go for something like this, definitely a public education campaign would be in order. Men, for some reason, were more supportive of this measure than women, which was somewhat unusual.

The fourth bond measure that we tested was on page thirteen. And that pertained to \$1.5 million for medical equipment. And 82 percent – this is for fire and emergency medical equipment – 82 percent support and ten percent oppose.

Going back to that government building for a minute on the preceding page, I think another reason why it didn't fare as well is the amount of money that was being suggested in this bond measure, that \$49 million, was a higher dollar amount than was being asked for water, or for roads, or for wastewater treatment. So some of it is the ordering of the questions on the ballot on election day, and some of it also pertains to the things that are considered the highest priority among the voters should probably be things that are getting the most money.

I'm almost done. I'd like to turn to page fifteen. We tested two tax measures. Gross receipts tax. First, an eighth of a cent gross receipts tax for a County correctional facility, and we found there too, 38 percent support, 52 percent oppose when it comes to improvements and monies for the increased day-to-day operations and improvements of the County correctional facility. The majority of people at this time oppose an eighth of a cent gross receipts tax for the day-to-day improvements of the County correctional facility.

Finally, page sixteen, we asked about a sixteenth of a cent for general operations for County government, just day-to-day general fund money. And 33 percent supported it, and 54 percent opposed. Basically, what we see is people are strongly supportive of water issues, road issues, fire, emergency medical. They're a little more skeptical when it comes to government buildings and structures and the general operations budgetary issues. It's been my experience that when you try to increase taxes for general operations of government, the more you explain to people what the money will be used for, the more likelihood it has of passing. And the more vague the language is, just general operations, the less change it has, because of just the general skepticism of voters. That would be a brief summary of what's in the poll. And I'd stand for any questions at this time.

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: On page fourteen, can you explain that? I must have been reading something, I wasn't paying attention when you got to that page.

MR. SANDEROFF: Okay, and Mr. Chair, Commissioner Duran, I skipped that page just due to time. So you didn't miss it. So let me explain it, because this could be easily misinterpreted.

COMMISSIONER DURAN: That's what I'm doing.

MR. SANDEROFF: Well, yes. And so let me explain it. Notice that this was a 500 sample. And notice on top it says total responds is N=117. Well, among the voters who supported all four bond issues, and that was 117 of the 500, which represents 23 percent of the total sample, 43 percent of all Santa Fe adults support all four bond issues. Among that group, we said, "You know, if you support all four bond measures, taxes are going to go up for the average home by about \$107 a year. Are you still for all four? Or which ones would you support?" And what we found was among the 23 percent of Santa Fe registered voters who supported all four bond measures, 80 percent of that group continued to support all four, and were willing to pay for the tax increase. That represents 19 percent of the total number of registered voters. And those numbers are all in the paragraph below.

So it's important not to misinterpret this. This is not saying that 80 percent of the Santa Fe registered voters support a tax increase for all the bonds. It's saying among the people who support all the bonds, which represents 23 percent of the electorate, 80 percent of them continue to support all four, even when told there'll be a tax increase.

COMMISSIONER DURAN: And you realize that only 23 percent of the electorate actually vote. Is there any way of determining if this 23 percent were the ones that vote?

MR. SANDEROFF: This would be 23 percent of registered voters. What we tried to do when we generated our sample was – approximately 20 percent vote in municipal elections. What we're up against now – not against, but what we have now, is in a four-year cycle of elections, turnout is highest, as you know, in general elections as compared to municipal, and in presidential election years, turnout gets into the high sixties in terms of percentile. And we generated a sample of what we consider to be registered voters who typically vote. So I would say that this is generalizable, that 23 percent of the people who tend to vote support all four bond issues. The vast majority of voters support a few of the bond issues. And among those who support all of them, 80 percent are willing to even pay for it.

COMMISSIONER DURAN: Thank you.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Sanderoff, of the 500 that you polled, how many of those were within the city limits?

MR. SANDEROFF: There's a demographics of sample page, which is in the back. As soon as I find the page number I'll give it to you. It's before the questionnaire. You will see on page 35 that 53 percent of the registered voters are in the city, and 47 percent - this is page 35 on the bottom, right-hand. 53 percent in the city and 47 percent outside the city of Santa Fe. And that's roughly similar to your registered voter proportion.

COMMISSIONER SULLIVAN: Okay. And do you have anything that indicates any trends in city versus outside the city voters?

MR. SANDEROFF: Yes. And also, if you look on the demographics of sample, you'll see ethnicity, the percent Hispanic is 42, the percent Republican 21 - those also are very similar to the profile of registered voters in Santa Fe.

Generally speaking, on the water bond issue City residents and seniors were most likely to be supportive. On the road bond issue and solid waste transfers, it was significantly more supported by people who live outside the city. And Hispanics were more likely to support the road bond measures for the County-owned and maintained roads. On the government buildings, there was no significant difference between city and county. Neither group had a majority there. On fire and emergency, those living outside the city, in the county areas, were more supportive. 66 percent were very supportive of fire and emergency medical outside the city, as compared to about 40 percent in the city.

So there were some measures where the city and county residents differed. And then there were many measures where they were similar. And a lot depends on ballot language, as I mentioned earlier. If you talk about County-owned, County-maintained, you're going to drop off a little of the city. But if you educate the city voters that they too enjoy benefits from these roads, then the variation between city and county should continue to narrow.

COMMISSIONER SULLIVAN: Perhaps you could say public roads instead of County-owned.

MR. SANDEROFF: Exactly.

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

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: I just have a question. In looking on page 37, question number two, the list of priorities - is this how it all shakes out?

MR. SANDEROFF: Okay, first of all, on page 37, question two, what we're looking at here is the questionnaire. And notice that it says, "What other major issues should local government make the top priorities?" And then it says, "Do not read categories." These are pre-coded, anticipated responses which may or may not come up. If they come up and if people say it, we circle it to save the pollers time in typing it. If somebody should mention something other than these pre-codes, it's typed in on "Other," and then it's given a code and added into the computer.

To look at the exact results of that question, we can turn to page- you have the whole body there. If you were to turn to page 18.

COMMISSIONER DURAN: So, while we're getting there - so water wasn't number 23 on the list of responses?

MR. SANDEROFF: No. That's just the data-entry code.

COMMISSIONER DURAN: Okay.

MR. SANDEROFF: But the percentage results are on page 18. This is the question that I started off with, although here we're going through the body and you're seeing all the results rather than in the summary, where you just saw the top results. But on page 18, it should say on the title "Top Priorities for Santa Fe County Local Government."

Here, you see, this was unaided. We didn't read the categories. And this is where I said three out of the top five pertained to water. Education scored really high. And as you know, City and County government don't play that big of a role in education. But the fact that it scored so high tells you how big of an issue it is in Santa Fe. If we had said, what are the biggest issues facing the residents of Santa Fe rather than what should be the top priorities of local government, education in my opinion would have gone in even higher, because Santa Feans are very concerned about the quality of public school education as we've learned from past studies.

So here you see the results. If you wanted to combine all the water matters or – notice high cost of living and high cost of housing, if you combine those two, you'd be up to 10 percent. You can combine things and create more general categories but we wanted to give you what people were saying and then you can form your own analysis.

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

COMMISSIONER MONTOYA: Mr. Chair, on that same question then, it's a good thing only one percent said replace elected officials.

COMMISSIONER SULLIVAN: Commissioner Montoya, I noticed that less than one percent said honesty and ethics was a problem, so my question to Mr. Sanderoff was does that mean that they perceive the County Commission and other elected officials to be honest and ethical, or that they don't care about honesty and ethics? How do you interpret that question?

MR. SANDEROFF: Mr. Chair, Commissioner Sullivan, what it means is because this was an unaided question where we asked people, okay, what should be the priority of the local government, this is what comes to people's top of mind. So what it means is that top of mind, people are not thinking that you're unethical or should be replaced. Now, had we asked the question, to rate the confidence or the ethics of government, then we would have asked everyone the question and rated it but that was not the objective of this poll.

CHAIRMAN CAMPOS: And there we would have scored pretty high, I think.

COMMISSIONER MONTOYA: Yes.

COMMISSIONER DURAN: I don't know about that.

COMMISSIONER MONTOYA: Mr. Chair, Mr. Sanderoff, thank you for doing this. This has been really helpful and it's kind of a privilege and pleasure to have you here this morning. I keep reading about all the studies and polling that you do and I think your group is probably the best in the state.

MR. SANDEROFF: Thank you very much, Commissioner. I appreciate that. Watch for a new poll in presidential politics this Sunday in the newspaper.

COMMISSIONER MONTOYA: Oh, great. I'll look at that.

CHAIRMAN CAMPOS: Any other questions? Any staff input? Thank you, Mr. Sanderoff.

MR. SANDEROFF: Thank you.

[The Commission recessed from 12:05 to 1:35.]

X. E. Presentation and Request for Direction on the Santa Fe County Space Assessment and Long Range Facilities Plan (Previously Item X.C)

CHAIRMAN CAMPOS: The meeting is called back to order.

MR. FLORES: Mr. Chair, just a real quick introduction before I turn it over to our consultants. As you recall, the County in 2001 undertook a space analysis that provided a broad-brush review of some of our downtown County facilities. However, the analysis didn't provide long-term planning or provide a way to be able to accommodate the growing needs. Subsequent to that the Board gave direction to staff to look at reconfiguring or consolidating existing space within our complexes to accommodate. As you can see downstairs with the renovations to the GIS area, those band-aid renovations are currently underway and have been underway and they are being phased in as the Board directed.

The Board last April gave direction to staff for a scope of work to truly address the space needs and provide a long-term plan for the County in relationship to its administrative facilities. We've brought forward a scope of work that the Board approved in June of last year, we issued the RFP and in February of this year we actually awarded a contract to the firm of Design Collaborative Southwest, and Architectural Research Consultants, Inc. They have done a tremendous amount of work dealing with County staff, departments, elected officials' offices, also working with the District Attorney's office as well as the First Judicial Court.

What we've provided today in the small synopsis is a condensed version of the entire presentation and it does not have the same degree that we would have in a normal forum if we were provided the amount of time to go through that with questions and answers. [Exhibit 2] I would like at this time to turn the presentation over to John Patronas and Andy Aguilar from Architectural Research Consultants as well as Mark Shiff and Jeff Sears from Design Collaborative Southwest.

CHAIRMAN CAMPOS: Thank you, Mr. Flores.

JOHN PATRONAS: Mr. Chair, we're pleased to be here this afternoon. As Tony mentioned, we'd like to give a brief overview of the presentation. I believe you have the full packet or you've seen it at various times. Because your time is very precious I'm going to push right through this presentation but if there are questions please don't hesitate to stop me and ask those questions as we go along. I'll be doing the primary presentation but Mr. Mark Shiff will also pop in at various times I'm sure as we go along as well as when we get to the site alternatives.

The presentation that I'm going to be giving is what you have in front of you. Essentially, what I would like to do is tell you a little bit about what the project scope is, what the goals are, give you a flavor of the kind of information that we gathered talking to all of the County officials and departments. Then give you an overview of what the organizing concepts

are, the space needs and relationships that we think that the County will require to meet its long-range space needs, and finally to describe the site alternatives that we've uncovered.

As Tony mentioned, there are really two phases to our study. Our overall goal was to provide a comprehensive assessment of present and predicted administrative and judicial space needs. The first phase of the project is really looking at the space assessment. Looking at existing and projected space requirements, looking at the condition of the existing facilities, looking at the alternatives and options for meeting the space needs and this is really what I'll be describing to you this afternoon.

The second phase is really based on your direction, will be to take this information, document it into more detail, develop a facility program for the first phase of meeting these space needs. As I mentioned the goal is to really look at the existing and future space needs. We looked at least ten years into the future. We realize facilities take a long time so we've taken the opportunity really to even look longer than that. But essentially we want to look at all the information, provide you information for master planning the consolidated County sites, help identify potential project phasing based on this analysis, as I mentioned develop a facility program for the first phase.

The process that we used is really pretty straightforward. We look at the supply and demand characteristics of space needs, the supply being the characteristics of your existing space and facilities, the demand primarily being driven by your functional requirements and the number of personnel needed to accommodate your functions. Based on this information we identified the space needs and strategies for accommodating those needs.

There are really two different types of space we looked at. One is the administrative functions for the County. These are primarily office type and office support type functions which include the majority of all the County departments and Regional Planning Authority, plus the district attorney. In addition to that we looked at the judicial facilities which include primarily the courtrooms and supporting areas associated with the judicial function. Our study does not include the field operations. These are essentially the shops, warehouse service, Sheriff, Fire Department and so forth facilities.

On page 7 shows really an organization chart of the County. All of the boxes which are covered in yellow and blue were part of the study. The gray were not. Currently, the County has 77,500 gross square feet of administrative facilities. In addition to that there are 58,500 gross square feet of judicial facilities. So the total amount of facilities is 136,000 gross square feet. Gross square feet is the total amount of space that you pay for when you build a facility. The planning team looked at both the functional characteristics and the physical characteristics of all of these buildings. There's a separate report that identifies all the condition assessments that were part of our study.

In general, on the administrative side there are some very broad functional issues, the main one being that right now, the administrative facilities are divided into multiple sites. This creates operational efficiencies, some potential confusion. There's inefficient and inequitable distribution of space among County departments. Some facilities have poor quality space and poor accessibility pretty much across the board.

In terms of the judicial and the courts there's also some very broad kind of issues which include space shortages on a variety of things such as queuing and waiting spaces, work stations, prisoner holding, record storage, courtroom seating and so forth. One of the primary concerns with regard to security is lack of secure prisoner circulation from holding in courtrooms and back, lack of vehicular sally port, limited number of overcrowded holding cells, problems with accessible backdoors to the facilities and a major problem in terms of moving prisoners in public circulation, lack of holding cells and so forth.

There are also some courtroom limitations, although the courtrooms are certainly functional, the round shape limits their flexibility, there's inadequate support space associated with the courtrooms, there's lack of integrated courtroom technology. There's a general lack of functional fragmentation, including the Clerk's supporting spaces and so forth. They're scattered throughout the building. There's remote evidence storage, and with a lot of the older buildings in town there are a variety of accessibility issues, particularly with regard to access to witness stands, jury boxes and so forth.

One of the major drivers as I mentioned, for administrative square footage is the number of people. We talked to all of the County departments within our scope. They filled in a very detailed questionnaire. We asked them their self projections with regard to the future, both in terms of optimistic, conservative and expected. The slide in front of you sort of summarizes that. I'll give you a bigger overview as we go along. In terms of the courts and the judicial part of the project, the consultant - I should mention there is on the team a judicial consultant, Dan Wiley and Associates, who worked on the judicial space assessment on this project. They did a very detailed analysis of projected personnel based on the ratio of court filings to existing and projected county population. And the results are shown on this chart.

If you look at the 2008 expected chart, you'll see that all told, including the County administration, district attorney, courts and judicial, we're looking at a mid-term estimate, which we're taking as 2008 of facilities having to accommodate 460 people. One of the things that we did, however, is to look at an overall demographic of the county, mainly to verify the personnel projections. In the full report there's a lot of information about the characteristics and projected demographics of the county, but what it probably comes down to is that the county, as you're well aware is expected to grow. In the next decade we're looking at about 24,000 to 30,000 people and in the decade after that another 25,000 to 33,000 being added to the county. We expect as the county grows the number of administrative people will have to grow to support that.

Part of what we did was to look at peer counties to Santa Fe. We selected the peer counties based on their location, either in New Mexico or adjacent states, whether their similar in terms of total population or unincorporated population, similar population for the largest city and a similar rate of growth. We coordinated with the Planning Department in choosing these counties and on page 17, really the main part of this analysis is to say that when we looked at the ratio of the number of administrative people, personnel, to per-thousand population, Santa Fe County is 1.52 administrative people per 1,000 population, and this is compared with an average of 2.37 for all of the counties that we looked at. That shows that with respect to the

peer counties, the County has relatively fewer number of people per thousand population. When we compared that with the self projections made by your County staff, we found that if we continue the existing ratio as it is, which means at the same ratio as we have now, their personnel projections, we seem to be very reasonable. Of course if the County increases its staffing to be closer to the peers, it would mean more personnel than what we're projecting at the moment

When we took this information, we developed some very preliminary goals. We reviewed this with your County staff. These goals are some of the organizing concepts that we would use in terms of planning the facilities. Some of the things that were mentioned and as part of our preliminary planning include that the buildings should provide access to the public, should provide a quality environment that attracts and retains personnel, that we certainly want to put people together in a way that will improve the service delivery and access to information. We want to provide adequate space for all the functions. We want to provide equity so that people providing similar functions have similar amount of space. We want to be efficient and effective in space organization so that we get the folks that need to be next to each other adjacent to them. We want to provide flexibility to meet future needs, provide appropriate security and with respect to economy we want to reduce operation expenses and provide a long-term asset value for Santa Fe.

With these goals in mind we propose broad organizing concepts about what a new building might look like. This includes consolidating organizations to optimize work flow and required adjacencies. Essentially, we are looking at putting the folks who need to be close to each other because of functional reasons in that adjacency and what we've provided on page 20 is a general idea of clusters of functions. Cluster 1 would include the administrative kinds of functions in the County, including things like the County Manager, Finance, Legal. In Cluster 2, the direct services, which have more high public interaction and use for vaults, including the Clerk, the Assessor and the Treasurer. In Cluster 3 is community development, permitting and high public interaction types of activities including the Land Use Department, Projects and Facilities Management, Utilities, Surveyor, RPA. Cluster 4 is the Health and Housing related kinds of functions, which includes pretty much the Community and Health Development. Cluster 5 is the district attorney, and another cluster would be the courts and the judicial.

We also have to think about the future and how space needs might change as the county grows, so we're proposing that we assume that your organizational structure will change but the basic functions will remain the same. So we anticipate change, in other words, and we think the cluster concept is a way of accommodating that. We believe that long term growth should be anticipated, either by building in space, which you can grow into or designing your buildings so that additions can be added on to into the future. We believe that there's a lot of opportunities for sharing functions, including things like meeting rooms, work rooms, storage and so forth. We've built that into our planning assumptions. We also think that security is an increasingly important consideration and administrative function. We've proposed some concepts which range from identifying certain functions that require totally open security to monitored, to controlled, to limited access. Limited access for instance might be your information technology

kinds of functions, your service and public information.

We also believe it's important to provide equitable distribution of space as we mentioned. We've tried to allocate space in a consistent manner, primarily following the rules about looking at what people do rather than what they are. We've used the state of New Mexico's space standards to do that. We also think it's important that we promote a positive working environment including natural light, all of the work space support required, meeting areas and so forth, which are in many cases lacking currently.

The organizing concepts for the courts are a little bit more complicated and I won't go in detail through these but they still include some important ideas of zoning the facility properly so that public and prisoner and judicial zones are developed, that there are proper allocations of court sets and judicial office sets. Our judicial consultant is proposing a system of shared courts and judicial office sets based on his wide experience. Separate, secure prisoner delivery direct to the courtrooms. Distributing the judicial offices on various floor rather than clustering. Putting all the high volume functions low in the buildings so to encourage public access in a very structured way. Co-locating the clerk in a court as required. Putting the court administration in the proper juxtaposition with the clerk function. Allocating each specific courtroom in a way that they are matched, kind of the divisions are assigned currently in terms of function. Providing public access to the trial court administrative assistants who have a lot of public input.

And so as I mentioned, what we did is we worked out allocating the personnel by very consistent space standards. With respect to the administrative space we used New Mexico standards. With respect to the court, national planning standards. We looked at work space allocating things like meeting rooms, storage and work areas by the numbers of people. We looked at very specific requirements such as this room by looking at those specific requirements and allocating space. And we've also compared that, the results of this with the general services allocation of about 160 square feet per person to see where we were.

And as you're well aware, we're still in the first stages of the space study and there are a lot of variables that are involved at this stage, including what's included, what standards? We've used a degree of flexibility, how much we promote sharing of functions, at what point in time we're planning for, the building efficiency and how we're accommodating storage. All of these sorts of issues can be explored in more detail in the next phase. But the bottom line is in terms of our mid-term space projection it is approximately 221,000 square feet, gross square feet of space to meet the 2009 expected space and that goes to 245,000 or thereabouts in the 2014 time frame.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Yes.

COMMISSIONER DURAN: Quick question. Does that include both judicial and administrative?

MR. PATRONAS: Yes. Combined.

COMMISSIONER DURAN: Okay. Thank you.

MR. PATRONAS: That is in contrast to the existing about 136,000 gross

square feet for a combined space. If we look at another ten years out, that would be about 2023, I think the County should anticipate adding another 40,000 square feet. This is probably most important when we start looking at how much land do you need to accommodate future functions. We have not included that in any of our space analysis at this time.

On page 31 this gives you a graphic idea of how space is divided. The bubbles are relatively related in terms of the amount of space allocated for each kind of function. As you can see on the administrative end the clusters are shared. All of the clusters again share certain common space amongst themselves. We anticipate that the district attorney, if they are co-located with other facilities would have the opportunity to also share some of the common space. The district courts we anticipate would be largely sort of a stand-alone kind of function.

The judicial complex, our planners have done some more detailed analysis of the types of relationships and interrelationships of the kinds of activities that goes into courts. Courts are largely driven by the separation paths for public, judges, and detainees. This is a three-dimensional graphic that sort of tries to give you a flavor of what that is and then in the more detailed package you'll see some floor plans which identify this in more detail.

When we look in terms of site, the amount of site area will vary of course in terms of how high we build and if we use structured parking or not. The chart on the top is the most site intensive which is all one-story construction with surface parking. You'll need about 25 acres in that respect. I should mention this includes about a 50 percent increase in additional space to accommodate expansion. And if we go down on the other end which we assume all three-story construction, all parking structures, then you need about eight acres of land to accommodate these functions, all consolidated.

The cost impact again, deal with our variables based on how much space we do, the quality of space, when constructed and type of parking. We have made some very preliminary kind of analysis based on the type of square footage and the amount of square footage and so the total amount would cost about \$39 to \$44 million right now. And of course this does not include some of the soft costs associated with function. These costs go up obviously the longer you wait because we have inflation that is also part of that.

COMMISSIONER DURAN: Mr. Chair, you state that the probable cost of construction for a consolidated administration up to \$17 million and the courts up to \$26 million. Is that based on any particular site that reference in the packet?

MR. PATRONAS: It is site-unspecific at the moment. Plus the reason why we gave a range in there because a downtown site, for instance will be more. The range will really reflect more urban sites, more downtown sites probably in this circumstance.

COMMISSIONER DURAN: Because some of the potential sites are already owned so we wouldn't have a land acquisition.

MR. PATRONAS: That's right.

COMMISSIONER DURAN: And there's also one that's being considered that's a donation that also doesn't have a land acquisition cost.

MR. PATRONAS: That's right. These sites are just construction. Do not include -

COMMISSIONER DURAN: Oh, just construction. Okay, good. Thank you.

MARK SHIFF: Good afternoon, Commissioners, Mr. Chair. I'll run through this real quickly. To give you a little bit of background on the site analysis process, the County issued a public advertisement as a request for interest in trying to elicit public input as to what sites might be available for this project. And it's an informal, non-binding process, basically just to get the awareness in the community about the project among owners. I think it was a very successful response. We got six or seven responses that fit kind of the potential profile, which was described as a site big enough to put both projects, co-located on a single site. You can see in the mix, in the matrix that you see here, what we did was compare the different sites, different attributes of the different sites. And essentially this is an unbiased comparison. It really doesn't suggest any rankings or any preference but it compares what the capabilities of different sites are.

You can see the Las Soleras site is the site that Commissioner Duran was mentioning at I-25 and Cerrillos road which is a potential site of almost 75 acres. Not all of that is usable. The Indian School site emerged out of this RFI and that is about a 15 net acre usable area within the old Indian School. We also included the existing court site which is certainly a possibility if we were able to move the courts to a temporary location during the construction period. The Marian Hall/St. Vincent Hospital site at the St. Francis Cathedral property is listed there and that is another potential site. It's also downtown. And we got a response on the Elks Lodge site which is only eight acres. It's really not big enough for both projects but it could be looked at in combination with the existing court site if the decision was made by the Commission to separate the two projects. Yes, Commissioner.

COMMISSIONER DURAN: I'm looking at the second to the last column under cost. Preliminary site development cost, you have on number 1, \$5.16 million. Is that just for site development? It has nothing to do with construction?

MR. SHIFF: That's correct. That's an anticipated cost of site development, utilities and parking. So this is the development of all the grounds, landscaping, utilities that support the buildings. So this kind of plays into the set of costs that goes in land acquisition and development.

COMMISSIONER DURAN: Okay. And I think that under the acquisition costs, my understanding is number 4, the Cathedral, Marian Hall, Old St. Vincent site, they were talking about actually deeding us a building right. So it wouldn't be a lease it would be an actual acquisition of a development right.

MR. SHIFF: I think that's probably accurate. When the packets that we got back from the various landowners described kind of in very general terms acquisition costs and I think at the time we got the response the general idea of that site was that it was going to remain in the ownership it is and the properties were going to be leased on it and I think what you're representing may be a little bit of an evolution of that thinking. And we can correct this document here.

COMMISSIONER DURAN: Okay. I just wanted to set the record straight because my understanding is that it is - the offer would be a lease or a building right. I think

that for the County's – if the County moves forward I'm sure they would want to own instead of lease.

MR. SHIFF: Good point. And that's well taken. I think some of the facilities on that site might be in the form of a lease such as parking but the actual building footprint for instance would be deeded. We can get into a little bit better description in the final configuration. I appreciate that comment.

COMMISSIONER DURAN: Okay. Thank you.

COMMISSIONER SULLIVAN: Mr. Chair.

COMMISSIONER ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just one quick comment while you're still on that matrix. Under the Las Soleras, you say water partial availability and you indicate a well. Is there a well on that site?

MR. SHIFF: The owners' response to the RFI indicates that their plan is to build a well and connect it to the County water system.

COMMISSIONER SULLIVAN: Did they indicate where they would get the water?

MR. SHIFF: For the well?

COMMISSIONER SULLIVAN: Yes.

MR. SHIFF: Well, evidently, my understanding is they are either in negotiations or they have water rights for that property. So they would drill a well.

COMMISSIONER SULLIVAN: They would drill a private well and transfer water rights.

MR. SHIFF: Correct.

COMMISSIONER SULLIVAN: Because my understanding is also that they've requested annexation to the City.

MR. SHIFF: That's correct. Historically, they were on a track to annex to the City. I think, and I apologize. I don't want to speak for the developers on this issue but my understanding is they're entertaining the idea of annexing to the County rather than the City at this point.

COMMISSIONER SULLIVAN: I think they're burning both ends of the candle right now, but my concern was to indicate there that there was this availability of water but I don't think the State Engineer made any determination that there is or could be a well there. So I would be a little concerned as indicating that that water is available. It may be available if the State Engineer gives them a permit and there's no impairment to surrounding users.

MR. SHIFF: Okay, and that's well taken input. As you notice that has kind of a blank box there so what we can do is clarify in this matrix that maybe we need a symbol for unknown or unclear.

COMMISSIONER SULLIVAN: Or maybe just a footnote explaining the circumstances that there isn't a well there.

MR. SHIFF: It's not resolved at this point. And what you're pointing out, Commissioner, I appreciate your bringing that up is the rationale behind doing a matrix like this

because it helps to bring into focus some of the issues of what's called developability or readiness to use of these sites. And on all these different issues there are going to be varying levels of availability. And as you can see there's really not one site in here that is utterly perfect in terms of ready to use. It's free. It has all the utilities. It has all the planning approvals. There are varying degrees of difficulty for time line and we did address in the longer report that you have, the narrative about the sites, we made a preliminary attempt to address kind of a conceptual time line for development on some of these. And they all have their unique kind of issues.

COMMISSIONER SULLIVAN: Another question on these evaluations. You indicated that your criteria at both the judicial complex and the County administrative buildings would be together, not necessarily in the same building but in a campus environment at the same location. Is that correct? That's the basis of this study?

MR. SHIFF: Well, that was the general request made in the request for interest that went out. We did receive some sites that were not inclusive of both buildings and we put one of those sites in to illustrate what the issue is there.

COMMISSIONER SULLIVAN: What I was asking is or getting at is do you have any opinions or is it part of your study to look at whether it would be more economical to separate the two. In other words, there may be a more optimal location for the judicial complex which might be closer to the jail. I don't know, than there is for the administrative functions, which have a different center of gravity of people who visit them and use those services. Now, I do understand from Tony's standpoint in having to maintain these buildings, it's better to have them all in one place so when it comes time to distribute toilet paper you don't have to be driving all over town and maintenance is simpler. But apart from that, have you looked or do you have any thoughts on separating them out? Is there an area that's better for one or the other?

MR. SHIFF: Well, I don't have an opinion as to whether there's necessarily a benefit one way or the other. I think from a functional standpoint it could be done. And from a programmatic standpoint if we leave maintenance aside, the two different building complexes don't really have much staff interaction or day to day interaction. Having said that, the incremental cost of developing two buildings on a larger site, if that larger site is favorably purchased, would probably be less money than developing two separate sites.

Now, I think all of this is going to need to be evaluated at a much more refined level. I think the game plan as this project progresses, if it does, is to issue a more detailed RFP for land and ask at that time, or prior to that time as is the pleasure of the Commission that that RFP for land could be structured to be more flexible if you will or more open to considering individual sites as opposed to combined sites. As far as could there be advantages? If we look at the existing court site now, that's a wonderful site for a courthouse. And if the problems could be solved of temporary housing for the courts, and the logistical problems of moving the courts in and out of that site, looked at in isolation of the County offices it will always be a good courthouse site. However, there are some complicating factors, the biggest one is parking. And that site's viability depends on whether the City moves forward and builds a parking structure at

the convention center so that there could be some structured parking adjacent to that site. Because the site's not big enough to have the modern court building and parking for the public on that site.

So we certainly – we're interested in the Commission's recommendations about how to proceed with sites but we're not really here to offer any recommendations or opinions about the various sites.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: I was wondering, and Tony, maybe you can help me think this through. But if the Commission decides that the judicial complex should stay downtown, and if we decide that the existing building is the appropriate place for it, couldn't we, when we go to get money to build that factor in the cost of the parking and enter into a joint venture? Because the City I think has problems with their parking structure because of funding. So if the judicial complex stayed downtown and we went to the voters for money, couldn't we ask for an additional three or five million dollars to assist the City in the construction of that facility and enter into some kind of cost-sharing and use, long-term lease or long-term lease?

MR. FLORES: Mr. Chair, Commissioner Duran, the quick and dirty answer is yes. I believe there would have to be some requirements of both the financing for the new facility and parking structure as well as negotiations for the City. But it can be accomplished. And actually the City has been looking at the County for numerous years now to look into that possibility of joining up on a parking structure when we develop the convention center site. So it could be in the mix.

COMMISSIONER DURAN: So it's a possibility. Okay. Thank you. Thank you, Mr. Chair.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Just regarding this whole presentation, and I think the issues that are ensuing, haven't we planned on having a separate meeting to discuss this along with the bonding? And are we still planning on doing that or not?

CHAIRMAN CAMPOS: Well, Commissioner, I have suggested that we have a special meeting so we could really have a discussion. Not schedule it in a crowded, regular BCC agenda. I think we still need to have that discussion. I would urge that we do schedule a special BCC meeting to discuss that and have a conversation with staff about that. We have a huge agenda tonight.

COMMISSIONER MONTOYA: Yes, I think that would be appropriate if we could get that scheduled because there's a lot of questions. And I'll hold off until we have that.

CHAIRMAN CAMPOS: Is there consensus?

COMMISSIONER SULLIVAN: Mr. Chair, let me just comment on that. I think that a special meeting would be good to look at a lot of these details of sites and

programmatic issues. But further on in the agenda today there is an issue dealing with bonds. And regardless of which site we go or whether we go three-story or two-story or in town or out of town, if you want a bond issue on this November election you're going to have to make a decision today.

COMMISSIONER DURAN: I don't think that will ever happen. Again, you don't have to have the specifics nailed down as to exactly where you're going or why you're going but I think some guidance when we get to the issue of bonding is going to have to come from this Commission.

CHAIRMAN CAMPOS: I'm not comfortable in pushing it that hard. If staff really wanted us to do that for November we should have had this discussion a month ago.

COMMISSIONER MONTOYA: I agree.

CHAIRMAN CAMPOS: Commissioner.

COMMISSIONER DURAN: I had tried, if you recall, a number of times to have a special meeting and you accused me of trying to move this thing along too fast. I have since had a discussion with Commissioner Sullivan about this and I am in agreement with him that it's probably best not to have this thing placed on the agenda for November because it probably wouldn't do it justice because we just haven't had time to digest all the information here. And that a special election would probably be more advantageous for us to pursue.

The other thing is it seems to me from the bond polling that was done that our focus, I think is going to change from what we had originally thought was a plan of action. And I think the judicial complex is probably the number one and - I'm sorry. Water is number one and judicial and administrative would follow in that. So I think that moving this thing forward to get it on the November ballot isn't going to work and I would just move that we table this until a special meeting for further discussion.

CHAIRMAN CAMPOS: I'd like to have Judge Hall, who's here -

COMMISSIONER DURAN: Okay.

CHAIRMAN CAMPOS: Get a perspective from the courts.

COMMISSIONER DURAN: I withdraw my motion.

CHAIRMAN CAMPOS: And have a special meeting if that's the consensus of the Commission. Judge.

JUDGE HALL: Thank you very much, Mr. Chair, members of the Commission. I appreciate you desire to have a special meeting on this. I suppose we don't have a problem with that but the one message I wanted to send to you today is please keep this moving forward. Since I was here in January we've completed the study for the courts. We have no quarrel with the study. We think it was very well done. We participated fully. We think the results are an accurate representation of our situation. But one result is that presently, our building is 58,000 square feet and our present need is over 100,000 square feet. So that's where we stand today and the second issue in the last nine months since I spoke to you last is I am more and more convinced that the inadequacies in security at the courthouse is a truly significant problem.

Our position is we want the Commission to please keep this moving forward. We

believe that we would prefer that the building remain downtown in some form, but the top priority is to move forward so that we get a facility that will be useful for us. I haven't seen any of the results in connection with the bonding so I don't know anything about that or the wisdom of taking it off the November election or moving it back. That's really for you all to decide. My only request is that you keep moving forward on this because our need is very, very significant. And I really just came to listen to what you had to say and answer any questions that you might have but that's the only comment that I have.

CHAIRMAN CAMPOS: Any questions for Judge Hall? Commissioner.

COMMISSIONER DURAN: I was wondering if the Commission might consider, when we get to the bonding issue, consider at least placing on the agenda or on the ballot the amount of money it would take for the judicial complex, and hold back on the administrative and other, and water until after the election. Or maybe do the water and the judicial on November. But it really seems to me, and having been in that facility in the last six months, it really is – it was a junior high 35 years ago and it's a junior high today. They have fans in the courtroom that you can't even hear people talk. It's just time to do something with that facility.

CHAIRMAN CAMPOS: Well, the issue is, Commissioner, also the polling shows that the judicial and the administrative are the least supported by the public by four percent. We're way down there.

COMMISSIONER DURAN: That's because the educational effort has not been

CHAIRMAN CAMPOS: That's where education comes in. If you do it in November where you have a lot of people trying to get your attention because it's a presidential race, you're not going to be able to communicate very clearly with people you have to convince about why we need all this.

COMMISSIONER DURAN: I agree. I agree.

CHAIRMAN CAMPOS: There's not enough attention span left after all this. So that's our dilemma. Certainly we understand your security concerns and I want to be downtown.

JUDGE HALL: Mr. Chair, Commissioners, the judges will strongly support whatever route you decide to go on this. You can have our commitment that we will actively participate in whatever education is necessary to make sure the public understands how important this need is. So whichever route you decide to go on these options you will have our strong support.

CHAIRMAN CAMPOS: We're going to be pushing real hard for this, Judge. Thank you very much. Any other questions from staff? Commissioner Sullivan.

COMMISSIONER SULLIVAN: I just – because Judge Hall wasn't here for Brian Sanderoff's presentation, just summarizing what he told us, Judge and those of us who may not have been here, in their analysis and their priority levels of projects, people who rank projects like the top eight, nine and ten, the top eightieth, ninetieth and hundredth percentile of projects, in the water issues, close to 60 percent say, yes, they would support a bond issue for

water issues. That's those that ranked it an eight or a nine or a ten. In terms of a consolidated governmental complex, which includes district courts, district attorney, County Assessor, Clerk and Treasurer, only 17 percent said they would support that. And that's about a half and half between the municipal boundaries of the city and the county on the polling.

So we have to, as the chairman said, find a way to work with those humongous number differences. And education of course is the first step. But I think a little strategy is also perhaps in order. Political strategy.

JUDGE HALL: Mr. Chair, Commissioner Sullivan, I agree and we're willing to do that. I know that there have been other courthouses constructed in New Mexico using other financing mechanisms. In Albuquerque bond issues were defeated two or three times and another funding mechanism was used in order to finance the courthouse. I understand that court facilities and County administration is not a hot topic for the public. On the other hand it is a reality. And I do have very significant security concerns. So again, I recognize what you're saying and we're willing to do whatever we need to do to make sure people understand the circumstance.

MR. FLORES: Mr. Chair, just in closing, the purpose for this was so that we do keep the process moving forward and that we do bring, at least in a modified condensed version the issues. And that would lead us to hopefully a special study session so that we can go through the entire presentation along with the questions and answers from the Commission and staff, the judiciary, etc. So my question to the Board is how soon can we schedule a special meeting, the time frame to keep this project moving forward so we can at least look at alternatives, prepare funding options, be creative, think outside the box, be able to accommodate or accomplish what the ultimate goal was when we set up this assessment.

CHAIRMAN CAMPOS: A couple of weeks, a month, two to four weeks at the longest.

COMMISSIONER DURAN: Okay, so we'll do it. We'll prepare some potential dates to bring that forward -

CHAIRMAN CAMPOS: Please. Schedule it as soon as possible.

MR. FLORES: Thank you.

COMMISSIONER DURAN: Thank you, Tony. That was great.

XI. Consent Calendar

- A. Request Adoption of Findings of Fact and Conclusions of Law for the Following Land Use Cases:**
 - 1. EZ CASE #S 02-4321 - La Pradera Subdivision (Approved)**
 - 2. CDRC CASE #MIS/DP 04-5200 - Agora Supermarket Addition (Approved)**
- B. Request Authorization to Enter into Grant Agreement with State of New Mexico Children, Youth and Families Department (Correction's Department)**

- C. **Resolution No. 2004-93. A Resolution Requesting an Increase to the Corrections Enterprise Fund, Youth Development Program to Budget a Grant Awarded Through the State of New Mexico Children, Youth and Families Department for Expenditure in Fiscal Year 2005/\$10,000 (Corrections Department)**
- D. **Resolution No. 2004-94. A Resolution Requesting Authorization to Surplus Obsolete or Inoperable Fixed Assets for Sale, Donation or Disposal in Accordance with State Statutes (Finance Department)**
- E. **Resolution No. 2004-95. A Resolution Requesting an Increase to the Environmental GRT Bond Debt Service Fund (402) to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005/\$2,880.56 (Finance Department)**
- F. **Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-60, Printing of the Emergency Atlas for the Fire Department (Fire Department)**
- G. **Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-61, Fleet Vehicle for the Santa Fe County Fire Department (Fire Department)**
- H. **Resolution No. 2004-___. A Resolution Establishing the Care Connection Advisory Council (Health & Human Services Department) TABLED**
- I. **Resolution No. 2004-96. A Resolution Supporting the Restoration of DWI Funding to Local County DWI Programs (Health & Human Services Department)**
- J. **Request Approval of the North Central Regional Transit District Intergovernmental Contract (Manager's Office) TABLED**
- K. **Resolution No. 2004-97. A Resolution Requesting an Increase to the Capital Outlay GRT Fund (213) to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005/\$850,901.04 (Project & Facilities Management Department)**
- L. **Resolution No. 2004-98. A Resolution Requesting an Increase to the Wildlife/Mountains/Trails Fund (233), US Environmental Protection Fund (260) and the State Special Appropriations' Fund (318) to Budget Prior Fiscal Year 2004 Cash Balances for Expenditure in Fiscal Year 2005 (Project & Facilities Management Department)**
- M. **Resolution No. 2004-99. A Resolution Requesting an Increase to the State Special Appropriation's Fund (318)/Agua Fria Community Center to Budget a Grant Awarded Through the New Mexico Department of Finance and Administration for Expenditure in Fiscal Year 2005/\$300,000 (Project & Facilities Management Department)**
- N. **Resolution No. 2004-100. A Resolution Requesting an Increase to the GOB Series – Open Space Fund (385) to Budget Prior Fiscal Year 2004**

- Cash Balance for Expenditure in Fiscal Year 2005/\$5,848,496.91
(Project & Facilities Management Department)**
- O. Request Authorization to Enter Into Amendment #4 to the Software License Services and Maintenance Agreement #23-0016-PFMD/\$52,360
(Project & Facilities Management Department)**
 - P. Request Authorization to Enter Into Project Agreement #'s 2005-092, 119, 120, 121 and 129 with the New Mexico Aging and Long-Term Services Department for the Vista Grande Senior Center/\$708,750
(Project & Facilities Management Department)**
 - Q. Request Authorization to Enter into Project Agreement #2005-090 with the New Mexico Aging, and Long-Term Services Department for the Edgewood Senior Center/\$100,000 (Project & Facilities Management Department)**
 - R. Request Authorization to Enter into a Community Development Block Grant Program Agreement with the New Mexico Department of Finance and Administration for the Agua Fria Community Center/\$300,000
(Project & Facilities Management Department)**
 - S. Request Ratification of Joint Powers Agreement with the New Mexico Department of Health for Development of the Sobering/Detox Center/\$200,000 (Project & Facilities Management Department)**
 - T. Resolution No. 2004-101. A Resolution Requesting an Increase to the State Special Appropriation's Fund (318)/Eldorado and Edgewood Senior Centers and the Detoxification Center to Budget Special Appropriation Projects' (SAP) Grants Received from the NM 2004 Legislature for Expenditure in Fiscal Year 2005/\$1,008,750 (Project & Facilities Management Department)**
 - U. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Rated Offeror for RFP #24-54 for the Professional Architectural and Engineering Services for the Vista Grande Senior Center/\$46,696.58 (Project & Facilities Management Department) TABLED**
 - V. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #25-03, County Road 73-A Milling Project for the Santa Fe County Public Works Department/\$70,440 Plus GRT (Public Works Department)**
 - W. Request Authorization to Enter Into a Professional Services Agreement #25-0036-PW with Southwest Design and Drafting for Design and Surveying Services for the Camino Carlos Rael Low Water Crossing and Bank Stabilization Project/\$13,656 (Public Works Department)**
 - X. Request Authorization to Enter Into a Professional Services Agreement #25-0050-PW with Miller Engineering Consultants for Surveying and**

- Design of the Los Tapias Road Project/\$16,003.13 (Public Works Department)
- Y. Resolution No. 2004-102. A Resolution Requesting an Increase to the General Fund (101)/County Sheriff to Budget a Grant Awarded Through the New Mexico Department of Transportation and a Contribution Received from Impact DWI for Expenditure in Fiscal Year 2005/\$54,614 (Sheriff's Office)
- Z. Resolution No. 2004-103. A Resolution Requesting a Budget Decrease to the General Fund (101)/Region III Grant Program to Realign the Fiscal Year 2005 Budget with the Revised Budget as Approved by the New Mexico Department of Public Safety/\$2,600 (Sheriff's Office)
- AA. Request Authorization to Enter Into a Professional Services Agreement #25-0008-SD with Ralph W. Lopez for the Region III Coordinator/\$52,620 (Sheriff's Office)
- BB. Request Authorization to Enter Into a Professional Services Agreement #25-0042-SD with Santa Fe Animal Shelter and Humane Services for Animal Care Services for Santa Fe County/\$74,294 (Sheriff's Office)
- CC. Request Authorization to Approve the Sole Source Procurement of a Breath Alcohol Testing Vehicle for the Santa Fe County Sheriff's Department with Sirchie Finger Print Laboratories/\$51,590 (Sheriff's Office)
- DD. Resolution No. 2004-104. A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget Grants Awarded Through the New Mexico Environment Department for Expenditure in Fiscal Year 2005/\$154,700 (Utilities Department)
- EE. Request Approval and Execution of Grant Agreement #SAP-04-1555-STB for the Camino Polvoso Sewer Line Grant Agreement/\$63,000 (Utilities Department)
- FF. Resolution No. 2004-105. A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget a Grant Awarded through the New Mexico Environment Department for the Camino Polvoso Sewer Line/\$63,000 (Utilities Department)
- GG. Resolution No. 2004-106. A Resolution Designating Grantee Signature Authority and Project Representative for the Camino Polvoso Sewer Line NMED Grant (Utilities Department)
- HH. Request Authorization to Approve an Amendment from the New Mexico Department of Transportation Increasing Agreement #01-AL-64-1091 by an Additional \$50,000. The Additional Funding Will be Used for the Purchase of a Mobile DWI Unit (Vehicle, BAT Mobile) (Finance Department)

CHAIRMAN CAMPOS: All items on the Consent Calendar. Is there a motion to approve them?

COMMISSIONER DURAN: So moved.

COMMISSIONER MONTOYA: Second.

The motion to approve the Consent Calendar with the following tablings: A 1 and 2, H, J, and U; and the following items isolated for discussion: G, W, X, CC and HH, passed by unanimous [5-0] voice vote.

- XI. A. Request Adoption of Findings of Fact and Conclusions of Law for the Following Land Use Cases:**
- 1. EZ CASE #S 02-4321 – La Pradera Subdivision (Approved)**
 - 2. CDRC CASE #MIS/DP 04-5200 – Agora Supermarket Addition (Approved)**

COMMISSIONER SULLIVAN: Okay, Mr. Chair, thank you. On A. 1 the staff passed out in your boxes and I think he's passing out another copy of just some clarifications to the findings of fact and conclusions. [Exhibit 3] And these were done at my request and I'll point them out to you. They're on item 12 under access and traffic. The pages aren't numbered, about half-way through. And the changes in the findings of fact, which are consistent with the approvals given to the subdivision and consistent with the minutes are shown in that paragraph 12 as being underlined. And that's the differences between this and what's in your packet. And primarily what this simply does is memorializes the commitment that was made that the access road is paved and that it's paved in the first phase of the development. You'll recall the second phase was maybe some time in coming because of the water considerations and the need to evaluate their actual water use versus their projected use. But either Roman or I can answer any questions if there's any questions on that.

Hearing none, Mr. Chair, I'd move for approval of Consent Calendar item A. 1.

CHAIRMAN CAMPOS: As amended?

COMMISSIONER SULLIVAN: As amended. Excuse me.

CHAIRMAN CAMPOS: Okay, is there a second?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Discussion?

**The motion to approve XI. A. 1 passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]**

**XI. 2. CDRC CASE #MIS/DP 04-5200 – Agora Supermarket Addition
(Approved)**

COMMISSIONER SULLIVAN: Okay, Mr. Chair, XI. A. 2 is the findings of fact and conclusions for the Agora Shopping Center addition. And the owner brought a concern to my attention since this is in District 5 that he asked for some clarification on and in that findings on page 6, item 12, condition 12, refers to complying with the 285 South Corridor architectural standards and guidelines and delineated on pages 121 through 127. Those guidelines of course are not yet ordinances; they're still guidelines and the owner wondered in particular how they would comply with the parking guidelines. The parking guidelines in the 285 plan say that the lot sizes are limited to 60 cars. And they already have over 100 cars on the lot and they'll have additional cars parking that's required with the expansion. Yet this particular condition requires a lot size to be separated out to be no more than 60 cars.

And the parking requirements that they have were approved in their master plan back in I think 1993. So their master plan approval way back then set the size of their parking lot and they're not changing of course any of their existing parking which already exceeds 60 cars. So they wanted to know how they deal with that condition.

CHAIRMAN CAMPOS: Commissioner, didn't we direct staff to have a conversation/discussion with the applicant? I assume that took place. Mr. Abeyta, were you involved in that or who on Land Use?

MR. ABEYTA: Mr. Chair, I was involved in that but the parking question is a good question because it was my recollection that the intent from the Board was that he comply with the design standards for the building, but when you look at the way it was actually adopted it does also include parking which we don't feel as staff he should be required to comply with because we think it was more the Board's intent, and this is why it would be helpful to get clarification today. We thought it was the Board's intent that the building with offsets, things like that, comply, and not so much the parking.

CHAIRMAN CAMPOS: Okay. Any questions from the Commission?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: You're okay with what Commissioner Sullivan is talking about?

MR. ABEYTA: Yes.

COMMISSIONER ANAYA: Okay.

CHAIRMAN CAMPOS: Commissioner Montoya.

COMMISSIONER MONTOYA: How will the parking differ in terms of what's in the design in the corridor plan and what's in the master plan?

MR. ABEYTA: Mr. Chair, Commissioner Montoya, we're talking about the number of spaces. If this was a new development it would have to have less parking but because it's already an existing development and a lot of the parking already exists they couldn't comply with the new standards. They'd have to cut off parking. I don't know if that

would be in the best interest of that shopping center given the volume of traffic that goes there now.

COMMISSIONER MONTOYA: So you're comfortable with making that decision?

MR. ABEYTA: Yes. If the Board gives that direction, yes.

CHAIRMAN CAMPOS: Do you have recommended language for condition 12? New language?

MR. ABEYTA: Mr. Chair, we would just add that the parking standards shall be exempt.

CHAIRMAN CAMPOS: Except that the parking standards shall not apply?

MR. ABEYTA: Yes.

CHAIRMAN CAMPOS: Okay. Is that acceptable? Commissioner Sullivan?

COMMISSIONER SULLIVAN: I think that solves the question.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER SULLIVAN: So we just add after 127. Except that the parking standards shall not apply.

COMMISSIONER MONTOYA: Move for approval as amended.

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Discussion.

The motion to approve item XI. A. 2 passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]

XI. G. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-61, Fleet Vehicle for the Santa Fe County Fire Department (Fire Department)

COMMISSIONER SULLIVAN: Mr. Holden, you know I always support the Fire Department in whatever it wants to do but sometimes I have a question. And in this case, the low bid was non-responsive and so we're taking the second low bid which is about \$2,000 more. And in looking it over it has something to do with the differential. Could you tell me why the low bid which was Inland-Kenworth, was not up to your standards.

CHIEF HOLDEN: Mr. Chair, Commissioner Sullivan, specifically, the department had originally looked at purchasing a four-wheel drive vehicle. Instead, because that was a \$5,000 to \$6,000 option, we opted to go with a locking differential. Because of the size of this vehicle we felt that a locking differential which allows the vehicle to operate in terrain that is less than desirable off-road conditions that the vehicle would be fully functional if it had a locking differential in lieu of four-wheel drive. The bid that we received from Kenworth, although it specified in the request that it be a locking differential they could not meet that requirement and therefore they were deemed to be non-responsive.

COMMISSIONER SULLIVAN: What does a locking differential do?

CHIEF HOLDEN: It allows the rear end to lock so that both wheels drive together. Or one can lock and the other -

COMMISSIONER SULLIVAN: Oh, so it makes a four-wheel drive out of it.

CHIEF HOLDEN: Just on one axle though. Not on four wheels. Not on two axles. Just on the one axle. But it's the most important axle because it's the rear drive.

COMMISSIONER SULLIVAN: And this was in the bid specifications that you put out. This wasn't something you -

CHIEF HOLDEN: It absolutely was in the bid specifications from the very get-go.

COMMISSIONER SULLIVAN: And obviously you feel that that capability is worth \$2,000.

CHIEF HOLDEN: I certainly do.

COMMISSIONER SULLIVAN: I move for approval, Mr. Chair, of that if there's no other questions from the Commission.

COMMISSIONER MONTOYA: Second.

The motion to approve XI. G passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XI. W. Request Authorization to Enter Into a Professional Services Agreement #25-0036-PW with Southwest Design and Drafting for Design and Surveying Services for the Camino Carlos Rael Low-Water Crossing and Bank Stabilization Project/\$13,656 (Public Works Department)

CHAIRMAN CAMPOS: Mr. Chair, my question on this was similar to the next one as well, X, and that is apparently three solicitations were sent out and the staff has picked the firm that was the lowest price. I was under the impression that when we looked at profession architectural and engineering services we would use the qualifications based selection method of evaluating them based on their ability for this specific design type of assignment. Is that now how it worked this time, James?

MR. LUJAN: Mr. Chair, Commissioner Sullivan, yes it did work that way. We also looked at that. The complexity of this project is not that great and we felt that this company could design that. Right now it is just the retaining walls. We're going to go with block and piers and block and retain the earth there. So we felt that this was the best qualified group for that.

COMMISSIONER SULLIVAN: And does Southwest Design and Drafting, is that an engineering firm? Does it have an engineer as its principal?

MR. LUJAN: As its principal, I'm not certain that it does but they do have a civil engineer. They do have plans that have been stamped before and they do have a civil

engineer.

COMMISSIONER SULLIVAN: Well, there's a difference between getting a drafting service that goes out and has someone stamp the plans and a firm whose principals are registered engineers.

MR. LUJAN: Yes, sir. We're aware of that.

COMMISSIONER SULLIVAN: What's the case here?

MR. LUJAN: As far as the firm, their qualifications they said that they did have a registered engineer on board and that's what we looked at.

COMMISSIONER SULLIVAN: Because this is clearly engineering work.

MR. LUJAN: Definitely. And it's design work.

COMMISSIONER SULLIVAN: It comes in, I guess, under the \$25,000 –

MR. LUJAN: \$20,000.

COMMISSIONER SULLIVAN: Is it \$20,000 for the County? It's \$25,000 in the state procurement code.

MR. LUJAN: \$20,000 for professional services.

COMMISSIONER SULLIVAN: It's \$25,000 for A-E services. So I guess you can request bids, but my concern is that Southwest Engineering and Drafting be an engineering firm. This is an engineering assignment with a principal as an engineer and not a contract engineer for hire.

MR. LUJAN: We solicited – I don't know that we asked for that. We did call again for three quotes and they've done other work for the County, so that's what we went off of, a list that they had.

COMMISSIONER SULLIVAN: Perhaps, I don't know if the Commission is in agreement we could okay this with the stipulation that in fact a principal in the firm is in fact a registered engineer.

MR. LUJAN: So you're saying that any of the future work that the principal be a registered engineer.

COMMISSIONER SULLIVAN: That's the state law. Any time you engage in engineering work, in engineering work, a principal of the firm must be a registered engineer. That's the law. Now the only thing that's up for question is whether the particular work is engineering. Is engineering work.

MR. LUJAN: I understand that. Yes. But you cannot have a firm that's simply a drafting firm and then takes the drawings out to a contract engineer and has them stamp them.

MR. LUJAN: So they cannot either sub work to a civil engineer and have it done and procure the services?

COMMISSIONER SULLIVAN: No. Not unless – they can if they're an engineer and they're overworked and overloaded and they can go out to a firm. And if there's any question on it I would certainly suggest you contact the Board of Registration and get clarification. But it is required that a principal be a licensed engineer or architect, as the case may be. And it can't be a hired gun. So if they have that capability, and you've been satisfied with their past work and their – it shouldn't be any problem. But I want to be sure that they

have that make-up.

MR. LUJAN: For the type of this work we feel comfortable in it.

COMMISSIONER SULLIVAN: Mr. Chair, I move then for approval of this agenda item, W, with the stipulation that a principal in the firm be a registered engineer, licensed to practice in the state of New Mexico.

CHAIRMAN CAMPOS: If the state law so requires?

COMMISSIONER SULLIVAN: I used to be on the Registration Board and it did when I was on the Registration Board and I don't think it's changed.

CHAIRMAN CAMPOS: I'm not comfortable with that stipulation.

COMMISSIONER SULLIVAN: Well, I'm not comfortable voting for illegal –

CHAIRMAN CAMPOS: If it's illegal we should refer it to – is this time sensitive?

MR. LUJAN: I need to get this appropriation sent before the end of the year. Before the end of December. This was an appropriation from Senator Nancy Rodriguez for the design of retaining walls. She got it for the public out there. And that's simply what we're looking at.

CHAIRMAN CAMPOS: Clearly we have to follow state law if that is a law.

MR. LUJAN: I know we've used this firm before. We're just going off a list, so it was a firm that was used before.

CHAIRMAN CAMPOS: Mr. Ross, do you have any comment on our discussion?

MR. ROSS: Mr. Chair, I was working on another item. What are you talking about? I apologize.

CHAIRMAN CAMPOS: Commissioner Sullivan says that we need to have a principal as an engineer, a P.E, an engineer in order for them to qualify for this bid. We're looking at item W in the Consent Calendar. These folks do not have a registered engineer?

COMMISSIONER SULLIVAN: Well, we're not clear about that. James doesn't know whether they have one as a principal or not. In my experience on the State Board of Registration for engineers and land surveyors for three years has been that you must have a principal –

CHAIRMAN CAMPOS: Do you have a statutory section that we could look at?

COMMISSIONER SULLIVAN: I don't have it right in front of me, no. But a call to the Registration and Licensing Board would certainly clear that up. That's why I suggested that stipulation to allow it to move forward. If we want to table it we can do that also.

MR. ROSS: Mr. Chair, there are a bunch of statutes pertaining to the practice of engineering in the state as well as I believe the Board has regulations. I haven't reviewed them recently. Last time I reviewed them was four or five years ago. In order to answer the question I'd have to go and take a look at that stuff and get back to you.

CHAIRMAN CAMPOS: Okay, what's the pleasure of the Commission?

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Was this responsive to what was put out, in terms of the specs that you were looking for?

MR. LUJAN: Mr. Chair, Commissioner Montoya, yes it was.

COMMISSIONER MONTOYA: Mr. Chair, I would move for approval.

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Could we just say that unless state law requires a principal?

COMMISSIONER MONTOYA: Yes, I guess so.

CHAIRMAN CAMPOS: I'm not talking about - just as long as it's within state law. That's all I'm saying. If not, it won't be -

COMMISSIONER MONTOYA: Yes.

CHAIRMAN CAMPOS: Is that okay with the seconder?

COMMISSIONER ANAYA: Yes.

CHAIRMAN CAMPOS: Okay, there's a motion and a second.

COMMISSIONER SULLIVAN: What's the motion?

CHAIRMAN CAMPOS: We approve W with a condition that it is in conformity with state law.

COMMISSIONER SULLIVAN: And Mr. Ross -

CHAIRMAN CAMPOS: They will look at it, and if it's not it will be back on our next agenda. Is that okay?

COMMISSIONER SULLIVAN: That's the question I had.

The motion to approve Consent Calendar item W passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XI. X. Request Authorization to Enter Into a Professional Services Agreement #25-0050-PW with Miller Engineering Consultants for Surveying and Design of the Los Tapias Road Project/\$16,003.13 (Public Works Department)

COMMISSIONER SULLIVAN: Mr. Chair, this firm, to the best of my knowledge does have a principal engineer, an engineering principal, so that's not my issue. But again we're getting estimates that are over the \$25,000 cut-off in this and my question is was this selection based on the qualifications of this firm being the best for the services, or was it because they were the lowest priced firm?

MR. LUJAN: Again, Mr. Chair, Commissioner Sullivan, we did look at their qualifications. It used to be Odin Miller. They had done some work previous for the County. They did the road study and we were happy with their qualifications and that's what we based it off again.

COMMISSIONER SULLIVAN: But in the request for proposals you have criteria that you evaluate by.

MR. LUJAN: Yes, we did.

COMMISSIONER SULLIVAN: And was one of those criteria cost?

MR. LUJAN: The cost was one of the criteria. We just looked at for the budget also that we have for this project because this particular project is coming out of operating costs.

COMMISSIONER SULLIVAN: Okay, so what you're saying is that we selected the firm because they were the most qualified and they just happened to be also the least expensive.

MR. LUJAN: That's what their price came in at.

COMMISSIONER SULLIVAN: Okay.

MR. LUJAN: This is the design of a roadway. We have limited constraints for drainage. We're going to invert and get a survey and see where the drainage goes for Los Tapias. And it's just a paving project.

COMMISSIONER SULLIVAN: Just a paving project.

MR. LUJAN: Just paving with small drainage.

COMMISSIONER SULLIVAN: Mr. Chair, if there are no questions from the Commission I'd move for approval.

CHAIRMAN CAMPOS: Okay, there's a motion to approve item X. Is there a second?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Discussion.

The motion to approve XI. X. passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]

XI. CC. Request Authorization to Approve the Sole Source Procurement of a Breath Alcohol Testing Vehicle for the Santa Fe County Sheriff's Department with Sirchie Finger Print Laboratories/\$51,590 (Sheriff's Office)

COMMISSIONER SULLIVAN: Okay, Mr. Chair, this is an item having to do with the Sheriff's Department requesting an authorization to sole-source procure a breath alcohol testing vehicle. Now, the question I had about this, and I don't know anything about breath alcohol testing vehicles but when we're doing sole-source procurement, we have to justify it. We have to put into the record a specific reason why no other firm can meet these criteria and we're not even looking at any other firm. In this case, in what I read here, it just simply said that this is a good vehicle and has the capabilities that they want and it's in the best interest of the County to procure this vehicle under the sole-source procurement code at a price

that's fair and reasonable.

That's the only justification I see is that it's in the best interest of the County. Usually it's in the best interest of the County to bid things and get competitive prices. So why is this in the best interest of the County to sole-source this vehicle? Is there no other manufacturer that makes it?

RON MADRID (Deputy Sheriff): I was involved slightly in the purchase of this vehicle but as I recall the vehicle that we had looked at did not, some of the vehicles did not have the specifications that we needed out in the field such as narcotics and weapons storage items, the videotaping the individuals while they were being processed. This vehicle that they looked at down in Dona Ana County has all that. I believe that was one of the reasons.

COMMISSIONER SULLIVAN: So it met your specifications requirements but are there any other manufacturers who can also meet the requirement of having videotaping equipment and storage compartments?

DEPUTY MADRID: Mr. Chair, Commissioner Sullivan, I believe this company was the only company that could provide all of the listed items.

COMMISSIONER SULLIVAN: Because I was looking over the letter that they wrote about Dona Ana County Sheriff's Department about how good their product is and what they said in the letter is we remain, however, the sole manufacturer who produces the prisoner vans with full fiberglass construction. And they go on to say how fiberglass is better than other types of construction. That seems to be their sole claim to uniqueness is this fiberglass construction. Is that something that we had to have?

DEPUTY MADRID: Commissioner Sullivan, I couldn't really answer that question. I'd have to go back and get some answers. Mr. Ross, correct me if I'm wrong on sole source procurement. Do we not have to put into the file some reasoning for not putting the item out for competitive bid?

MR. ROSS: Mr. Chair, Commissioner Sullivan, I'm sure the auditors would appreciate us putting something in the files. The standard in the procurement code for sole source procurement is that there is only one source available that can provide the requested good or service. And this is after a good-faith review of available sources. So there's some duty to do some inquiry. Exactly what inquiry you're supposed to do and what exactly they're supposed to put in the file is kind of an open question, although I'm sure the auditors would appreciate it if we put something in the file and maybe Ms. Valencia can illuminate us as to what is in the file on this particular procurement with respect to the choice of this vendor.

COMMISSIONER SULLIVAN: What I would like to see in any sole source procurement which is a unique situation in the recommendation memorandum is some documentation that we contacted firms A, B, and C and they couldn't meet our specifications for these reasons. They didn't have a lockable differential or they didn't meet these specific requirements. But all this letter says is that this is a good unit. It's reasonably priced and it's in the best interest of the County to procure it. And I'm not seeing anything that tells me why it's in the best interest of the County. Other than the letter from the company saying what a good product it is and that they're the only ones that make fiberglass construction.

CHAIRMAN CAMPOS: Is this time-sensitive? Do you have to make a purchase soon, or could this wait another 30 days? It is time-sensitive. Ms. Valencia.

EVELYN VALENCIA (Procurement Officer): Mr. Chair, Commissioners, it is time-sensitive as far as the money that was acquired for this.

CHAIRMAN CAMPOS: Tell us why.

MS. VALENCIA: As far as what I had received as far as the back-up information is that they had done some research with what Dona Ana had actually acquired and it was this actual unit. I'm not sure. I didn't get to talk to the actual Sheriff about it but based on that is how I made my determination and I actually put it together in a memo. And that was the information that I had received.

CHAIRMAN CAMPOS: And it is time-sensitive.

MS. VALENCIA: And it is time-sensitive.

CHAIRMAN CAMPOS: What is the time sensitivity is the question.

MS. LUCERO: Mr. Chair, members of the Commission, I believe the grant that is awarded to pay for the vehicle expires at the end of September. It was an award made by DPS just recently. We received the amendment this last week. So apparently that it's money that they had available, made available just for this purpose.

CHAIRMAN CAMPOS: And if we don't spend it by the end of September we lose it.

MS. LUCERO: Correct.

CHAIRMAN CAMPOS: Okay. So you think we have to act on this today.

MS. LUCERO: Mr. Chair, I think we could certainly bring this back at the first meeting of September and that would allow us at least to review this and make sure that we do a good faith review of whether or not it meets sole source procurement issues.

CHAIRMAN CAMPOS: I agree with Commissioner Sullivan. I think it would have to be documented clearly to meet state statute. If you do that it avoids a lot of these questions. What do you want to do?

COMMISSIONER MONTOYA: Mr. Chair, move to table.

CHAIRMAN CAMPOS: Move to table until the first meeting in September?

COMMISSIONER MONTOYA: Yes, sir.

COMMISSIONER SULLIVAN: Second.

**The motion to table item XI. CC. passed by unanimous [4-0] voice vote.
[Commissioner Duran was not present for this action.]**

XI. HH. Request Authorization to Approve an Amendment from the New Mexico Department of Transportation Increasing Agreement #01-AL-64-1091 by an Additional \$50,000. The Additional Funding Will be Used for the Purchase of a Mobile DWI Unit (Vehicle, BAT Mobile) (Finance Department)

MR. ROSS: Mr. Chair, I believe that's the grant for the item we just discussed.

CHAIRMAN CAMPOS: Is that the grant?

MR. ROSS: Yes.

CHAIRMAN CAMPOS: Shall we table both until the next meeting?

COMMISSIONER ANAYA: Can we move this one?

CHAIRMAN CAMPOS: Is that okay?

MR. ROSS: Well, you can accept the grant and sign the grant agreement without making a decision on the vehicle.

CHAIRMAN CAMPOS: You want to do that? Accept the grant? Okay, let's do that.

COMMISSIONER SULLIVAN: The vehicle is more than the grant so obviously we're paying for some of it ourselves.

DEPUTY MADRID: The remainder of the money is coming from the DWI impact fees. The thousand -

COMMISSIONER SULLIVAN: So move for approval of item HH.

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Discussion?

The motion to approve item XI. HH passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

XII. Staff and Elected Officials' Items

A. Board of Finance

1. Request Consideration of Resolution No. 2004-107, Amending to Santa Fe County's Investment Policy

MR. ROSS: Mr. Chair, if I can we haven't had a Board of Finance meeting in quite some time. I would suggest that we have a motion to go into the Board of Finance.

CHAIRMAN CAMPOS: Can we under the state of the agenda?

MR. ROSS: Sure.

COMMISSIONER MONTOYA: Mr. Chair, I'd move we go into session as the Board of Finance.

CHAIRMAN CAMPOS: Second.

The motion to go into session as the Board of Finance passed by unanimous [4-0] voice vote. [Commissioner Duran was not present for this action.]

CHAIRMAN CAMPOS: Okay, we're the Board of Finance for the first time in many years.

COMMISSIONER MONTOYA: Since I've been on the Commission.

CHAIRMAN CAMPOS: Since I've been too.

COMMISSIONER MONTOYA: Oh, really.

COMMISSIONER SULLIVAN: I don't know what to say.

PHILLIP TRUJILLO (County Treasurer): Chairman Campos, members of the Board of County Commission, we're excited about bringing this new investment policy to you for approval for a number of reasons. I think one was just I hadn't planned on bringing this up but you somewhat did in your opening comments and that is the fact that through the investment venue, investment policy we want to strengthen the involvement of the Board of County Commissioners as the Board of Finance, and that was going to be my third point but you kind of not knowingly beat me to the punch here.

The first thing I want to bring to your attention is that we have an investment policy and have had for some time. But we feel that it needs to be revisited. It needs to be revised. The reason that we wanted to do this grew from our desire to increase the interest income that's currently earned on County funds. That's one of the – that's right out of the memorandum to you people. We are very discouraged with today's market as many of you may be in you own private affairs. Our money, for the most part is with the Local Government Investment Pool. We refer to it as the LGIP over at the State Treasurer's office, Mr. Robert Vigil, our State Treasurer there. We have participated with the Local Government Investment Pool for probably about ten years or maybe better.

We never were concerned in previous years because we were making good investments. Or a good yield on our investments, I should say. Now, as our money sits there with the Local Government Investment Pool in today's depressed market we are earning slightly over one percent and we're very, very fortunate if it ever pushes two percent.

Secondly, our old policy reflects the status of Santa Fe County in prior years as a Class B County and now that we are a Class A County there are a number of allowances that are allowed to Class A counties such as Santa Fe, Dona Ana and San Juan, Bernalillo County, that are Class A. Gives us certainly more flexibility to do more with our money than we could have done when we were a Class B County. As a matter of fact, let me tell you that the work that has been done on this new investment policy, thanks to our legal counsel, contains a lot of research and it's pretty much right out of the state statutes. We did not use any of our own discretion by any means to write in any of the policy. These are policies that are now allowed and are used as a matter of fact by the Department of Finance and Administration and the State Treasurer themselves.

So anything that is included now in the investment policy, again, let me repeat is

statutorily allowed. And the other item that I was going to mention which I did to some extent is that in the new investment policy it creates a new relationship with the County Treasurer, the investment committee and the County Commission as the Board of Finance. We want to report to you more frequently, periodically. We want to assure that any time that we are considering an investment that it's something that would come to you people and the investment would be done by the County Treasurer in concurrence with the Board of Finance.

I know that you have received in your packets the new policy as well as a summary and I'm sure that you are full of question and for that reason, our new deputy treasurer, Mr. Montoya, and our County Attorney, who spent so much time on this, Greg Shaffer, and Mr. Ross, who also participated in putting this plan together are anxious to answer any questions you might have at this time.

CHAIRMAN CAMPOS: I have a couple of questions. I have a question about the role of the treasurer and the relationship to the County Commission. If the treasurer recommends something and the Commission wants to do something else, what happens?

MR. TRUJILLO: It doesn't get done.

CHAIRMAN CAMPOS: Is that by statute?

MR. TRUJILLO: Well, we would have to – I'll defer to our legal counsel here but I would say as in my opening remarks, that we would have to work things out.

CHAIRMAN CAMPOS: Could I get some legal counsel on that issue?

GREG SHAFFER (Assistant County Attorney): Mr. Chair, members of the Commission, the pertinent statutory language talks about the County Treasurer doing things with the advice and consent of the County Board of Finance. I'm aware of only one court of appeals case that has interpreted that language and the interpretation given that language as was as the County Treasurer has indicated that there has to be agreement. That is that it's a joint power-sharing relationship and neither party can dictate to the other how things should go.

CHAIRMAN CAMPOS: Okay. That's what I thought was being said. I'm concerned about that because I think the Treasurer should have simply a ministerial role and the BCC, because it's County money, should have the ultimate say. So either we need some legislative changes to see if we could codify that. But I'm concerned about that, that we have to have total agreement before we can invest County monies.

COMMISSIONER MONTOYA: Mr. Chair, on that point.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: That was my understanding as well, is that statutorily, the Board of County Commissioners is the one that has the ultimate oversight as the Board of Finance over any investment policies or investments that the County makes as a whole. So I don't know. That was my interpretation on reading it what statutorily the BCC as the Board of Finance has in terms of their responsibility.

MR. TRUJILLO: Chairman Campos, Commissioner Montoya, I think here what we need to do is let us not mistake certainly the authority of the Board of County Commissioners, to "spend" the County's money. When it comes to any kind of financial action, the treasurer would never be involved. These are strictly actions that would be taken in

an investment. For example if I came to you with a proposition of a certain bank that was giving us a certain investment and I would bring that to you, we would need to agree and concur that that is a wise investment. On the other hand, if the opportunity yielded, let's say, \$300,000 in interest, and that would end up in the general fund of the County, the treasurer would never get involved in how you were to spend that. That would be entirely a matter that would be before the County Commission.

CHAIRMAN CAMPOS: I think we understand that that's the deal. It's about investments. And I'm still of the same opinion as far as investments are concerned. I think if that's the way the law is being construed, if that's the way our County Attorney is reading it, I think we need to change the law unless there's room for interpretation. Are there any other questions?

COMMISSIONER ANAYA: Mr. Chair, I guess I'm not following, but we're talking about changing the investment policy so that the treasurer and the Commissioners together can look at better investing the County's money, correct?

MR. TRUJILLO: That is correct, Commissioner.

COMMISSIONER ANAYA: And what I'm hearing now, what I'm hearing from the chairman is that he would just like the Commissioners to be the investment, to invest our money and not allow you, correct?

CHAIRMAN CAMPOS: No. They would be advisors but we would be the final decision makers.

COMMISSIONER ANAYA: And Mr. Trujillo, you're not agreeing to that?

MR. TRUJILLO: Chairman Campos, Commissioner Anaya, Commissioner Campos, I hope you don't look at the elected role of the County Treasurer as being an advisor.

CHAIRMAN CAMPOS: I see it as ministerial more than anything.

MR. TRUJILLO: This office is the office of the treasurer and historically and for years has been the individual that invests the County's money.

CHAIRMAN CAMPOS: We should have been having these meetings for a long time.

MR. TRUJILLO: Well, what is in the past is in the past.

CHAIRMAN CAMPOS: True.

MR. TRUJILLO: At this point we have to look ahead. And if it means that the County Treasurer will come up with recommendations only to be approved by the Board of County Commission as far as investments, then I think you have a long row to hoe because you will have to change legislation.

CHAIRMAN CAMPOS: That's what I'm suggesting.

MR. TRUJILLO: And you will have to change the policy that is currently being done by counties all across the state.

CHAIRMAN CAMPOS: I did specifically suggest a policy change. I'm not trying to step on your toes. If that's the way the law is written I don't like the way it's written.

MR. TRUJILLO: The law is not written -

CHAIRMAN CAMPOS: I don't think we need to have an argument about it but that's my feeling.

MR. TRUJILLO: It calls for concurrence at this point. Right, it would need certainly legislative change.

CHAIRMAN CAMPOS: Commissioner Anaya, are you finished?

COMMISSIONER ANAYA: Mr. Chair, I think that – and I know that we can work together with the treasurers to invest our money and I don't have a problem with it.

COMMISSIONER DURAN: I don't either.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Let me just read something in here and this may settle what we're arguing about here. On page 6 of the policy that we're being asked to approve.

CHAIRMAN CAMPOS: Of the resolution?

COMMISSIONER SULLIVAN: This is a resolution establishing Santa Fe County's investment policy. Go to page 6 at the bottom. The last paragraph and it may solve anyone's concern. It cites NMSA 78 and a number of paragraphs and then it goes on to say the treasurer is prohibited from investing County funds in any other security, bond or other investment product unless the County Board of Finance authorizes such investment in advance.

Now, the ones that are permitted to be investments are the ones listed above, which are the Local Government Investment Pool, interest-bearing accounts, CDs, bonds and notes and other debt securities that are backed by the full faith and credit of the United States and are rated at least AA or AAA by Moody's. So if we're comfortable with that delegation of authority in that resolution that may solve what your concerns are.

CHAIRMAN CAMPOS: Well, if that statute says something slightly different does that resolve that the statute would certainly overrule an ordinance.

COMMISSIONER MONTOYA: Or a resolution.

CHAIRMAN CAMPOS: Or a resolution. So it's really a statutory problem.

COMMISSIONER SULLIVAN: Well, I just point that out for your information. The other question I had for Mr. Trujillo. Phil, and thanks for discussing this with me ahead of time because he had the courtesy to call and point out some key issues in this to me, one of which was the collateralization levels and the question I had on that, Phil, after I read it several times to try to figure out what collateralization meant, I'm on page 2 now of the resolution. Is it the resolution? It's the memorandum.

CHAIRMAN CAMPOS: Staff memo? Page 2?

COMMISSIONER SULLIVAN: Page 2 in the middle there where it says collateral levels are set at 50, 75, 100 and 120 percent. And as you explained it to me, Phil, we are currently, or we have been required to maintain 100 percent collateralization level on any security or any investment that we make, which I guess means that when we go out to purchase an interest bearing note or something, they have to set up stock collateral that would guarantee the failure of that note should it happen. Of course that drives the interest rate down.

So this allows you to invest in securities that have as low as a 50 percent

collateralization rate. Is that correct?

MR. TRUJILLO: Chairman Campos, Commissioner Sullivan, that is correct. But again, we have to keep in mind here that that would be a rare exception and it would be done only after completely evaluating the strength of the bank or the financial institution. The banking industry by law has to, I believe it's on a quarterly basis, has to submit to the New Mexico Banking Regulation Commission certain reports, call reports I believe they call these. And that states to the Commission what the strength of the bank is. There have been opportunities in the past where financial institutions have come to us and want to give us a good investment opportunity but because we have required complete, 100 percent collateralization of the investment, they cannot afford to do that. So if this was an institution that had an excellent rating, they were approved by the state, we could reduce it, not necessarily to 50 percent but anywhere from 100 down to 50 percent to be able to take advantage of a good investment.

COMMISSIONER SULLIVAN: Okay, what I was getting at then is it said in the resolution, you say the practice of the State Board of Finance and the State Investment Council, the collateralization levels are set at 50, 75, 100 and 120, I guess that's kind of a risky bunch, depending upon the financial strength of the institution. Investment policy IV.R and X.E. Now, does this banking group set those collateral levels or is there some rating system? Or would you rely on the Board of Finance? How would you decide what level of collateral would be appropriate?

MR. TRUJILLO: Chairman Campos, Commissioner Sullivan, I believe it's the State Regulation Commission that sets those levels. We would look at those levels and the strength of the bank. The bank would have a rating. And that rating would fall into one of those categories.

COMMISSIONER SULLIVAN: Okay. So you could – and this is what the State Board of Finance does. They go to the Regulation Commission – and I'm asking a question, not telling you. They go to the State Board of Regulation and they say Bank X is offering us a good rate on \$10 million worth of CDs and then they would send you back a report that said, Okay, they're a fairly good bank. Their collateralization rate is 75 percent. So that's a decision that's out of your hands. Is that the way I'm reading it?

MR. TRUJILLO: Chairman Campos, Commissioner Sullivan, that is correct. Yes. We would not determine where they fall into this. As a matter of fact, I suspect that the bank, in their proposal to us would actually tell us.

COMMISSIONER SULLIVAN: They'd tell you ahead of time.

MR. TRUJILLO: Ahead of time. And we would of course verify that. We'd validate that that in fact is their place in the collateralization schedule.

MR. ROSS: Mr. Chair, Commissioner Sullivan, the classification system of the banks is in the policy itself, starting on page 3. It does parrot that, that the state uses but it's actually set forth right in this policy. I think what Mr. Trujillo is talking about is that because this classification system follows that used at the state that it will be a simple process to evaluate a particular bank and classify it.

COMMISSIONER SULLIVAN: And that's done by the Regulation

Commission?

MR. SHAFFER: Mr. Chair, Commissioner Sullivan, in fact it is done by different agencies, depending upon which funds you are considering. Specifically, the State Investment Council has promulgated regulations that we are following with regard to severance tax permanent funds and the State Board of Finance has promulgated similar regulations which are comparable to the State Investment Council with regard to deposits made by the State Treasurer with banks.

COMMISSIONER SULLIVAN: So then in these four classes that you have here, A, B, C, and D, what are their respective collateralizations?

MR. SHAFFER: The respective collateralization levels are set forth, if you'll give me one moment -

COMMISSIONER SULLIVAN: A, B, C, and D is defined as ratios of primary capital to asset and things like that. And then is there a place in here that I didn't see where if you're in A, B, or C you have a certain percentage that you have to collateralize.

MR. SHAFFER: That is set forth in section X E. and that is found on page 13 of the investment policy. And just to clarify so that everyone is on the same page, what that section does is based upon the risk classification, it sets a floor on the collateral level that is the minimum level and the County Treasurer would have discretion to increase it above that floor but they could never in any instance go below that floor.

COMMISSIONER SULLIVAN: It says that the County Board of Finance is responsible for determining amounts of the collateral but the County Board of Finance hereby delegates to the treasurer the authority to establish the required collateral levels for each depository financial institution. So the treasurer then goes through and, depending on these criteria, determines if they're a class A, B, C, or D, which would required between 50 and 120 percent. And then I assume the treasurer would look to these other documents, these other ratings that other entities had done to make that determination so it rests ultimately on the treasurer. Is that your understanding?

MR. SHAFFER: That would be the intent of the policy. But again, the idea was to set something up that we could take some comfort level in based upon the activities of the State Investment Council and State Board of Finance and that the Board, if it was comfortable with those decisions, would set those floors as is the case in this investment policy.

COMMISSIONER SULLIVAN: Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Any other questions? I have a question about - any other questions from anybody else?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: I just wanted to first of all say that in a time where the County is stretched for money I want to thank Mr. Trujillo and Mr. Montoya and you all for coming forward with new ideas or better ideas to invest our money. We could be making more money and for the first time, we come as Board of Finance since I've been County Commission. And I think that I want to commend you guys in trying to invest our

money and I don't appreciate us up here trying to not include our elected treasurer, elected official. We want to work together with you Mr. Trujillo and move forward and I just want to commend you all for the work that you're doing to try to bring more money to the County. Thank you.

CHAIRMAN CAMPOS: I have a question. On collateral levels, what other counties or municipalities in New Mexico are going below the 100 percent or have approved a similar policy like you're presenting today?

MR. TRUJILLO: Chairman Campos, I believe that all of the Class A counties at this point are using this same type of rating. San Juan, I know for sure is doing it. Dona Ana

CHAIRMAN CAMPOS: You're sure they're doing it? Or you think they might be?

MR. TRUJILLO: No, I know San Juan is. And David Gutierrez the County Treasurer in Dona Ana has also - as a matter of fact, he wanted to use our investment policy as a model so that they could also come up with a similar -

CHAIRMAN CAMPOS: So, they're thinking of doing this.

MR. TRUJILLO: No, actually, they've done this. They just don't have their investment policy quite as well documented. But they are using the rating schedule on the banks.

CHAIRMAN CAMPOS: Now, as far as your investments in banks, it would seem to me that it would be wise to invest in local banks as opposed to the national bank. Could we require that by policy? Go ahead and then maybe we could get a legal response.

MR. TRUJILLO: Chairman Campos, members of the Commission, this is what is referred to as the pro rata share. And the legislation, as it has been for many years, dictates to counties that we give local banks a share, a prorated share of county money. In the past let me tell you that most of the local banks have not, and openly, they just flat told us they do not want our money, and again, it's because they couldn't collateralize. They couldn't meet that 100 percent collateral. So this would give us an opportunity to work with local banks. Again, making sure of the strength of the bank. I know that Wells Fargo, Bank of America and our fiscal agent bank, which is First State Bank, certainly meet the high rating. I don't know about the other banks.

CHAIRMAN CAMPOS: Wells Fargo is clearly not a local bank. We have some local banks. When I'm talking about local banks I'm not talking about Wells Fargo Bank. Question for legal. Looking at page 7, item VIII. A, statement of policy, it says the County's is to equitably distribute to interest-bearing deposits among interested and qualified financial institutions who have their main office or manned branch office within Santa Fe County. So I assume that because Wells Fargo has a manned branch office here they can do business with us. Is that right?

MR. SHAFFER: Mr. Chair, that is correct and that comes from the state statute in question that talks about what financial institutions must be given the opportunity to get an equitable share of the County's interest-bearing non-checking deposits, and that requirement

comes straight from the state statute that they either have their main office or manned branch here within the county.

CHAIRMAN CAMPOS: So then we do not have the authority to really prefer local banks who are truly local in ownership and activity, we don't have that authority by state law.

MR. SHAFFER: That is my interpretation of the statute in question.

CHAIRMAN CAMPOS: Okay. Do you think, Mr. Trujillo, that we need any expert consultants to aid you in making these decisions required by this policy?

MR. TRUJILLO: Chairman Campos, members of the Commission, truly, no. I really don't. Let me also say though that I would welcome, I would welcome any expert banker, broker type of financial adviser. I would not want to see the County pay out money, or at least not a great deal of money to have someone come in to review what I believe our legal staff has truly researched and spent a lot of time and energy on, considering that it comes right out of the statutes. If there was some question, if it was perhaps an option or an idea that deputy treasurer Mr. Montoya and I perhaps had sat down and thought over I would say surely it would need further review or an expert, so-called expert maybe to come in and see that. But I would not advocate for that, Commissioner, at this point. No, sir.

CHAIRMAN CAMPOS: Okay, any other questions. Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, I just want to thank Mr. Trujillo, Phillip, for putting this together because I think just as this Board acts as the Board of Elections, we are acting also as the Board of Finance and it did concern me that part of the oath of office that I took was to fulfill the responsibilities that I have as a Commissioner that I have not fulfilled this part and this brings it I think to full circle in terms of the holistic responsibilities that I have as a County Commissioner and I thank you for bringing this forward. And Mr. Chair, with that, I would move for approval of this.

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: Okay, any discussion?

The motion to approve Resolution 2004-107 passed by unanimous [5-0] voice vote.

MR. TRUJILLO: Chairman Campos, may I be afforded a last comment? I'll make it brief.

CHAIRMAN CAMPOS: Sure.

MR. TRUJILLO: Commissioners, I believe what prompted Mr. Montoya and I to do this was not only the fact that as we talked earlier that the Investment Committee had been very remiss in meeting and particularly in reporting to the Board of County Commission and the Board of Finance, that certainly prompted us to do this, but also because I know of departments, for example, the Sheriff's Department who could certainly use additional monies at this point. Other departments who are trying to curtail their budgets, our County Manager, our Finance Director, trying to make ends meet on the budget, and here we are with 50+ million dollars over at the state pool drawing a very mediocre one-plus percent. And we surely

feel that we can do better for the County. So we would be remiss had we not moved on this. So thank you for the opportunity and we look forward to meeting with the five of you or your designee as the Board of Finance. Thank you.

CHAIRMAN CAMPOS: Okay. Thank you. Do we have to do anything on this? Do we have to appoint anybody? Either the chairman or a designee, right?

MR. ROSS: That's correct. And the County Manager, his designee, myself or a designee.

CHAIRMAN CAMPOS: How do you designate? Do you just write a letter?

MR. ROSS: I would think writing a letter.

CHAIRMAN CAMPOS: Okay. So we don't have to do that today? Okay.

XII. A. 2. Review of Current Investments

CHAIRMAN CAMPOS: Are there any packet materials on this one? Mr. Trujillo, do you have any packet materials for a review -

MR. TRUJILLO: Chairman Campos, members of the Commission, no, no. We were so involved in the presentation of the resolution that we merely wanted in report to you, in verbal report and I think we've pretty much done that, expressed to you where our money is now, what our current investments are now, and for the most part, with the exception of a few hundred thousand dollar CDs with some of the local institutions, it's all sitting at the Local Government Investment Pool.

CHAIRMAN CAMPOS: That's the state of our investments?

MR. TRUJILLO: That's the state of the investments.

CHAIRMAN CAMPOS: Okay. Thank you.

COMMISSIONER SULLIVAN: Mr. Trujillo, you're not going to follow the City of San Jose, California as an example in these investments, are you?

MR. TRUJILLO: No, sir.

COMMISSIONER SULLIVAN: Okay. The City of San Jose, California, some years ago essentially went bankrupt.

CHAIRMAN CAMPOS: Orange County.

MR. TRUJILLO: We all took a lesson on that.

[The Commission recessed from 3:25 to 3:40.]

CHAIRMAN CAMPOS: Is there a motion to come out of session as the Board of Finance and back into regular session as the BCC?

COMMISSIONER SULLIVAN: So moved.

COMMISSIONER MONTROYA: Second.

The motion to reconvene as the Board of County Commissioners passed by

unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]

XII. C. Finance Department

1. Request Review and Direction for County Bonding Strategy

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Is that what I had again recommended some time back, or not only me but discussed in terms of having a planning meeting, planning session for this?

CHAIRMAN CAMPOS: I think we discussed that it should be a special meeting. I don't know what happened. A lot of issues got tagged onto this agenda. I think the argument is that there's an election in November and that we have to hurry and make a decision today.

COMMISSIONER MONTOYA: For the record, I cannot make a decision today on this. And won't.

CHAIRMAN CAMPOS: It's very difficult to do.

COMMISSIONER MONTOYA: Exactly.

CHAIRMAN CAMPOS: Okay.

MS. LUCERO: Mr. Chair, members of the Board, what we'd like to introduce to you today is a summary of information regarding capital projects, the potential financing of those through appropriate sources and if possible, your direction on the movement forward, or not, as to how you feel regarding these projects.

Earlier today you received a presentation from Research and Polling regarding a questionnaire that went to 500 registered voters through a telephone survey indicating different levels of voter approval or support on specific priority items. The County is in need of improving and constructing County roads, related public works projects, improving or constructing water production, diversion and treatment projects. We also are in need of construction of fire stations and we are considering a consolidated County administrative and judicial complex.

In December we initially reviewed the possibility of a road bond, looking at the needs there based on an engineering study that was conducted last year. During an administrative meeting in May the Board requested staff to pursue enabling of this road project as well as other capital projects.

During the month of June we did contract with Research and Polling to conduct a survey and just quickly recapping the responses, the support for specifically a \$24 million water bond measure received 70 percent support. Support for a \$20 million road and related public works project bond measure received 69 percent support. A \$49 million consolidated admin and judicial building received 34 percent support. And a \$1.5 million firefighting bond measure received 82 percent support.

Since completion of the poll the figures with respect to the water projects have increased to \$51 million to include revised cost estimates relayed to Finance from the Utilities Department regarding surface water diversion development. Since the majority of support does exist for water, road and related public works and firefighting building projects for all voters within Santa Fe County, whether they're residents within or outside the city limits, based on these results the most appropriate matching of this capital project to a form of financing would be to consider a general obligation bond issue for water, road and firefighting building projects. Since a minority of support exists for the consolidated administrative and judicial complex, the more appropriate form of financing this project would be to pursue a revenue bond.

Based on this year's valuation assessment of properties, the County currently has \$122 million of general obligation bonding capacity available. If the County were to consider the following projects through increases in property taxes, the cost to the taxpayer would be estimated as follows, assuming that the average taxpayer has an appraised property value of \$300,000, since the median price of a home in Santa Fe County this past year was \$324,000. So to summarize the different potential GO or general obligation bond measures, a water project bond in the issue size of \$51 million would cost the average taxpayer \$48 per year. A road and related public works project bond in the issue size of \$20 million, would cost the average taxpayer \$37 per year. Firefighting building projects in the issue size of \$1.5 million would cost the average taxpayer less than a dollar per year.

Contingent upon voter approval of these bond issues the County would have approximately \$49.5 million of remaining general obligation bonding capacity. The water projects bond measure does take the largest portion of the available bonding capacity. To issue a general obligation bond versus a revenue bond for a project of this level is less expensive, is shared evenly by all taxpayers, and has the majority support of the voting public. If the County were to initiate a water project bond issue and receive authorization from the voters, it would allow the County to jump-start a project perceived by all taxpayers as vital. The bond issue could also provide an avenue for cooperation between the County and the City on water service agreements and future water projects requiring further collaboration.

Based upon the likelihood that voters would not approve the construction of a consolidated administrative judicial facility, the more appropriate financing for this type of project would be a revenue bond. The annual debt service cost of a \$45 million revenue bond which is based upon the feasibility study and part of the presentation you received earlier, this cost would be approximately \$3.2 million a year over 25 years.

The consideration of possible revenue sources for this debt service would be the capital outlay gross receipts tax, if consideration of modifying the language contained within the County ordinance were considered. And possibly enact a general purpose one sixteenth increment which was approved by the state legislature this past year. Both of these revenue sources combined total \$4 million a year.

So the purpose of the information here is to offer you different funding mechanisms available to the County for consideration for any of these capital projects. Timing requirements do exist for potential projects funded by GO bonds and Board action would be required by

September 3rd in order for bond questions to be placed on the general election ballot. There are no specific timing requirements for a project funded by a revenue bond since that type of bond does not require voter approval.

So in conclusion I stand for any questions or offer any clarification of items.

CHAIRMAN CAMPOS: Questions? Comments? Commissioner Anaya, do you want to start?

COMMISSIONER ANAYA: Mr. Chair, so you're asking us to either go forward with the GO bond for water, roads, public works projects and firefighting building projects.

MS. LUCERO: Mr. Chair, Commissioner Anaya, what we're illustrating here is that general obligation bonds are best suited for those three types of projects. If those are projects that the Commission wants to consider then we do need to go forward in order to place them on the November general election ballot.

COMMISSIONER ANAYA: If we were to approve those three, then it would go up \$107? Is that what that is?

MS. LUCERO: Mr. Chair, Commissioner Anaya, about \$86 per year.

COMMISSIONER ANAYA: Eighty-six. That's all I have. I'd just like to hear what the Commission has to say.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chair, I sat through the staff presentation the other day of the bonding strategy and the capital improvements issues and I think they've been doing what we've asked them to do which is to provide these scenarios, to get them up front in time for the – at least get it to us to respond if we want, in time for the general election. I would, quite frankly, be in support of all of these bond issues. We need to partner on the Buckman direct diversion and other water projects and the best way and best opportunity we have in partnering is to have a checkbook at our hands that we can assist in the funding of these projects so we can create regional cooperation.

The road projects, when I first came on board almost four years ago, we have the Public Works Department do a comprehensive road evaluation study. We haven't done anything with that study. It's been sitting on the shelf, but the study told us what we need to at least get a start on our road program, which is pitiful to say the best for it. We rely on hand-outs from the legislature and we're thankful for that but we need to take some pro-active action ourselves.

Firefighting has the highest acceptance rate and of course that's due in no small part to all our volunteer firefighters and the fine staff we have such as Stan Holden and all of his folks who keep up to speed with that. That would pass in a minute at \$1.5 million. I could easily justify to my constituents \$48 a year to participate fully in solving our regional water problems. I don't think anyone would deny me that or at least maybe 20 percent would but 80 percent wouldn't, if we believe Mr. Sanderoff.

So that would be my input, Mr. Chair. I think that we – it is little hurried. I understand that. The other thing that I'd want to point out is authorizing these issues, if the voters approve

it, doesn't require us to issue the bonds. We only issue the bonds if we have a viable project and the Commission approves the project. If it's the Buckman direct diversion it's done at the conditions this Commission is agreeable to in terms of partnering with the City. So this is by no means an expenditure. This is an authorization to expend up to a certain amount. And I think it's a bold step, quite frankly to say that the studies are done and the time is come to either fish or cut bait. I enjoy fishing better than cutting the bait. It's really messy. So I'd like to move forward, Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chair, my suggestion would be in terms of direction that we have a study session on this and move forward on it within the next two to four weeks.

CHAIRMAN CAMPOS: What does that do to our time line, Ms. Lucero?
Apart from the November election?

MS. LUCERO: Mr. Chair, Commissioner Montoya, if you want to consider a general obligation bond, and the question would need to be placed on the November ballot we would need to make a decision by this Friday in order to meet those time lines.

CHAIRMAN CAMPOS: By this coming Friday.

MS. LUCERO: If that's the level and avenue of financing you want to consider for any project. Either that or you would have to consider a special election at a later time.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: I had requested this information again, some time back in terms of what is the time line that we're looking at. What is the urgency with which this Board is going to act, how are we going to act. And again, based on the information, if the rest of you all are ready to move forward that's fine with me. I just can't move forward at this point without really looking at some sort of strategy that is going to be something that I can defend to the constituents as Commissioner Sullivan has said he could with what we have before us here. Not at this short of a time line.

CHAIRMAN CAMPOS: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: I agree with Commissioner Sullivan. I think that it's time to move forward and I agree, especially when he said we need to have a checkbook. We need to have money in the bank in order for us to be leaders and effective leaders in dealing with water projects. And if we have this then we can move forward and possibly get other funding from the federal government and then possibly they would match this \$51 million and we could do wonders and move forward.

In terms of roads, that has been one of my main priorities as I come on to the Commission is trying to improve the roads in Santa Fe County and in my district and try to help the constituents in terms of better roads and the roads, it's not only for constituents but it's for firefighters, it's for public safety, the Sheriff's Department. If we have better roads our vehicles last longer. So I don't have a problem with moving forward on that.

In terms of firefighting building and building projects, those are needed in the

community. As they stated in the survey it is important to have the appropriate firefighting equipment. So I think that it's time for us to move forward on this and we can get some things done and taken care of in Santa Fe County. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Thank you, sir. Ms. Lucero, under water projects you have the sum \$51 million. Can you tell me again how you came up with that number?

MS. LUCERO: Yes, sir, Mr. Chair. The way that was devised, I met with Diane Quarles of the Utility Department and the County is contemplating and reviewing the Buckman diversion project. A potential low cost estimate of \$100 million and a potential high cost estimate of \$120 million. And we are pursuing federal funding. We are assuming in this case potentially to get federal funding.

CHAIRMAN CAMPOS: They were also looking at maybe expanding the County water company. Would there be money, sufficient money for that?

MS. LUCERO: The ICIP summary that I reviewed in conjunction with Doug Sayre showed a total cost at that time of \$57 million of which -

CHAIRMAN CAMPOS: Total cost of what?

MS. LUCERO: For numerous water projects and wastewater treatment.

CHAIRMAN CAMPOS: And Buckman diversion also?

MS. LUCERO: And Buckman diversion was at \$34 million.

CHAIRMAN CAMPOS: Included in the \$57 million or excluded?

MS. LUCERO: Included. However, that Buckman diversion number seems to be increasing as we speak. So for example, right now in reviewing that initial summary of \$57 million, you could easily look at another \$17 million on top of that in order to cover everything. So you'd be looking at \$74 million. If you wanted to review it in terms of what I've seen in on the ICIP summary. Now, that includes - I need to qualify that. That includes projects countywide which can be funded with current capital outlay GRT that we already have received and generated. So we don't want to duplicate it too much. So that's the reason for the \$51 million.

CHAIRMAN CAMPOS: And you feel that the \$51 million is adequate. We could do more than \$51 for water and water projects.

MS. LUCERO: You could.

CHAIRMAN CAMPOS: And maybe less in road and Public Works. I don't know.

MS. LUCERO: I would say, regarding the road and Public Works that that's a very definite number, the \$20 million.

CHAIRMAN CAMPOS: Is that for the building, plus road projects that have been signed?

MS. LUCERO: Yes sir. The firefighting building is a very definite number. The water is somewhat of a moving target. This is a very large issue. It would be one of the largest the County has ever attempted to get authorized. So I guess you'd want to consider that all in the entire package. You could go higher to acquire that authorization and Commissioner Sullivan was discussing. That doesn't mean you'd have to sell or issue that maximum amount.

CHAIRMAN CAMPOS: How long would we have authority to issue, let's say the \$51 or the \$60 million water bond?

MS. LUCERO: Based upon bond counsel, two years.

CHAIRMAN CAMPOS: So we'd have two years to make that decision whether to issue or not. Okay, so we can't sit indefinitely. We have to have some things pretty well lined up. Okay, Commissioner Duran.

COMMISSIONER DURAN: So is the thought that we're going to go forward with this bond for the \$24 million and the \$20? I'm sorry, I wasn't hearing. Was that \$60 million, Commissioner Sullivan, that you were suggesting we go for?

COMMISSIONER SULLIVAN: No, I was just supporting the staff's recommendation which was to do the \$51 million for water, the \$20 million for roads, the \$1.5 million for fire building construction. And the staff recommendation was that the judicial complex and building, administrative building, would be better funded through revenue bonds.

COMMISSIONER DURAN: And did you – was that a motion that you made?

COMMISSIONER SULLIVAN: I didn't make a motion.

CHAIRMAN CAMPOS: It was just discussion. We were just going down the line discussing it.

COMMISSIONER DURAN: Because I agree with you. I think that that would be a good route to take.

CHAIRMAN CAMPOS: Let me just ask for discussion here. What do you think about the \$51? Is that enough for water? We have a two-year window. Are you satisfied that's enough?

COMMISSIONER SULLIVAN: Mr. Chair, it's enough to make a statement that we are now in the water business full time. I don't think it's enough to fund water projects. What we really need down the road. But I think we also need to be somewhat prudent in going to the voters to ask for something that's defensible and not a total blank check.

CHAIRMAN CAMPOS: You know the voters now are very conscious about water problems because of our water crisis and if you're going to ask for money, you should ask when there is a crisis.

COMMISSIONER SULLIVAN: That's a point well taken and–

COMMISSIONER DURAN: It's the time to do it.

COMMISSIONER SULLIVAN: I can't dispute that. I kind of like the \$48 if you want to be honest about it. I think the \$48 per year sounds like something I can afford.

CHAIRMAN CAMPOS: Mr. Sayre, you had a comment?

DOUG SAYRE (Deputy Utilities Director): Mr. Chair, Commissioners, I think we've tried to analyze this from a point of view that I think we'd have two funding sources available. And one would be the GRT. The other one would be this. And if – I guess I'm concerned that possibly we're looking at what the public would be anticipating would be the amount to taxes because that gets to be the bottom line. I think that the \$51 million is what we analyzed and that's what we considered fairly much the worst case scenario with the Buckman project. If we had to fund 50 percent of that project, and that is including I think City and

County portions, less what we've already got in state funds and federal funds. So I think this amount is probably a very reasonable amount based on having these two funding sources to go from.

CHAIRMAN CAMPOS: But there are some variables. Our discussion with Senator Domenici the other day was, Hey, you cannot really count on the federal government for everything. Two, why is the community, one of the wealthiest in the state, coming out and asking for federal money when you can raise it locally. So I think what the Senator was saying is that we as local government have to become more responsible in coming up with our own resources. So that's a factor. And we have other needs. We're considering major expansion of our water company at this point. So there are two things that we need as far as water projects. So that's just what I'm throwing in. Okay, who else?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: But instead of us going to the congressional delegation and asking for \$100 million, now we only have to go and ask for \$50 million. So we are, I think, doing our part in terms of – and then another thing we've got to consider is the \$48 in taxes. So that's all I have to say.

CHAIRMAN CAMPOS: Okay. Who else?

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Duran.

COMMISSIONER DURAN: I think that, Doug, you kind of confused the issue I think at least for me a little bit. The GRT money that we have already allocated. I'm sorry. We have already allocated GRT money for our portion of the Buckman diversion. In the event the City doesn't allow us to participate on a 50-50 basis. So this \$51 million is money that in my opinion or my assessment of the situation is going to go to new water projects, not to the diversion project. I think to assume that the City is going to allow us to pay half of the Buckman diversion so it basically means we're going to be a 50 percent owner in it is – that's never going to happen.

So did I hear you correctly state that, so that what I said is correct. That we have GRT money allocated for the Buckman diversion and this is new money for other water resource projects.

MR. SAYRE: Mr. Chair, Commissioner Duran, what I was alluding to is one, we have not allocated any amount of the GRT funds except for I think \$1.516 million to the Buckman wells. We can allocate some of the GRT funding, the County portion if we care to, but there's also the regional aspect that I thought was being allocated to the Buckman project from the GRT funds. Now, what we analyzed on the GO bonds is if we're asked to fund, and I'm saying we, the City and the County, 50 percent of this project, then this GO bond issue, because it comes from the City, and also from the County, that it would be basically one joint entity GO bond issue to cover the Buckman direct diversion project. The costs that are not going to be covered by whatever other funding we get.

COMMISSIONER DURAN: Well, all the discussions I've been involved in

concerning the allocation of the GRT, was that the GRT that was set aside for water projects was going to go towards the bonding capacity to pay for our share of the Buckman diversion no matter what that amount was. If it was 35 percent or 50 percent. So my understanding is that this \$51 million is not tied into – in my understanding, I would prefer that if this \$51 million is new money available to us to develop our own system, independent of the diversion project. Susan, am I correct in assuming that we had had discussion about allocating the GRT towards our portion of the diversion project?

MS. LUCERO: Mr. Chair, Commissioner Duran, this is a whole different way of looking at it. This is a way of saying that in total, what the citizens want is water projects to include diversion projects to some degree. And that you have an ideal opportunity to go forward with something which is perceived as vital to the citizens as a whole, whether they are in the city or outside of the city doesn't seem to matter. And the poll indicates that.

COMMISSIONER DURAN: Right.

MS. LUCERO: So it gives you an opportunity to share that cost more evenly across everyone, even if, let's say in total 60 percent of what you would gain from a diversion project would serve the city. What I'm saying is it doesn't matter. I'm saying, Let that go and let's just pursue from the standpoint that we're all citizens of the county. We're all taxpayers. And the reason why is if you go through a GO issue for this kind of magnitude, this size of a bond, it's your cheapest route. It's your cheapest route. But meanwhile you have this GRT over here, which can be used for augmenting these projects or other related projects and so it kind of gets us off the dime of we have 50 percent of this, 50 percent of that. It just kind of wipes the slate clean. It gives you an opportunity to start fresh. Gives you a chance to jump start a major project quickly.

COMMISSIONER DURAN: So Susan, then we would have access – if this is approved by the voters we would have two checking accounts to deal with our water needs, the GRT and this \$51 million.

MS. LUCERO: That is exactly true.

COMMISSIONER DURAN: Okay. Thank you.

CHAIRMAN CAMPOS: Okay, question for Ms. Lucero. Do we put these votes out separately or conjunctively? Put water, everything up or down, or do we do them separately? Do you have a recommendation? Do they have to be separate or can we join them?

MS. LUCERO: Let me refer you to our bond counsel, Peter Franklin.

PETER FRANKLIN: Mr. Chair and Commissioners, the questions legally should be done as separate questions, authorizing each individual separate purpose for which the bonds are going to be issued.

CHAIRMAN CAMPOS: Why?

MR. FRANKLIN: The constitution says so. It's a legal requirement. It's to avoid what's called log-rolling, which is to put a number of projects into the same question, forcing the voters to vote yea or nay on all of them.

CHAIRMAN CAMPOS: Okay.

COMMISSIONER DURAN: Makes sense to me.

CHAIRMAN CAMPOS: Makes sense if it's constitutional, right? Any other discussion? Okay. Is the Board ready to move on this item? Is there a motion?

COMMISSIONER SULLIVAN: Mr. Chair, I would start - we have a resolution draft in the packet that has all four of the issues there and as I mentioned before, my personal preference is that we deal with the judicial complex and the administration building with revenue bonds. Perhaps with that one-sixteenth that we haven't yet allocated. But I would at least start with the water issue and move that the County issue up to \$51 million in general obligation bonds payable from general ad valorem taxes to acquire real property for and to construct, design, equip, rehabilitate, and improve water projects within the county.

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: So you're saying we should take out B.

COMMISSIONER SULLIVAN: We haven't got to B yet. I'm just putting C in as a motion right now.

COMMISSIONER DURAN: Second.

COMMISSIONER SULLIVAN: Because Mr. Franklin said do them one at a time.

CHAIRMAN CAMPOS: No, it has to be done one at a time when we go to the voters.

COMMISSIONER SULLIVAN: No, I think he said right now. Didn't you mean right now, as approval?

MR. ROSS: Mr. Chair, Commissioner Sullivan, I think what he meant is that each has to be presented as a separate question to the public, but we have prepared and in your packet is a resolution that essentially adopts all four questions and instructs that they all be put on the ballot. Now, we have worked with the County Clerk and we have an amended resolution which I can pass out to you. It doesn't differ in substance on the question. The questions are the same, but it does differ in some of the other particulars. And I'll just pass that out real quickly so we have that in front of you.

COMMISSIONER SULLIVAN: What are the differences?

MR. ROSS: The resolution was one that had some language that the County Clerk was concerned about that implied that perhaps there'd be a separate election occurring on the same day in November and that's not the case. The intent of the resolution is to put a question on the ballot in November and we've redrafted the resolution a bit, in fact in the last few hours to address her concerns. So I'll pass that out real quickly. It doesn't differ in substance from what you have in front of you.

COMMISSIONER SULLIVAN: Okay, then I'll amend my motion, Mr. Chair. And let me state this, I don't have a problem of putting the \$45 million one on if the Commission is absolutely keen on that idea. I think it's going to go down in flames and I don't know what that does for us. I think we need to be a little bit more adept at dealing with that issue. We don't have a site yet. We don't know if it's all going to be on one site. We heard some of the issues today. We heard that revenue bonds is a potential for funding that. We heard that there's only 10 or 15 percent support by the voters for generally administrative kinds of

buildings. So I think we're just courting disaster to put that on a bond issue, unless we just want to put something on so the voters can have an opportunity to vote no.

CHAIRMAN CAMPOS: I think the consequences are what are the consequences of a no vote, Ms. Lucero?

MS. LUCERO: Mr. Chair, Commissioner Sullivan, we can remove it entirely from the resolution. We put everything there not knowing whether or not this would go forward. So this could be removed. One thing to consider too is the impact potentially that question could have on your other questions because they're similar in dollar amounts.

CHAIRMAN CAMPOS: The question to you was -

COMMISSIONER SULLIVAN: You see, that bumps it up. If it's \$48 in property taxes -

CHAIRMAN CAMPOS: What are the negative consequences if this is defeated? If it gets a no vote? That was the question to you.

MS. LUCERO: The negative consequences of the consolidated complex being defeated?

CHAIRMAN CAMPOS: If item B is defeated, the \$45 million in general bonds to rehabilitate, blah, blah, blah, blah.

COMMISSIONER SULLIVAN: You can't bring it back for a year.

CHAIRMAN CAMPOS: What are the negative consequences? One year?

MR. FRANKLIN: Mr. Chair, Commissioners, you can't bring the question back to the voters for at least 12 months. That's the immediate legal consequence.

CHAIRMAN CAMPOS: Could we still go out for a revenue bond?

MR. FRANKLIN: Yes. As long as no GO bond -

CHAIRMAN CAMPOS: Because once the voter says no -

COMMISSIONER SULLIVAN: It's got a stigma.

CHAIRMAN CAMPOS: Are we bound by that or -

COMMISSIONER SULLIVAN: My concern, Mr. Chair, is when we go out to promote this to the voters, if we really don't think it's going to pass, we're saying to them, Well, here's another \$50 on your taxes so the total is now not \$86 it's \$136 a month and we didn't think it was going to pass in the first place because we paid a polling firm to tell us that. So I'd rather be more realistic and deal with that separately. It's not any less important and I want to be sure that Judge Hall and all of our judiciary understand that. But I don't think we're going to get it down through GO bonds. We're not going to get it done in November.

CHAIRMAN CAMPOS: I agree. So do we have a motion?

COMMISSIONER SULLIVAN: I could amend - well, I amend my motion and if we don't have to do each one individually to authorize an issue up to \$20 million in general obligation bonds for related, for payable from general ad valorem taxes to acquire, construct, design, equip and improve roads within the county and related public works facilities.

CHAIRMAN CAMPOS: As stated in the -

COMMISSIONER SULLIVAN: As stated in paragraph A.

CHAIRMAN CAMPOS: Why don't we just say A as stated?

COMMISSIONER SULLIVAN: Okay, I would then make a motion to approve the bond issues as stated in the resolution, paragraph A, C and D.

CHAIRMAN CAMPOS: And staff has recommended, Mr. Ross, another amendment, is that right? That you're going to circulate?

MR. ROSS: It's on your desk right now.

CHAIRMAN CAMPOS: It's on the desk. And what's the substance of that change?

MR. ROSS: The substance is just to rework some of the language to make it absolutely crystal clear that this is going to be a question on the general election.

CHAIRMAN CAMPOS: Okay. Commissioner Sullivan, is that language included in your motion?

COMMISSIONER SULLIVAN: Yes, it is.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER DURAN: Second for discussion.

CHAIRMAN CAMPOS: Okay, discussion.

COMMISSIONER DURAN: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER DURAN: I just want the Commission to realize that if we don't include -- and I'm not advocating for or against it at this point, because I understand why we want to hold off on it, but the problem with holding off on moving forward on an administrative or judicial facility is that the opportunities that are available to us today to consider as viable locations for these facilities probably won't be here in six months. There's a possibility they won't be here in six months. It's a real possibility. So my feeling is that I think that what we're going to end up doing is working the judicial facility at the existing site so perhaps that concern isn't as great as one might think. But things are going to change in six months.

CHAIRMAN CAMPOS: Okay. Question. Is this a public -- do we need a public hearing for this?

MR. ROSS: I don't believe so, Mr. Chair.

CHAIRMAN CAMPOS: Okay, we have a motion and a second. Any more discussion? Okay I think we're going to ask for a roll call on this.

The motion to approve the bond issues as stated in Resolution 108, paragraph A, C and D passed by majority 4-1 roll call vote, with Commissioner Montoya casting the nay vote.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: Again, if I could just explain my vote for the record. I believe that we need the projects that you've just approved. I'm opposed to the

process in which they were approved because, again, I don't feel, we're looking at these \$40 a year, \$37 a year. Pojoaque Valley Schools as we speak is having a bond election so I'm going to vote in favor of that election. I believe in our education process, so my taxes are going to go up as are probably some other people's in the Pojoaque Valley that may want to support the schools and not this particular bond issue. So again, I think without giving them the information that I just received 20 minutes ago may deter them from supporting these projects. I would hope not, but again, that's why I voted against this measure. Not because we don't need it but because of the process of not, as I feel, that we as a body need to be making decisions, informed and that's my reason for voting no. And I would hope that in the future we can have this information in a more timely manner where I would feel more comfortable in being able to justify to the constituents in the district that I represent why it is that we're doing what we're doing as well.

CHAIRMAN CAMPOS: Any other comments?

XII. D. 2. Request Authorization to Establish a 1.00 FTE Term Position in the Home for Good Program for a CRAFT Therapist

LINDA DUTCHER (CRAFT Director): Mr. Chair, Commissioners, as you know, the Home for Good program is entirely grant supported and its aim is to recidivism among the person incarcerated at our Santa Fe County adult detention facility. We would like to establish a 1.0 term FTE and fill it at this time at half time because we have funds for the half time but if we establish it at the full position then, should we get the grant which we are optimistically anticipating in October we'd be able to increase that.

CHAIRMAN CAMPOS: Any questions? Comments? Is there a motion?

COMMISSIONER ANAYA: Move for approval.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER MONTOYA: Second.

CHAIRMAN CAMPOS: Any discussion?

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

CHAIRMAN CAMPOS: Thank you, Ms. Dutcher. I know you've waited patiently all day.

XII. E. Project & Facilities Management Department

1. Recommendation to the Board of County Commissioners from the County Open Land and Trails Planning and Advisory Committee (COLTPAC) Regarding Acquisition of Proposed "Thornton Ranch Conservation Easement" for Inclusion in the County Open Space and Trails Property Inventory Under the Urgent Project Policy/\$400,000 (Resolution 2003-61)

PAUL OLAFSON (COLTPAC Director): Mr. Chair, Commissioners, before you today we have a request for a recommendation on an urgent project proposal. And it's an easement on the west basin preserve area, which is directly north of the County's existing Thornton Ranch open space property. That's 1400 acres. The project is being brought forward under urgency as the properties directly north and adjacent to the County's open space are currently being marketed and it was identified through COLTPAC that this would be an important property to acquire to consolidate our enhance our access and future programming opportunities within the Thornton Ranch property. [Exhibit 5]

The Thornton Ranch is 1400 acres as I said. It also contains Petroglyph Hill. There's about 1800 identified images on Petroglyph Hill alone, petroglyphs and other images, along with approximately 800 sites that have been identified within the Thornton property of archeological interest. And the main focus here is the property is for sale. The County through COLTPAC has determined it would be advantageous to purchase this property before it gets sold to a private individual. The proposal is coming through the Common Weal Conservancy which is a non-profit organization marketing the sites and the focus of the Common Weal Conservancy is to develop conservation oriented development that's low impact and appropriate to the land and the resources there.

As part of their project they are moving forward so they worked with us to discuss how we might better consolidate our access to this property. The proposal provides for easements across 168 acres of Common Weal's contracted property as well as an access/maintenance road and connections to trails north of the property on the Common Weal west basin property as well as future access or trail connections continuing north towards the Community College District.

That's the project in short and I just wanted to make sure we covered some of the – as part of COLTPAC's review of this project they wanted to attach some conditions as well and the first condition is on page 2 of the memo, is that the purchase price shall be 75 percent of the appraised value of the easement and not to exceed \$400,000. The project funding shall be 40 percent from the trails fund and 60 percent from the land acquisition funds. Common Weal will convey a maintenance road to Petroglyph Hill. The County will have the right to construct two parking lots, one large, suitable for equestrian use and one small for a hike or bike parking lot and trail heads, and trails within the easement area. And also a future visitors center.

Finally, the last condition is that Common Weal would convey a north-south trail

easement across the remainder of the Common Weal Thornton Ranch property. And this motion was made at the last COLTPAC meeting and Common Weal was not there. They were at a meeting out of town so they couldn't address it. They only have currently this - what they call the west basin preserve, and there's a map within the packet material as well under contract. And they have agreed to grant trail easements across what they have under contract at this moment. The rest of the remainder of the property, the total property is about 13,000 acres, is on a schedule of acquisition. So over a period of years, as the project develops out they will continue to purchase more land and have that opportunity. They'll continue to purchase more land and continue the conservation development and they would have access to more land and they would be willing, in this agreement, make a commitment to continue those trail connections as their project develops. But just practically, under the current conditions they don't have that access so they can't grant that.

All of the funds for this project would be paid through the open space bonds and the identification of 40 percent trails and 60 percent open fee acquisition, those are all within the bond monies.

CHAIRMAN CAMPOS: Is that existing bond money?

MR. OLAFSON: Correct.

CHAIRMAN CAMPOS: Or new money from the GRT?

MR. OLAFSON: This is all the existing bond money.

CHAIRMAN CAMPOS: Okay. Questions? Commissioner Duran.

COMMISSIONER DURAN: Is this property available for the community yet to go hike around? Because -

MR. OLAFSON: The Thornton Ranch property?

COMMISSIONER DURAN: Right.

MR. OLAFSON: No. Currently we have a contract negotiated to do a management plan for this. Because of the complexity of specifically the archeological sites but also some environmental issues we've gone out to contract on this and that's in the process of going through our County purchasing.

COMMISSIONER DURAN: Because we've owned it about four -

MR. OLAFSON: Two years.

COMMISSIONER DURAN: Was it two years?

MR. OLAFSON: The property was bought in two segments.

COMMISSIONER DURAN: Right.

MR. OLAFSON: One in 2001 I believe and one in 2002. And so now we're in the process of trying to get this up and we just had this summer a group of archeologists from George Mason University do a survey of the area pro bono or without cost to the County which was very advantageous because it's a tremendous undertaking. And that's how we have the initial counts of petroglyphs.

COMMISSIONER DURAN: When do you think it will be available for enjoyment?

MR. OLAFSON: Well, as soon as we can, and we feel, because it is such a

unique area and there are so many interlocking resources that it's better to get a really solid management plan and process in place before we start opening it.

COMMISSIONER DURAN: Six months? Within the year?

MR. OLAFSON: I'd say probably a year to have a management plan in place and then do the trails and other things, time on top of that, depending on how the management plan pans out. But we're getting there already with just this archeological survey. It's a huge step forward.

COMMISSIONER DURAN: Thank you, Paul.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Paul, on the map that's in our packet, not the one that you just handed out, but the one that has kind of blue hue to it, looks like this.

MR. OLAFSON: Okay. Yes.

COMMISSIONER SULLIVAN: My question is Thornton owns a lot of land out there, obviously, in that area, in that basin. The area that's shown in the yellow hatched, is that all Thornton eastern ranch?

MR. OLAFSON: Correct. Mr. Chair, Commissioner Sullivan, that is all, except for there's a blue square in the middle there. That's state.

COMMISSIONER SULLIVAN: That's state. Okay. And we've already - and the green hatched area is Thornton western ranch except the state section.

MR. OLAFSON: Correct.

COMMISSIONER SULLIVAN: And in that yellow hatched, where is the part that we have already purchased?

MR. OLAFSON: Mr. Chair, Commissioner, the red down at the bottom, next to the BLM, the red hatched is the area.

COMMISSIONER SULLIVAN: So the Thorntons have lots of open space there that they can sell or do what they want to there.

MR. OLAFSON: And if I might just add a quick comment. Part of Common Weal's process and project ambition is to preserve the vast majority of that land as open space. Currently it's private property and it's open but it's not dedicated to open space. So as they develop out, Common Weal develops out. Their plan is to I think, preserve approximately 12,000 of the 13,000 acres.

COMMISSIONER SULLIVAN: I recall seeing a lot of plans. What has Common Weal done? What have they developed? What has physically gone out on the ground since we bought this big piece two years ago?

MR. OLAFSON: Mr. Chair, Commissioner, what Common Weal has done is a) secure the contract on the property and the right to go and market it and develop it, and b) they've created lots and they are currently marketing - just if you look directly above the County's property, there's kind of a wedge shape if you use County Road 42 to cut off the bottom part of western ranch. They are marketing five lots on that area right now. And this area that we're discussing is a portion of one of the lots, one of those five lots. So what they've done is they've gone out and done their analysis and their studies and they've determined view

sheds and resources and the best siting and solar enhancement, etc. And now they are marketing these conservation lots.

COMMISSIONER SULLIVAN: What's a conservation lot? It's a place to build a house, right?

MR. OLAFSON: Yes.

COMMISSIONER SULLIVAN: A lot.

MR. OLAFSON: What they do is they sell a large lot and they identify homesites within the lot and the rest of the area that can't be developed.

COMMISSIONER SULLIVAN: That's what we do in the Community College District too.

MR. OLAFSON: Similar. Correct.

COMMISSIONER SULLIVAN: So there's nothing – okay. Is this piece needed to get access to our open space parcel from County Road 42?

MR. OLAFSON: Mr. Chair, Commissioner, if you look at the map I just handed out at the beginning, you see the white hatched area on top is the area we're looking at, the 168 acres. The black line is County 42. And you can see 42 does go through the eastern corner of our existing Thornton property but the access there, there is access but it's not very good as far as getting across the property to the west and going toward Petroglyph Hill. Also, it doesn't include the existing road for maintenance and development on Petroglyph Hill. Without this access, it requires the lay of the land because there's also a large arroyo running kind of east to southwest, from the east to the southwest, across that section on the east. It would require driving or walking around – walking you could go straight across to Petroglyph Hill but to take a vehicle, you'd have to go all the way around and it's quite a rough drive.

COMMISSIONER SULLIVAN: So you're talking about talking to the Petroglyph area but I'm talking about getting to the open space area that's outlined in blue that the County now owns. We can get off Route 42, can't we?

MR. OLAFSON: Currently, correct. We could.

COMMISSIONER SULLIVAN: We could build some parking lots, we could build a visitors center there, could we not?

MR. OLAFSON: We could. The sites are more limited and not as flexible.

COMMISSIONER SULLIVAN: Okay. This is, you've indicated, proposed acquisition, but this, we're acquiring a lease. We're not acquiring the land. Is that right?

MR. OLAFSON: Mr. Chair, Commissioner, we would be acquiring the easement on the land and that would be in perpetuity.

COMMISSIONER SULLIVAN: An easement.

MR. OLAFSON: So it's not a lease.

COMMISSIONER SULLIVAN: Is that an exclusive easement? Can the owners do other things on the land?

MR. OLAFSON: No.

COMMISSIONER SULLIVAN: They can't build anything.

MR. OLAFSON: No.

COMMISSIONER SULLIVAN: Can they drill for oil or gas?

MR. OLAFSON: We would arrange that. And also I should clarify, what we're asking for today is permission to proceed with negotiation and then get – we need your direction or your direction and approval that this is a good project, go ahead and pursue it. So we're asking for approval and recommendation to proceed with negotiations. And in negotiations we would definitely say no oil drilling and no gas, etc.

COMMISSIONER SULLIVAN: Okay. So primarily, this, according to your memo is for trails. Equestrian trails, I guess and I guess some pedestrian trails. Why would you not take all of this money out of the trails component?

MR. OLAFSON: Well, in the discussions the committee had it was determined that the 60-40 was a better split because an important aspect of it is the trails and the trail connections. Now only within the existing Thornton property but also the connections out of this property going northwest. But additionally it's creating trail heads, two parking areas and a site for a visitors center. And in the discussions at the committee level it was determined that although it has a huge enhancement for trails it also has a huge enhancement for the entire property and for future operations out there. And so that's how the 40-60 was determined.

COMMISSIONER SULLIVAN: And I assume that we, under the bond requirements, we can lease land. It's not just for acquiring? Has that been checked in to? And is the total bond between the two bonds, is that \$12 million?

MR. OLAFSON: The total was \$20 million. We had \$12 million and then \$8 million.

COMMISSIONER SULLIVAN: Twelve and eight is \$20 million. And we've spent how much on this property so far?

MR. OLAFSON: I believe, rounding off, about \$3.8 million.

COMMISSIONER SULLIVAN: Close to \$4 million.

MR. OLAFSON: Close. I'm looking it up right now. Actually \$4.1 million.

COMMISSIONER SULLIVAN: So we've spent 20 percent of our money on this property so far and of course we can't use it yet. I'm just wondering – there's lots of vacant land out there and I'm sure it has a lot of archeological value and many other values. But I just can't see that this is calling to me as a prime piece of land. Do we need this piece of land to connect our trail corridor? One of the things that the Planning Department discussed in depth was having this trail that would go all the way from Rancho Viejo down through Galisteo and I don't know where but just kind of a very long trail, I guess it was. This connectivity issue. Do we need this for that?

MR. OLAFSON: This would definitely become a hub on that trail network. For the entire County long trail system it's not a requirement. However, again, it's an enhancement, particularly if you start looking at future development out here with a visitors center, trail heads, parking lots. That's how this additional 168 acres enhances not only the existing Thornton property but that future trail network.

COMMISSIONER SULLIVAN: And the urgency, this is coming forward as an emergency procurement, requested by Common Weal is what you said. What's the urgency? I

read that it was that if we didn't lease this they would build things on it. And that's what the urgency was two years ago when we bought this other space. But nobody's built anything out there yet. So what's the urgency on this particular 168-acre parcel?

MR. OLAFSON: Mr. Chair, Commissioner, just a couple clarifications. The urgency directly is that the lots are being sold. The lots will not be developed or built on under the Common Weal conservation process so it's not that the land would be sold or that it would be built on. It's that the land would be inaccessible, potentially inaccessible. If a private owner had it, if they spent a million dollars on it they might not want to have public trails running across it or near their homes. Secondly, another aspect of it is the maintenance road, which is important for Petroglyph Hill. And finally, just to clarify, the Common Weal has agreed to participate in the purchase and I think the project was actually brought forward by a subcommittee of COLTPAC that was focusing on Thornton Ranch and getting management activities going up there. And recognizing that this area was very important for enhancing that access and future activities on the property.

COMMISSIONER SULLIVAN: So you feel with the \$400,000 limit, that \$2500 an acre is a reasonable price for an easement. We don't get the land. We don't get - do we get water rights.

MR. OLAFSON: None. I don't believe there are any associated with them. And we could negotiate that as well. It hasn't been discussed. I believe it's in the application. I'd have to review it. I think what they just cite is the State Engineer allowments of up to three acre-feet for a 72-12.

COMMISSIONER SULLIVAN: Okay. That's all the questions I had. Thank you, Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Commissioners, I had the opportunity to go out there a week ago with Mr. Rick Dotson and saddle up the horses and ride this beautiful country. Mr. Rick Dotson explained the reasons why we needed this particular piece of property for parking and to Petroglyph Hill which is a beautiful place and I would suggest the Commissioners go out and visit this place. We not only have the County open space land but we're abutting BLM property and also state property there. So it makes it a big, beautiful park. And I would like to see the Commission act favorable on this because we need a good place for possibly an information center or a visitors center so that we can put our parking and for equestrian or whatever it may be.

I'd like to see us move forward with it. I think it's time that if we do purchase this piece of property we need to move forward with opening the park. I think we need to start establishing our trails. I think we need to fix up the old sheepherder buildings that are onsite. I think we need to - we need to work with the Public Works Department. We plan on working on County Road 42. I know that's one of my high priorities, to fix that road up so that we can start putting gates or turn-outs or whatever you want to call it into that property. I know that Mr. Dotson and the group of people in COLTPAC have worked on the two windmills that are out there to get them working again. We rode and saw those which provides water for the game

that's out there. Very important.

And I think that after we do, if this Board does act favorably on it, that we need to look at the water rights make sure that we do get some water for the visitors center if we do move forward. But I think we need to concentrate on opening this park and not purchase things and leave them sitting. With that, Mr. Chair, thank you.

CHAIRMAN CAMPOS: Mr. Olafson, the 58.5 percent score, is that a good score, bad score, mediocre score?

MR. OLAFSON: It's approximately in the mid-range.

COMMISSIONER SULLIVAN: It's not really a high score.

MR. OLAFSON: It's not the highest but it's certainly not the lowest of projects that have been approved either.

COMMISSIONER SULLIVAN: Okay. My concerns are that COLTPAC divided in a big way on this, 5-4 as you told me. That's a huge division. Usually when these things come up in COLTPAC there is a lot of consensus. There's some really good members of COLTPAC who have very serious questions about going forward here. And that raises my concern. I don't think the score is high. I think there's a lot of money. And there may be other priorities in other parts of the county or other alternatives. The other members said, Hey, well, you could probably do the same thing for a lot less than paying \$400,000 for an easement. I wasn't there so I have to rely on a lot of information coming from COLTPAC but when it's divided 5-4 and we've got some really good people on there I'm concerned. So I want to make sure that everybody knows they didn't get a great score, and two, there's a major division.

So I'd like you to address alternatives and priorities and I guess you addressed the significance of the 60-40 to Commissioner Sullivan but in your discussion that's what I would like to hear. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would like to be clear on the vote. Was it 5-4, or was it not 5-4?

MR. OLAFSON: It was 5 to 4.

COMMISSIONER ANAYA: I see people in the back there nodding their heads.

MR. OLAFSON: I have the minutes right here and I just reviewed them. I believe it was either five or six to four. It is 6-4. That's correct.

COMMISSIONER ANAYA: And wasn't it, Mr. Chair, one more question. Some of the members that were absent that day were in favor or purchasing?

MR. OLAFSON: Mr. Chair, Commissioner, I have no way of knowing that.

COMMISSIONER ANAYA: They were just absent because they had to go on a trip for a while.

MR. OLAFSON: Yes. They just weren't able to make it.

COMMISSIONER ANAYA: That were in favor?

MR. OLAFSON: I don't know if they were or were not in favor. The same as here. If you're here, you vote and if you're not, you don't.

COMMISSIONER ANAYA: Thank you.

CHAIRMAN CAMPOS: It's still very divided. We usually have on projects on

this size a lot of consensus from COLTPAC and we have real clear recommendations. But a 6-4 vote concerns me. Any other – Commissioner Duran.

COMMISSIONER DURAN: Why can't we acquire, own the property, rather than purchase an easement?

MR. OLAFSON: The acquisition – this gets into a couple of questions that Commissioner Campos also brought up. The deal with Common Weal is that they, marketing-wise and financially, they can't do a smaller easement. That's why it came up to the \$400,000. And because they feel that they can't reasonably sell the property with just a trail or some other smaller easement across it, so they need to have the entire property. The reason we came up with this easement instead of a fee was because the easement would be much cheaper. And so that's why we went with the easement option versus the fee option.

COMMISSIONER DURAN: Much cheaper to who?

MR. OLAFSON: To the County, it's a lower cost to the County.

COMMISSIONER DURAN: There's people lined up to buy this property?

MR. OLAFSON: Mr. Chair, that I can't answer. So that was basically – and John Hesse is here from the Common Weal Conservancy if you'd like. He can answer that question more directly.

COMMISSIONER DURAN: My only concern is whether or not it merits the County acquiring it but more towards – we've purchased all the other land and we own it in fee-simple and I just think we should own it in fee-simple. I think the person that's going to be benefiting the most is the property owner, whoever is granting the conservation easement is taking advantage of some tax benefit and you're asking us to spend \$400,000 on it at \$2500 an acre, I think that's fair for that property. I don't think there's anyone else that's going to buy it. I think that it works well with the program that we've established out there, but I think we need to own it.

MR. OLAFSON: Mr. Chair, Commissioner, I think that's a well put comment and also it reiterates that this is a request for approval to go ahead with negotiations. We would of course do an appraisal and then also one of the requirements that would list out would be that the appraisal would be reduced for an easement. If the appraisal came in and is within the dollar figures for just fee I think we could also negotiate fee and that's something you could direct us to do. Direct staff to work on as this moves forward if it goes forward. I just thought I'd make that comment. We're not bound and locked to this dollar figure for this exact deal. We're asking for a ceiling that it shall be no more than \$400,000.

COMMISSIONER DURAN: Well, we've pretty much established value out there by paying \$3500, \$3600 an acre. So if they'll sell it to us for \$2500 I think that's – I think it should be a take it or leave it situation for them. I think that you'll find that they'll take the deal. I think it's a fair deal for everybody. I don't think they're lined up for blocks to buy this piece of property.

MR. OLAFSON: Okay.

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

CHAIRMAN CAMPOS: Other comments? Okay, did we want to have the

gentleman from Common Weal answer any questions for us.

COMMISSIONER DURAN: I think we should give them authorization to move forward and negotiate something and bring it forward for us to consider. I guess that's a motion.

CHAIRMAN CAMPOS: Your motion is then to approve acquisition, or to move forward with negotiations to acquire from Common Weal, etc. Page 2 at the very top. Is that the language you're referring to?

COMMISSIONER DURAN: Yes.

CHAIRMAN CAMPOS: An easement of approximately 168 acres of land located -

COMMISSIONER DURAN: Mr. Chair, just one thing. I'd like to change it to say easement or acquisition.

CHAIRMAN CAMPOS: And with the conditions one through five as stated on page 2.

COMMISSIONER DURAN: Yes.

CHAIRMAN CAMPOS: Is there a second to that?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Discussion?

COMMISSIONER SULLIVAN: Mr. Chair, I'd suggest the amendment that the money come from the trails thing. I'm looking at the map that they have in the packet and it shows an equestrian staging area and parking lot and it's all trails. And the rest of it is apparently just petroglyphs, which I'm sure they can't build houses on. I think they're getting rid of a substantially undevelopable piece of property and it's main benefit is for trails and we just have to evaluate is this the best use of our trails money and that seems to be what it's for by looking at the map correctly. That would be a suggestion for the maker.

COMMISSIONER DURAN: An amendment?

COMMISSIONER SULLIVAN: Yes.

COMMISSIONER DURAN: How about an amendment that would state, and with the decision to be made what the funding source would be.

CHAIRMAN CAMPOS: What the appropriate source would be?

COMMISSIONER DURAN: At the time that we evaluate the property. Is that okay?

CHAIRMAN CAMPOS: It gives us flexibility to consider that.

COMMISSIONER DURAN: I would accept that as a friendly amendment.

CHAIRMAN CAMPOS: Seconder? Okay. My comment is that I would urge that we send this back to COLTPAC, table it, come up with a better solution. I think these four members that are good members that have real reservations about what we're proposing to do today and they've been on COLTPAC for a long time and I really trust their judgement. So I would urge a tabling, have COLTPAC come back with a better solution. Any further discussion?

COMMISSIONER MONTROYA: Mr. Chair, I'm just curious. These two are

members of COLTPAC?

MR. OLAFSON: There's several of the members and then a former member who's on the Thornton Subcommittee here who wanted to just express support for the project.

DAVID GOLD: My name is David Gold. I'm not a member of COLTPAC currently but I am on the trails subcommittee and I was one of the two people, Rick Dotson is the other gentleman right there who was instrumental in creating this project. Several questions have come up. One is the issue of conservation law and why this is different. In the Community District, the building envelopes are something like 50 percent if I'm not mistaken. On this they're on the order of like five percent. They're very specifically designed areas that blend in and will have a minimal impact on the petroglyphs. The issue here is not just a few walking connections or something like that. The issue is that there's this huge chunk of BLM property right next to the COLTPAC property. The BLM has put up 3,000 acres and in order to get to that by any means, and I've gone out there on mountain bike, horse and walked and to get to the BLM property you would want to have this easement and not just this easement but this whole piece of property.

The reason that – this issue of using trails money, the reason that trails money was set aside was to create a countywide trail system rather than create specific trail projects. To use the 60-40 mix is like a – I thought personally was even high but be that as it may. But it's very difficult to create trails projects and right now there's only two. There's the rail trail and the spur trail. It is very hard to find owners that are willing to do that and trails money can go very far if it's used wisely. To make this all trails money I feel would be a mistake. The reason that we suggested doing this as an open space project and buying open space in addition to trails is that there's a valley that's a critical portion of this whole area that we own. And if you look at that triangle, like over here, there's a valley that runs like this and to use the open space as it is you interact with that valley. It's a part of its usage. We do not own the upper portion of it and it's a portion that's actually very important to the enjoyment of the area.

So it's not just a question of running trail easements; it's a question of completing our area. Without this our area would be sort of forever incomplete. And if Common Weal falls through, I hope that they succeed. I think what they're doing is great but on the chance that they fall through we have nothing and this opportunity is gone. And so all this additional land and stuff, we would not be able to use this. Anyway, that's it.

CHAIRMAN CAMPOS: Okay. Thank you.

COMMISSIONER MONTOYA: Mr. Chair, but David, you do support it?

MR. GOLD: I totally support this, yes. I would really urge you to go ahead with the conditions as stated.

CHAIRMAN CAMPOS: Would anyone second a motion to table? I think we should table this and send it back to COLTPAC for reconsideration. Is there anybody on the Commission at this point? I'd like to make that motion.

COMMISSIONER ANAYA: There's already a motion and a second.

CHAIRMAN CAMPOS: But a table would supercede it.

COMMISSIONER DURAN: I think there's nobody.

COMMISSIONER SULLIVAN: I would second a tabling motion.

CHAIRMAN CAMPOS: Okay, I would move to table so that we could send this back to COLTPAC, have a reconsideration and maybe a better solution. Is there a second?

COMMISSIONER SULLIVAN: I just seconded it.

The motion to table failed 2-3 voice vote, with Commissioner Campos and Commissioner Sullivan voting in favor.

CHAIRMAN CAMPOS: Okay, there's a motion and a second.

The motion to proceed with negotiations for the Thornton Ranch conservation easement passed by unanimous [5-0] voice vote.

MR. OLAFSON: Thank you, Mr. Chair.

XII. F. Public Works Department

1. Resolution No. 2004-109. A Resolution Accepting a Portion of Entrada De Santiago for County Maintenance

ROBERT MARTINEZ (Deputy Public Works Director): The residents of the Santiago Subdivision are requesting for the Board to accept a portion of Entrada de Santiago for County maintenance. Public Works has prepared an evaluation and has determined that the road does meet County standards with the exception of a divided section of roadway that does not meet requirements. There are currently legislative appropriations in the amount of \$40,000 for paving improvements to this road. The residents have provided a subdivision plat and it has been determined that there are sufficient easements to comply with County standards.

Public Works requests if this road is accepted for County maintenance the divided section of roadway be removed and the paving improvements must be completed prior to the County assuming maintenance. I stand for questions.

CHAIRMAN CAMPOS: Any questions?

COMMISSIONER DURAN: Move for approval.

CHAIRMAN CAMPOS: Any comments? I have a question.

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: My question is this. I guess a year ago or so we considered whether we wanted a comprehensive road acceptance policy. Is that correct?

MR. MARTINEZ: Mr. Chair, the Public Works Department did provide to the Commission on the agenda, I don't recall what meeting it was, an opportunity to discuss and possibly revise the current road acceptance policy. And we did bring that to the Board. The Board kicked around some recommendations but nothing has been done since then.

CHAIRMAN CAMPOS: Let me ask the Board, is there any interest in

revisiting that policy question that we kind of put on the back burner about a year ago. There was a discussion on road acceptance maybe a year ago where recommendations were made by our Public Works Department as to how we should do this, what the logical way is, how to assess fiscal impact, etc. And we kind of just put it on the back burner. We haven't brought it back but this issue raises it again. Is there any interest in the future of looking at that again? In the near future?

COMMISSIONER DURAN: I think we should just keep it political.

CHAIRMAN CAMPOS: Just keep it political? I'm not surprised by that.

COMMISSIONER DURAN: I'm only kidding.

COMMISSIONER SULLIVAN: There's a copy of the policy in the packet.

CHAIRMAN CAMPOS: The existing policy.

COMMISSIONER MONTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTOYA: I would support you with that. I think we do need to do that. Otherwise, it's going to be political. So whatever we can do to minimize that and justify how we're going to continue to pay for the maintenance of it. I think we need to have that. I'd like to see that as a policy or ordinance of some sort.

CHAIRMAN CAMPOS: Anybody else?

COMMISSIONER DURAN: I would too.

CHAIRMAN CAMPOS: Okay, so let's bring that back in the next 30 days because I know you've done a lot of work on it and I think what you've come up with is very good. We've just got to make a decision on it. Okay. There's a motion and a second. Are there any conditions? No?

MR. MARTINEZ: Mr. Chair, the only condition was that the divided section of roadway be removed and the paving improvements be completed prior to the County assuming maintenance.

CHAIRMAN CAMPOS: Okay, would you make that part of your motion?

COMMISSIONER DURAN: I would.

CHAIRMAN CAMPOS: Commissioner Anaya, would you make that part of your second?

COMMISSIONER ANAYA: Yes.

The motion to approve Resolution 2004-109 passed by unanimous [5-0] voice vote.

XII. F. 2. Request for Approval and Execution of the 2004 Severance Tax Agreements for the Entrada De Santiago Project from the New Mexico Department of Transportation (NMDOT) \$40,000

CHAIRMAN CAMPOS: The second is related, right?

MR. MARTINEZ: Mr. Chair, that is correct. This is a severance tax agreement

that the Board needs to enter into that appropriates the \$40,000 for the improvements to Entrada de Santiago.

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER DURAN: Second.

The motion to approve the severance tax agreement passed by unanimous [5-0] voice vote.

XII. G. Sheriff's Office

1. Request Approval of Joint Powers Agreement with Tesuque Pueblo for Animal Control Services

GREG SOLANO (Sheriff): Chairman Campos, Commissioners, this is a joint powers agreement which was worked out at the request of one of the Commissioners, Commissioner Montoya, to handle animal control services within the Pueblo. When I first came in to the Sheriff's Department the Sheriff's Department was doing it, working and doing a lot of the animal control services within the Pueblos. But we were unable to sustain covering vet costs and impound fees and things of that nature for animals that were picked up within the Pueblos. So we discontinued services to the Pueblos. Well, we've worked out some kind of agreement on that. This is the first such agreement to come before you and basically what it does is it reinstates us providing services with our personnel and states that the County would get all fees from any citations or any licensing fees, any of those type of fees would continue to come to the County, and the big change is that the Pueblo will reimburse the County for vet and impound fees as are necessary with any animals picked up within their boundaries.

CHAIRMAN CAMPOS: Sheriff, do you have any idea as to whether we would come out ahead or behind fiscally on this thing? We're going to be losing dollars?

SHERIFF SOLANO: No, we shouldn't. My personnel costs are the same; we're not going to add any personnel or anything. We would just send them out there when they need assistance out there. We should come out ahead as opposed to where we are when I came in last years and we were covering all these impound and vet fees and I couldn't do it any longer and had to discontinue services. So this would put us ahead of where we were last year.

CHAIRMAN CAMPOS: If you had to cite, let's say a member of the Tesuque Tribe, what court would they go to?

SHERIFF SOLANO: Under this agreement, if it was a member of the tribe, they would go to the tribal courts. However, any fines or fees would revert to the County. Court costs, I believe we stay under the tribal. But fines or fees would be reverted back to the County.

CHAIRMAN CAMPOS: What about non-members who live on private

claims, if you cite one of them for a violation.

SHERIFF SOLANO: They would be cited into magistrate court and handled the way we do it now.

CHAIRMAN CAMPOS: So why can't we put everybody into magistrate court?

SHERIFF SOLANO: The state law under our sovereign nations thing will not allow us to cite even currently, to cite people for even traffic violations into magistrate court who are members of the tribe. So it's illegal for us to do that.

CHAIRMAN CAMPOS: Even with the consent and an ordinance adopted by the Pueblo. Let's assume that the Pueblo adopted an ordinance saying this is fine.

SHERIFF SOLANO: I'd have to ask for attorney's help with that.

MR. ROSS: Mr. Chair, it's a federally recognized Indian tribe so state courts don't have nay jurisdiction over their members.

CHAIRMAN CAMPOS: Can they consent to the jurisdiction is the question.

MR. ROSS: It's kind of an open question but I doubt it as a practical matter and I doubt that they actually would provide such consent either. These agreements are always carefully drafted to avoid those jurisdictional issue. And this one was as well.

CHAIRMAN CAMPOS: Okay. My impression is that we're going to come out losing on the dollars but that's just a gross gut impression. Any other comments or questions?

COMMISSIONER MONTTOYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER MONTTOYA: I would agree with Sheriff Solano. I think we're actually going to come out ahead on this as opposed to what I believe and what they expect and what the other Pueblos expect or any other citizen in Santa Fe County is that we provide this service to the communities. It will offset the costs. Before we were receiving nothing previously. At least this is going to help to offset the costs as the Sheriff explained and I just want to commend you and thank you, Sheriff, for doing this. I think this will help us in the long run and can serve as the model for the other Pueblos in the northern part of the county as well.

SHERIFF SOLANO: Thank you, Commissioner.

COMMISSIONER MONTTOYA: And with that I would move for approval.

CHAIRMAN CAMPOS: Hold on. Let's see if there's any other comments or questions.

COMMISSIONER DURAN: Second.

CHAIRMAN CAMPOS: Is that it? Okay. What do we have? A joint powers agreement. We have a motion to approve the joint powers agreement and a second. As written. Any questions?

The motion to approve the JPA with Tesuque Pueblo passed by unanimous [5-0]

voice vote.

XII. G. 2. Request Authorization to Enter Into a Memorandum of Agreement #25-0041-SD with First Judicial District Attorney's Office in New Mexico Regarding the Drug Prosecution for the Region III Narcotics Task Force

SHERIFF SOLANO: Mr. Chair, Commissioners, the Region III narcotics task force is a joint narcotics task force with City, County, State and tribal officials. And Santa Fe County is the fiscal agent for the narcotics task force and that's why this is coming before you. To explain it, I'd like to bring up the coordinator for the Region III to explain this one program.

RALPH LOPEZ: I'm Ralph Lopez. I'm the Region III Coordinator for the multi-jurisdictional drug task force. And what we are doing is we are requesting approval to enter into a memorandum of agreement with the First Judicial District Attorney's Office for the prosecution of our drug cases. The amount of the agreement is for \$52,576.50. Region III is federally funded. Santa Fe County has been the fiscal agent for the task force for the last 13 years.

COMMISSIONER MONTROYA: Mr. Chair, move for approval.

COMMISSIONER ANAYA: Second.

The motion to enter into the MOA passed by unanimous [5-0] voice vote.

XII. I. Matters from the County Manager

1. Resolution No. 2004-110. A Resolution Requesting an Increase to the General Fund (101)/County Manager's Office to Budget Property Tax Revenue for Personnel Salaries Expenditure in Fiscal Year 2005 for Authorization of the Full-Time Employment Position of Deputy County Manager

MR. GONZALEZ: Mr. Chair, members of the Commission, this resolution formalizes the current situation which had been previously sanctioned by the Commission which was creating the position of deputy County Manager.

CHAIRMAN CAMPOS: Okay. Any questions? Is there a motion?

COMMISSIONER MONTROYA: Move for approval, Mr. Chair.

COMMISSIONER ANAYA: Second.

The motion to approve Resolution 2004-110 passed by unanimous [5-0] voice vote.

XII. I. 2. Cloud Seeding Recommendation

MR. ABEYTA: Thank you, Mr. Chair. On August 10th Mr. Sidman Silver and Walter Chapman made a presentation to the BCC on a cloud seeding project in the Jemez y Sangre area. After the presentation, Mr. Silver requested that the BCC contribute money toward the proposed pilot project. Staff was directed to review the proposal and present the BCC with a recommendation. Mr. Chair, at this time it's not clear as to whether or not the monies requested will actually go to an actual cloud seeding project but rather to more investigative work and studies that they need to do in order to do cloud seeding. So we've requested more information from Mr. Chapman. If he does confirm that it is for a development study and not actual cloud seeding then we would recommend that we contribute less than \$20,000 for that but continue to support the project with in-kind work as we've doing. Our County Hydrologist has been very involved with the Jemez y Sangre and also has a lot of information regarding this cloud seeding. So at this time we need more information but I did want to update the BCC as to where we were at on that. And I will report back as to what the specific request is, whether or not it's going to result in actual cloud seeding or just more studies. So I'll get back to the Board with that.

CHAIRMAN CAMPOS: Are there any Board comments? Okay.

XII. I. 3. MPO Transportation Planner Update

MR. ABEYTA: Thank you, Mr. Chair. Again, on August 10th, staff was directed to investigate the possibility of hiring a transportation planner for Santa Fe County. The Land Use Department has submitted a building block request for a transportation planner in the FY05 budget. The Land Use Department's request for a transportation planner is based on the following needs: 1) a County liaison to the Metropolitan Planning Organization. 2) County liaison to the Regional Planning Organization. 3) County planning staff member to work on traffic and transportation elements of community and districts plans. 4) County staff member responsible to the North Central Regional Transit District. 5) County staff member responsible for the development of the City/County commuter train and joint transit projects. 6) County staff member responsible for review of transportation and traffic elements. And 7) County staff member responsible for coordination of trails and transportation projects.

Possible funding sources for a transportation planner include Regional Planning Authority funds and Metropolitan Planning Organization funds. However, the City of Santa Fe has used all available funds and hired a transportation planner so these monies may not be available at this time.

Our recommendation is as follows: Based on the above-stated transportation needs the County Manager's office will pursue all possible funding sources to support a

transportation planner for Santa Fe County and progress reports will be provided to the BCC.

CHAIRMAN CAMPOS: Thank you, Mr. Abeyta. We discussed this with the City months ago, maybe six months ago and the City had 2 1/2 positions. And I suggested – that was a meeting with the mayor, the federal people, that one of the positions be allotted to the County so that 60 percent of it could be paid by federal funds. And they agreed to consider this and I think Councilor Wurzbarger was having discussions or trying to set up meetings and it kind of fell through. What's the chances of going back and getting that position?

MR. ABEYTA: Mr. Chair, that's one of the possibilities that we're going to investigate. We do plan on going back to them. As a matter of fact we've just gotten a memorandum from Judy McGowan explaining to the Manager's office the funding for the MPO, what the City has been doing and then also we tracked down the unified planning work program for the year 2000-2005. After going over this information we plan on approaching the City and requesting that.

CHAIRMAN CAMPOS: The last time we had that meeting with the City was because there was a major crisis and the City really botched the whole process and almost lost a lot of money, a lot of federal money. After being in that meeting and talking with our planners it seems critical that we do have this position but we should share it, we should get one of those positions that the federal government is funding and not have the City just take 2.5. They knew about it, they knew we were interested and they filled this position after our discussion. So I'm a little concerned about how the City is treating us in the MPO funding. Okay, any further comment on that issue?

XII. I. 4. Request Approval of Sublease with Vista Studios Inc.

MR. ROSS: Mr. Chair, we're actually planning on taking this item up after the closed session. So maybe the closed session itself could suffice as a break.

CHAIRMAN CAMPOS: Okay. That's the only thing left is executive session.

MR. ROSS: It's the only thing left, yes.

CHAIRMAN CAMPOS: So should we go into executive session now and then come back and do Vista Studios? Is there a motion to go into executive session?

XII. J. Matters from the County Attorney

- 1. Executive session**
 - a. Discussion of pending or threatened litigation**
 - b. Limited personnel issues**
 - c. Discussion of possible purchase, acquisition or disposal of real property or water rights**
 - d. Discussion of bargaining strategy preliminary to collective bargaining negotiations**

Commissioner Sullivan moved to go into executive session pursuant to NMSA Section 10-15-1(H) (2, 5, 7 and 8) to discuss the matters delineated above. Commissioner Duran 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 5:15 to 6:25.]

Commissioner Sullivan moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Duran seconded. The motion passed by unanimous voice vote. [Commissioner Montoya was not present for the remainder of the meeting.]

CHAIRMAN CAMPOS: Commissioner Duran, do you want to make a note for the record as to what we did in the Sena case?

COMMISSIONER DURAN: Just that we settled the Sena case, County Road 62 as per the settlement handed down at district court.

MR. ROSS: Mr. Chair, what we need to do is have a motion and voice vote on approving the settlement as agreed upon in the negotiating session at federal court.

COMMISSIONER DURAN: That's my motion.

CHAIRMAN CAMPOS: Is there a second?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Discussion?

The motion to approve the Sena settlement passed by unanimous [4-0] voice vote. [Commissioner Montoya was not present for this action.]

XII. I. 4. Request Approval of Sublease with Vista Studios Inc.

CHAIRMAN CAMPOS: Now we're going back to Matters from the County

Manager, item 4, Request approval of sublease with Vista Studios, Inc. Who's presenting for the staff?

MR. ROSS: Mr. Chair, I can give a brief presentation. As you know, for some months we've been negotiating with a company known as Vista Studios concerning property at the economic development park. We have been going back and forth on the terms of a possible sublease of that property, which as you know is owned by the State Land Office and has been leased to the County for an extended period of time. I understand we've reached agreement on all the major points and the only final issue is some language that Commissioner Duran has indicated he would like to include in the ground sublease. Otherwise, the agreement itself is ready for you to approve tonight should you desire to do so.

CHAIRMAN CAMPOS: Okay. Deborah Johnson, would you like to come forward and talk to the Commission a little bit? State your name, address, and speak into the mike.

DEBORAH JOHNSON: My name is Deborah Johnson, and Vista Studios right now is at 1807 Second Street, Santa Fe, Suite #40, 87505.

CHAIRMAN CAMPOS: You've had an opportunity to look at the lease that has been proposed. Is that acceptable to you?

MS. JOHNSON: Yes, I have. Yes, it is.

CHAIRMAN CAMPOS: Okay. Are there any questions? Commissioner?

COMMISSIONER DURAN: The only additions I made to the lease had to do with the purpose of us entering into a long term lease with the state originally, and also our economic development resolution that we have in place. And that was basically - it basically states that any entities that we enter into long-term leases with at that particular site are done so with the understanding that employment opportunities are going to be available to Santa Fe residents and that those businesses that are located in the facility will work towards that effort and will also work with the County in trying to put together some educational programs at the higher learning institutions that are in town. And my understanding is that you have agreed to that and that's pretty much the basis of the changes that I've asked to be incorporated into the leases and I wish you a lot of luck. Hopefully we can help out.

MS. JOHNSON: Well, I think if you read our mission statement, that is our mission.

COMMISSIONER DURAN: Right.

MS. JOHNSON: And it's also the mission of my other company, so that's what we want to do.

COMMISSIONER DURAN: And I think it's good for all of us.

MS. JOHNSON: I do too.

COMMISSIONER DURAN: Thank you.

CHAIRMAN CAMPOS: Any other questions or comments?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CAMPOS: Sir.

COMMISSIONER ANAYA: I'll wait till we have the motion.

CHAIRMAN CAMPOS: Okay, Commissioner Sullivan, are you done? Any questions? Okay is there a motion?

COMMISSIONER DURAN: Move to approve the lease with the amendments given to the attorney in executive session.

COMMISSIONER DURAN: Okay, is that adequate, Sophia? Okay, is there a second?

COMMISSIONER ANAYA: Second.

CHAIRMAN CAMPOS: Okay, a motion and a second. Any further discussion?

COMMISSIONER ANAYA: Mr. Chair, I know that when I ran for County Commissioner, one of the main objectives was to develop the economic business park. I think this is going to be a good move to develop this. It's going to bring economic development for the Santa Fe County and this is a clean industry. So I think we have a win-win situation here and it's a good move. Thank you.

CHAIRMAN CAMPOS: And I'd like to say Ms. Johnson that this is a great opportunity for you and for this community and we're all excited about it. We're willing to work with you. If we can help you in any way just let us know.

MS. JOHNSON: Thank you.

COMMISSIONER SULLIVAN: Mr. Chair.

CHAIRMAN CAMPOS: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I did have an opportunity to meet several months ago with Ms. Johnson and she briefed me on the project and I wish her and the venture good luck. It is located in District 5 which is the district I represent so I'm more than casually interested in the undertaking succeeding and hope that she'll provide the Commission with frequent updates.


MS. JOHNSON: Will do.

The motion to approve the sublease with Vista Studios passed by unanimous [4-0] voice vote. [Commissioner Montoya was not present for this action.]

ADJOURNMENT

Chairman Campos declared this meeting adjourned at approximately 6:30 p.m.

Approved by:




Board of County Commissioners
Paul Campos, Chairman

Respectfully submitted:

Karen Farrell, Commission Reporter

ATTEST TO:



REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



SFC CLERK RECORDED 11/03/2004

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

**REGULAR MEETING
(Administrative Items)
August 31, 2004 - 10:00 a.m.**

Amended Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Invocation**
- V. Approval of Agenda**
 - A. Amendments**
 - B. Tabled or Withdrawn Items**
 - C. Consent Calendar: Withdrawals**
- VI. Approval of Minutes**
 - A. July 27, 2004**
- VII. Matters of Public Concern – Non-Action Items**
- VIII. Matters from the Commission**
 - A. Proclamation Celebrating September 2004 as National Alcohol and Drug Addiction Recovery Month in Santa Fe County (Commissioner Montoya)**
 - B. Discussion and Possible Action Concerning the Santa Fe County Jail Prisoner Release Transport Issue (Commissioner Sullivan)**
- IX. Committee Resignations/Appointments/Reappointments**
 - A. Appointment of a County Commissioner to Serve on the North Central Regional Transit District**
 - B. Appointment of Members to the Health Policy and Planning Commission**
 - C. Resignation of Member from the Santa Fe County DWI Planning Council**
 - D. Reappointment of Maternal and Child Health Council Members**
 - E. Appointments for the Rio En Medio/Chupadero Community Center Committee**
 - F. Accept Resignation of Representative Ron Godbey (R) and Request to Consider Appointment of Representative Elect Kathy McCoy (R) to District 22 (Bernalillo, Sandoval and Santa Fe) – Commissioner Anaya**
- X. Presentations**
 - A. Recognition of Public Works Department on Completion of Gabion Structures on County Road 101E in Northern Santa Fe County**
 - B. Recognition of Pojoaque EMT David Dougrel Honored at State Conference for Basic Emergency Medical Technician of the Year and Nick Martinez Honored as Emergency Medical Dispatcher of the Year**

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- C. Santa Fe Community Partnership's Block Leaders, Who Are Residents of the Valle Vista County Housing Authority and Community Activists and Who Wish to Present Highlights of Their Accomplishments for Fiscal Year 2004 (Previously Item X.D)
 - D. Report Summary of Bonding and Tax Poll Survey Results (Moved from Item XII.C.3)
 - E. Presentation and Request for Direction on the Santa Fe County Space Assessment and Long Range Facilities Plan (Previously Item X.C)
- XI. Consent Calendar**
- A. Request Adoption of Findings of Fact and Conclusions of Law for the Following Land Use Case:
 - 1. EZ CASE #S 02-4321 – La Pradera Subdivision (Approved)
 - 2. CDRC CASE #MIS/DP 04-5200 – Agora Supermarket Addition (Approved)
 - B. Request Authorization to Enter into Grant Agreement with State of New Mexico Children, Youth and Families Department (Correction's Department)
 - C. Resolution No. 2004 ⁹³ A Resolution Requesting an Increase to the Corrections Enterprise Fund, Youth Development Program to Budget a Grant Awarded Through the State of New Mexico Children, Youth and Families Department for Expenditure in Fiscal Year 2005/\$10,000 (Corrections Department)
 - D. Resolution No. 2004 ⁹⁴ A Resolution Requesting Authorization to Surplus Obsolete or Inoperable Fixed Assets for Sale, Donation or Disposal in Accordance with State Statutes (Finance Department)
 - E. Resolution No. 2004 ⁹⁵ A Resolution Requesting an Increase to the Environmental GRT Bond Debt Service Fund (402) to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005/\$2,880.56 (Finance Department)
 - F. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-60, Printing of the Emergency Atlas for the Fire Department (Fire Department)
 - G. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder for IFB #24-61, Fleet Vehicle for the Santa Fe County Fire Department (Fire Department)
 - H. Resolution No. 2004 – A Resolution Establishing the Care Connection Advisory Council (Health & Human Services Department)
 - I. Resolution No. 2004 ⁹⁶ A Resolution Supporting the Restoration of DWI Funding to Local County DWI Programs (Health & Human Services Department)
 - J. Request Approval of the North Central Regional Transit District Intergovernmental Contract (Manager's Office) TABLED
 - K. Resolution No. 2004 ⁹⁷ A Resolution Requesting an Increase to the Capital Outlay GRT Fund (213) to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005/\$850,901.04 (Project & Facilities Management Department)
 - L. Resolution No. 2004 ⁹⁸ A Resolution Requesting an Increase to the Wildlife/Mountains/Trails Fund (233), US Environmental Protection Fund (260) and the State Special Appropriations' Fund (318) to Budget Prior

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- Fiscal Year 2004 Cash Balances for Expenditure in Fiscal Year 2005 (Project & Facilities Management Department)
- M. Resolution No. 2004 ⁹⁹A Resolution Requesting an Increase to the State Special Appropriation's Fund (318)/Agua Fria Community Center to Budget a Grant Awarded Through the New Mexico Department of Finance and Administration for Expenditure in Fiscal Year 2005/\$300,000 (Project & Facilities Management Department)
 - N. Resolution No. 2004 ¹⁰⁰A Resolution Requesting an Increase to the GOB Series – Open Space Fund (385) to Budget Prior Fiscal Year 2004 Cash Balance for Expenditure in Fiscal Year 2005/\$5,848,496.91 (Project & Facilities Management Department)
 - O. Request Authorization to Enter Into Amendment #4 to the Software License Services and Maintenance Agreement #23-0016-PFMD/\$52,360 (Project & Facilities Management Department)
 - P. Request Authorization to Enter Into Project Agreement #'s 2005-092, 119, 120, 121 and 129 with the New Mexico Aging and Long-Term Services Department for the Vista Grande Senior Center/\$708,750 (Project & Facilities Management Department)
 - Q. Request Authorization to Enter into Project Agreement #2005-090 with the New Mexico Aging, and Long-Term Services Department for the Edgewood Senior Center/\$100,000 (Project & Facilities Management Department)
 - R. Request Authorization to Enter into a Community Development Block Grant Program Agreement with the New Mexico Department of Finance and Administration for the Agua Fria Community Center/\$300,000 (Project & Facilities Management Department)
 - S. Request Ratification of Joint Powers Agreement with the New Mexico Department of Health for Development of the Sobering/Detox Center/\$200,000 (Project & Facilities Management Department)
 - T. Resolution No. 2004 ¹⁰¹A Resolution Requesting an Increase to the State Special Appropriation's Fund (318)/Eldorado and Edgewood Senior Centers and the Detoxification Center to Budget Special Appropriation Projects' (SAP) Grants Received from the NM 2004 Legislature for Expenditure in Fiscal Year 2005/\$1,008,750 (Project & Facilities Management Department)
 - U. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Rated Offeror for RFP #24-54 for the Professional Architectural and Engineering Services for the Vista Grande Senior Center/\$46,696.58 (Project & Facilities Management Department) TABLED
 - V. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #25-03, County Road 73-A Milling Project for the Santa Fe County Public Works Department/\$70,440 Plus GRT (Public Works Department)
 - W. Request Authorization to Enter Into a Professional Services Agreement #25-0036-PW with Southwest Design and Drafting for Design and Surveying Services for the Camino Carlos Rael Low Water Crossing and Bank Stabilization Project/\$13,656 (Public Works Department)
 - X. Request Authorization to Enter Into a Professional Services Agreement #25-0050-PW with Miller Engineering Consultants for Surveying and Design of the Los Tapias Road Project/\$16,003.13 (Public Works Department)

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- Y. Resolution No. 2004 - ¹⁰²A Resolution Requesting an Increase to the General Fund (101)/County Sheriff to Budget a Grant Awarded Through the New Mexico Department of Transportation and a Contribution Received from Impact DWI for Expenditure in Fiscal Year 2005/\$54,614 (Sheriff's Office)
- Z. Resolution No. 2004 - ¹⁰³A Resolution Requesting a Budget Decrease to the General Fund (101)/Region III Grant Program to Realign the Fiscal Year 2005 Budget with the Revised Budget as Approved by the New Mexico Department of Public Safety/\$2,600 (Sheriff's Office).
- AA. Request Authorization to Enter Into a Professional Services Agreement #25-0008-SD with Ralph W. Lopez for the Region III Coordinator/\$52,620 (Sheriff's Office)
- BB. Request Authorization to Enter Into a Professional Services Agreement #25-0042-SD with Santa Fe Animal Shelter and Humane Services for Animal Care Services for Santa Fe County/\$74,294 (Sheriff's Office)
- CC. Request Authorization to Approve the Sole Source Procurement of a Breath Alcohol Testing Vehicle for the Santa Fe County Sheriff's Department with Sirchie Finger Print Laboratories/\$51,590 (Sheriff's Office)
- DD. Resolution No. 2004 - ¹⁰⁴A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget Grants Awarded Through the New Mexico Environment Department for Expenditure in Fiscal Year 2005/\$154,700 (Utilities Department)
- EE. Request Approval and Execution of Grant Agreement #SAP-04-1555-STB for the Camino Polvoso Sewer Line Grant Agreement/\$63,000 (Utilities Department)
- FF. Resolution No. 2004 - ¹⁰⁵A Resolution Requesting an Increase to the Water Enterprise Fund (505) to Budget a Grant Awarded through the New Mexico Environment Department for the Camino Polvoso Sewer Line/\$63,000 (Utilities Department)
- GG. Resolution No. 2004 - ¹⁰⁶A Resolution Designating Grantee Signature Authority and Project Representative for the Camino Polvoso Sewer Line NMED Grant (Utilities Department)
- HH. Request Authorization to Approve an Amendment from the New Mexico Department of Transportation Increasing Agreement #01-AL-64-1091 by an Additional \$50,000. The Additional Funding Will be Used for the Purchase of a Mobile DWI Unit (Vehicle, BAT Mobile) (Finance Department)

XII. Staff and Elected Officials' Items

- A. Board of Finance
 - 1. Resolution No. 2004 - ¹⁰⁷A Resolution Amending Santa Fe County's Investment Policy
 - 2. Review of Current Investments
- B. Corrections Department
 - 1. Update on Youth Development Program
- C. Finance Department
 - 1. Request Review and Direction for County Bonding Strategy
 - 2. Resolution No. 2004 - ¹⁰⁸A Resolution Calling for Election on County General Obligation Bonds
 - 3. Moved to Item X.D

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- D. Health & Human Services Department**
1. Discussion and Possible Action Concerning the NM Department of Health Behavioral Health Purchasing Collaborative
 2. Request Authorization to Establish a 1.00 FTE Term Position in the Home for Good Program for a CRAFT Therapist
- E. Project & Facilities Management Department**
1. Recommendation to the Board of County Commissioners from the County Open Land and Trails Planning and Advisory Committee (COLTPAC) Regarding Acquisition of Proposed "Thornton Ranch Conservation Easement" for Inclusion in the County Open Space and Trails Property Inventory Under the Urgent Project Policy/\$400,000 (Resolution 2003-61)
 2. Request Approval of Land Purchase Agreement between Santa Fe County and the Trust for Public Land for Approximately 23 Acres of Land in the Chimayo Area for Inclusion in the Santa Fe County Open Space and Trails Program/\$448,700 TABLED
 3. Request Approval of a Memorandum of Agreement between the County of Santa Fe and the City of Santa Fe for the Joint Regional Trails and Open Space Santa Fe River Trail Project/\$222,500 TABLED
 4. Request Approval of a Memorandum of Agreement between the County of Santa Fe and the City of Santa Fe for Certain Joint Regional Open Space and Trails Projects
- F. Public Works Department**
1. Resolution No. 2004 - ¹⁰⁹A Resolution Accepting a Portion of Entrada De Santiago for County Maintenance
 2. Request for Approval and Execution of the 2004 Severance Tax Agreements for the Entrada De Santiago Project from the New Mexico Department of Transportation (NMDOT) \$40,000
 3. Request Approval of Lease Agreement between the Pueblo of Pojoaque and the County of Santa Fe for a Solid Waste Transfer Station
- G. Sheriff's Office**
1. Request Approval of Joint Powers Agreement with Tesuque Pueblo for Animal Control Services
 2. Request Authorization to Enter Into a Memorandum of Agreement #25-0041-SD with First Judicial District Attorney's Office in New Mexico Regarding the Drug Prosecution for the Region III Narcotics Task Force
- H. Utilities Department**
1. Approval of Contract Amendment to Sheehan, Sheehan and Stelzner, P.A. to Extend Term Through September 30, 2005 TABLED
- I. Matters from the County Manager**
1. Resolution No. 2004 - ¹¹⁰A Resolution Requesting an Increase to the General Fund (101)/County Manager's Office to Budget Property Tax Revenue for Personnel Salaries Expenditure in Fiscal Year 2005 for Authorization of the Full-Time Employment Position of Deputy County Manager

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2. **Cloud Seeding Recommendation**
 3. **MPO Transportation Planner Update**
 4. **Request Approval of Sublease with Vista Studios Inc.**
- J. Matters from the County Attorney**
1. **Executive Session**
 - a. **Discussion of Pending or Threatened Litigation**
 - b. **Limited Personnel Issues**
 - c. **Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**
 - d. **Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations**

XIII. ADJOURNMENT

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

SFC CLERK RECORDED 11/03/2004

Santa Fe County Commission



Request for Media/Outreach Funding

Date of Application: August 30, 2004

Applicant's Name & Title: Tony Lopez, President

Contacts Name (if different): Dean Milligan

Organization's Name: Santa Fe Fiesta, Inc.

Organization's Address: P.O. Box 4516, Santa Fe NM 87502-4516

Event Name: Fiesta de Santa Fe

Check Box: New Event Existing Event

Event Location Address: Sweeney Convention Center, Santa Fe Plaza, and Santa Fe City Parks

Phone Numbers: (office) 471-8763 (cellular) 204-2930 (fax) 438-3333

Contact's Numbers: (if different) (office) (fax) (cellular)

E-Mail Address:

Federal Tax I.D. Number: 85-0347288 Tax Exempt: Yes No

Amount Requested: \$20,000.00

1. **This is a brief synopsis about the event including its purpose and goals. Included is an estimation of the economic impact to the community, for example, the number of people & hotel rooms it will sell; length of their stay and where they will be coming from.**

The Fiesta de Santa Fe is the oldest continuous community celebration of its kind in the United States. For 292 years, since the signing of the Official Fiesta Proclamation in 1712, the City of Santa Fe continues to perpetuate the promise made by General Don Diego de Vargas to commemorate the peaceful resettlement of Santa Fe by the Spaniards in 1692. Fiesta preserves the traditions and culture of Santa Fe. It is a cultural, educational happening that encompasses many art forms indigenous to the region. It completes not only the promise but also the rich traditions of our community.

Many events are held throughout the spring and summer months beginning with the Youth Mariachi Conference in February and culminating with Fiesta weekend, which is September 10-12, 2004. Fiesta week is filled with an array of colorful pageantry dedicated to the portrayal of General Don Diego de Vargas' peaceful resettlement of Santa Fe.

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The mission of the Santa Fe Fiesta Council is:

To preserve in unity a harmonious group, people whose common interest is to promote, manage, and perpetuate the annual Fiesta de Santa Fe for the benefit of the citizens of Santa Fe, and their descendents.

To preserve for the citizens of Santa Fe the annual Fiesta de Santa Fe in the spirit and letter as outlined in the original Fiesta Proclamation issued by the Santa Fe City Council on September 16, 1712.

To promote, manage and work for a successful annual Fiesta de Santa Fe, enlisting the cooperation of the local citizenry, the Catholic Church, the local business community, and the city and county officials in Santa Fe.

During our last Fiesta we placed our non-resident guest book at the Fiesta Council's Information Booth on the Plaza beginning the Friday of Labor Day and continued collecting signatures through the culmination of the Fiesta. In this 10-day period, we collected signatures of 1,879 non-resident visitors at our booth. These 1,879 visitors stayed an average of two (2) nights for a total of 3,758 room nights. The Department of Tourism states that these 1,879 visitors represent between five and ten percent (5%-10%) of the total non-resident visitors to Fiesta. Using the figure recommended by the Department of Tourism, which is \$225.00 per person per day the total economic impact of these non-resident visitors was \$845,550.00.

- 2. A list of the name(s), title and phone number(s) of other organizations we have requested funding from, including the City of Santa Fe Occupancy Tax Advisory Board are shown below.**

The City of Santa Fe Fine Arts Commission – (505) 955-6707
New Mexico Department of Tourism – (505) 827-7400

- 3. We have enclosed our company's budget, expenses and income statement for the last, current, and next year.**

See attached statements

- 4. We have listed all paid and volunteer staff positions including their salaries and an organizational chart for our business.**

The Santa Fe Fiesta Council has only two paid staff members, the Treasurer and the Secretary. Their salaries are each \$4,800.00 annually.

The Santa Fe Fiesta Council has several different types of membership. The Regular Membership of the Santa Fe Fiesta Council is limited to 100 members. The council is open to any citizen of the United States who has attained the age of 18 at the time of application and who demonstrates an interest in the traditions, objectives and activities of the Santa Fe Fiesta Council. Organizational Representatives, appointees by the Archbishop, Council of Presidents, and Life Members do not count in determining the numerical limitation of regular membership.

Any local civic/business organization may also apply for organizational membership of one person on a yearly basis. They have the same rights, privileges, and responsibilities as the regular membership and are limited to a total of 20 organizations.

The Native American community is an integral part of the history and traditions of the City and County of Santa Fe, its historic development and its economic, social, and cultural base. As such, the President of the Santa Fe Fiesta Council is empowered to appoint a representative of the Native American community with all rights and privileges as any regular member.

Finally, any person who has faithfully served as a regular member and is in good standing, for a period of 20 years may become a Life Member.

The President, Vice President, and the four members of the Board of Directors are elected from the general membership. The Secretary, Treasurer, Parliamentarian, and Sergeant at Arms are appointed by

SFC CLERK RECORDED 11/03/2004

the President and ratified by the Board. The Chair and Co-Chair of each of the 39 committees are also appointed by the President and ratified by the Board. (See attached organizational chart.)

5. **We have provided a copy of one example of our promotional literature for this year's event.**

See attachments

Request for Media Outreach Funding

*Acknowledgement Certificate:

State of New Mexico

County of Santa Fe

On this 20 day of August, 2004, I Tony Lopez certify that the information submitted to the Santa Fe County Commission, true, exact, and complete.


Acknowledger's Signature

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PROJECT BUDGET FORM

Santa Fe Fiesta Council, Inc.

APPLICANT

EXPENSES:	A. Non-SFAC Cash Sources	B. SFAC Share	C. In-kind	D. Total (A+B+C)	Percentage of Total Project
PERSONNEL:					
Administrative	\$ 9,600.00		\$ 8,800.00	\$ 18,400.00	5%
Artistic				\$ -	0%
Technical				\$ -	0%
OUTSIDE FEES:	\$ 77,000.00	\$ 40,000.00	\$ 20,000.00	\$ 137,000.00	38%
OPERATING EXPENSES:					
● Advertising	\$ 16,000.00			\$ 16,000.00	4%
● Marketing & Promotion	\$ 8,500.00			\$ 8,500.00	2%
● Printing	\$ 5,000.00			\$ 5,000.00	1%
● Production	\$ 90,900.00		\$ 16,700.00	\$ 107,600.00	30%
● Travel				\$ -	0%
● Shipping				\$ -	0%
● Capital Expenditures				\$ -	0%
● Other	\$ 49,000.00		\$ 14,500.00	\$ 63,500.00	18%
OTHER EXPENSES				\$ -	0%
TOTALS	\$ 256,000.00	\$ 40,000.00	\$ 60,000.00	\$ 356,000.00	100%

TOTAL CASH PROJECT BUDGET (A+B) \$ 296,000.00 *(Cash + SFAC + In-Kind) / Col. D Total x 100= %

INCOME	Budget	Percentage of Total Project
EARNED INCOME	\$ 225,000.00	63%
UNEARNED INCOME:		
Corporate		0%
Foundation	\$ 2,500.00	1%
Other Private	\$ 8,500.00	2%
Government	\$ 20,000.00	6%
Other		0%
APPLICANT CASH		0%
In-Kind (Must equal Column C total above.)	\$ 60,000.00	17%
SFAC REQUEST	\$ 40,000.00	11%
TOTAL INCOME (Must equal Column D total above.)	\$ 356,000.00	100%

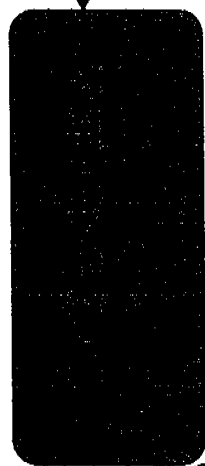
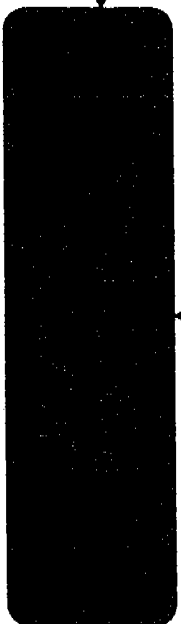
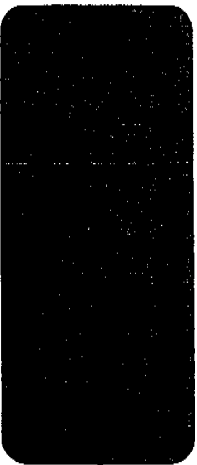
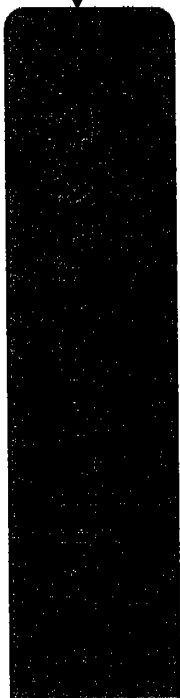
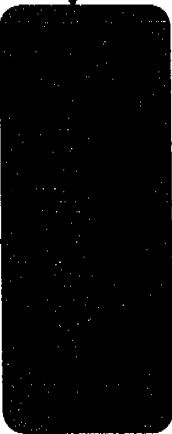
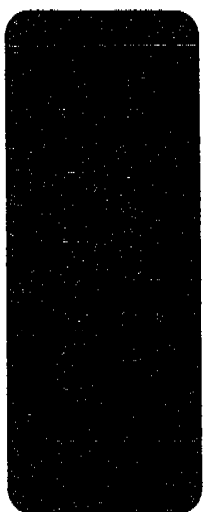
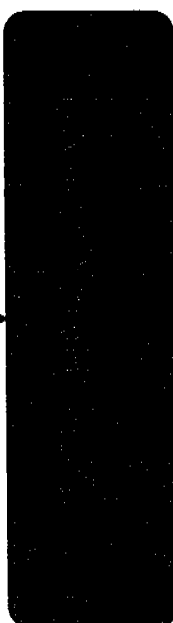
3. Total Organizational Budget \$259,670.00 \$296,000.00 \$310,000.00
 Last Current Next
 Month Fiscal Year Begins January

If there is more than a 25% increase or decrease from year to year, provide an explanation on a separate page.

4. Request is 10% of Total Organization Budget.

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SFC CLERK RECORDED 11/03/2004



ORIGINAL

CURRENT STAFF LIST

Dean Milligan

Treasurer

Stacy Starr-Garcia

Executive Secretary

SFC CLERK RECORDED 11/03/2004

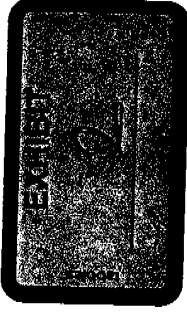
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SANTA FE FIESTA BOARD OF DIRECTORS

Tony Lopez	President
Art Gurule	Vice President
Marino Chavez	Director
Albert Montoya	Director
Gilbert V. Velarde	Director
Robert Zone, M.D.	Director
Rudy Fernandez	Immediate Past President
Dean Milligan	Treasurer
Stacy Starr-Garcia	Executive Secretary
Michael Verela	Parliamentarian
Armando Benavidez	Sergeant at Arms

SFC CLERK RECORDED 11/03/2004

ORIGINT



Briefing to the
**Santa Fe Board of
County Commissioners**

August 31, 2004

Space Needs Assessment
Santa Fe County



Design Collaborative Southwest
Architectural Research Consultants, Incorporated
Rev1

Briefing to the
**Santa Fe Board of
County Commissioners**

August 31, 2004

**Space Needs Assessment
Santa Fe County**



Design Collaborative Southwest
Architectural Research Consultants, Incorporated
Rev1

Agenda

- **Introduction / Goals**
 - ✓ *Introduction - Study Scope*
 - ✓ *Goals / Process /Purpose*
- **Supply Factors**
- **Demand Factors**
- **Space Needs**
 - ✓ *Organizing Concepts*
 - ✓ *Space Needs*
 - ✓ *Conceptual Relationships*
 - ✓ *Cost Impacts*
- **Site Alternatives**



Project Overview

- To prepare a comprehensive assessment of present and projected administrative and judicial space needs. This information will be used to assess the potential alternatives for consolidation of County administration offices and develop a master plan of county administrative facilities. There are two phases:
 - ✓ Phase I: Space Assessment identifies the existing and projected space requirements, assess the condition of existing facilities, and identify site alternatives and options for meeting the space needs.
 - ✓ Phase II: Long-Range Facilities Master Plan will document facility needs and recommended strategies for meeting these needs and a facility program for Phase 1 improvements.

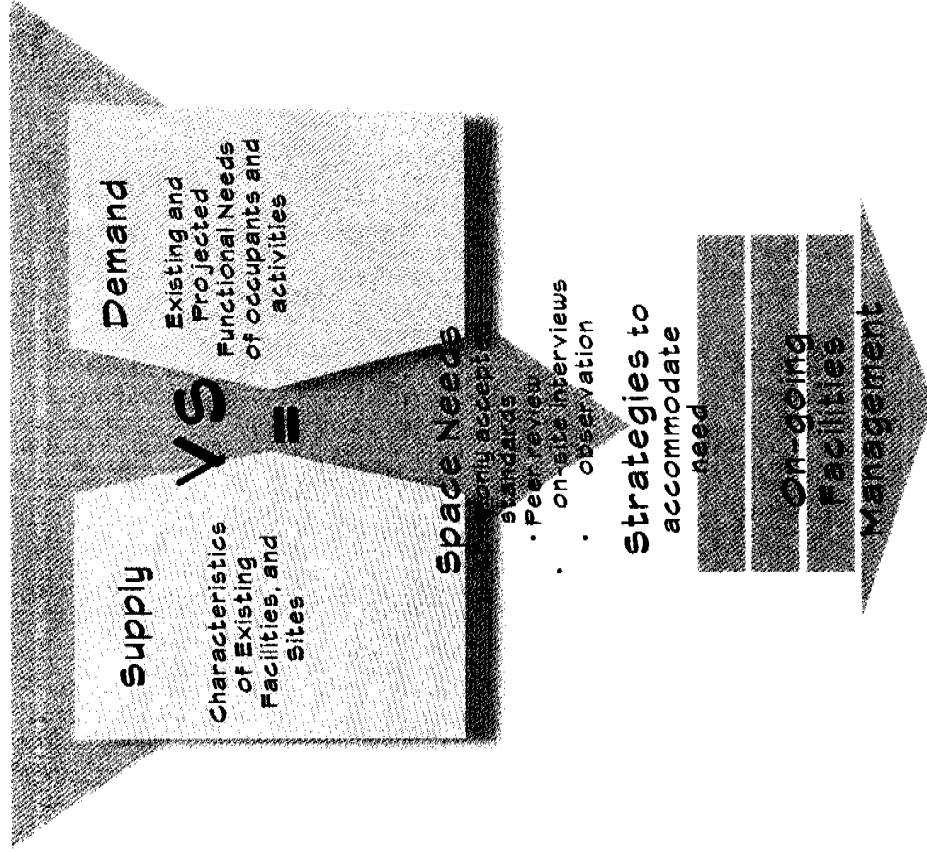
Purpose / Goals

- **Identify space requirements ... existing and future (10+ years)**
 - ✓ *Provide information for master planning of consolidated county site(s)*
 - ✓ *Help identify potential project phasing (based on space and costs)*
 - ✓ *Develop facility program for phase 1 construction*



Process

- Project Organization
- Inventory / Analysis of Conditions
 - ✓ Supply characteristics
 - ✓ Demand characteristics
- Strategies and Alternatives
- Reporting



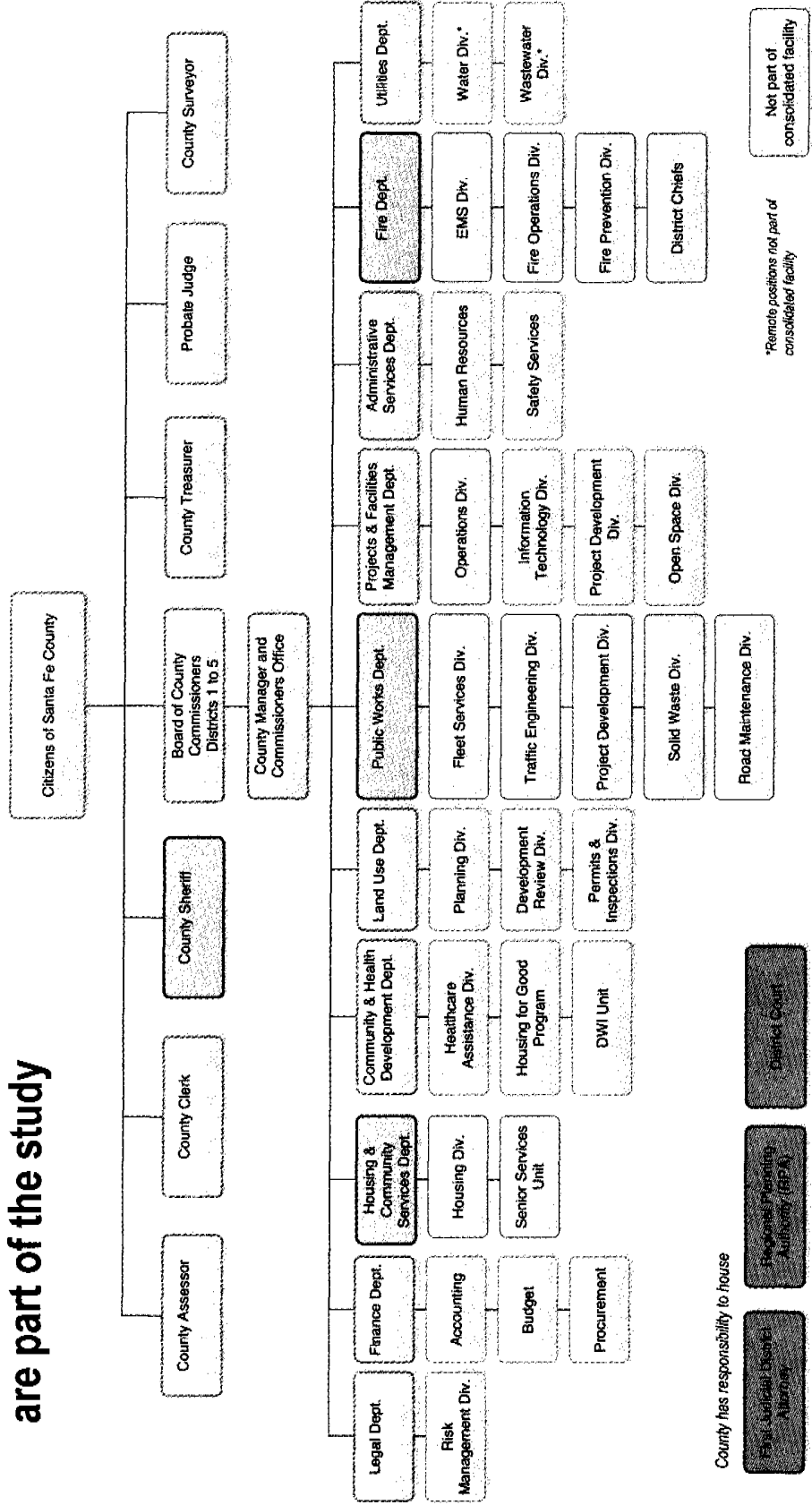
Types of Space

- **Scope of study encompasses two general types of space:**
 - ✓ **Administrative ... Primarily “office” and office support - generally non-specialized type of facility**
 - All Santa Fe County departments within the project scope and RPA
 - District Attorney
 - ✓ **Judicial ... Courtrooms and supporting areas**
 - First Judicial District Court
- **Does not include “field” operations ... Generally specialized (shops, warehouse, service) with office support**



Project Scope

- All departments indicated in yellow and agencies indicated in blue are part of the study



Supply: Existing County Facilities

Santa Fe County Existing Space Utilization (DGSF)

- Currently the county has four facilities that total about 77,500 gsf that support administrative and judicial functions
- The planning team looked at the functional and physical issues associated with these facilities

County Manager	Admin Building	Enacon Building	2052 Galisteo	Law Enforcement Center	7,248
Financial Services	2,345				1,590
Administrative Services Department	1,990	1,443			4,483
Legal / Probate Judge	2,395				2,395
Treasurer	2,635				2,635
Assessor	3,245				3,245
County Clerk	5,215				5,215
Land Use Department	3,940				3,940
Project & Facilities Management Department	1,950	1,945		1,085	4,980
Regional Planning Authority					0
Surveyors Office					0
Utilities Department		1,168			1,168
Health & Human Services			3,975		3,975
District Attorney				14,635	14,635
	Subtotal DGSF	23,170	4,398	2,075	14,720
BCC Chambers	2,205				4,295
Area to be Renovated	1,509				1,509
General Storage	1,791				1,791
Shared area		292			292
Unassigned area		2,107			2,107
Vacant Space Planned for Health & Human Services Use			3,075		3,075
Other Vacant Unrenovated Space			2,760		2,760
	Subtotal DGSF	5,905	2,399	5,845	14,149
	Total DGSF	29,120	6,797	8,070	35,720
	GSF	26,780	9,285	11,300	26,120
					77,461

- Space Definitions**
- NASF - Net assignable square feet (square footage you use)
 - DGSF - Department Gross Square Feet (NASF plus internal circulation)
 - GSF - Gross Square Footage (square footage you pay for)
 - Efficiency - Ratio of NASF/GSF
 - Fare = GSF - NASF (what is left over ... corridors, walls, stairs /elevators, mechanical spaces, janitorial)

Santa Fe County Space Needs Assessment

Source: ARC take-offs

*Part of P&FN
 **Includes proportionate share (based on number of employees) of cluster common space
 *** The existing Judicial Complex has ~ 88,560 GSF

Supply: Functional Issues

- **General administrative functional issues**
 - ✓ *Functions are separated into multiple sites and facilities creating:*
 - *Operational inefficiencies (travel time, face-to-face contact)*
 - *Potential public confusion*
 - ✓ *Inefficient / Inequitable distribution of space*
 - ✓ *Poor quality space*
 - ✓ *Poor accessibility*
 - *Lack of public parking*
 - *Lack of staff parking*

Supply: Functional Issues

■ Judicial / Courts

✓ Space shortages (i.e., Queuing and waiting spaces, workstations and offices, prisoner holding, records storage, courtroom seating, public restrooms)

✓ Security Concerns (i.e, Lack of secure prisoner circulation from holding to courtrooms and back, lack of secure vehicular sally port, limited number and overcrowded holding cells, too many accessible back doors, Prisoners sometimes moved in public circulation, Lack of holding cells adjacent courtrooms)



Supply: Functional Issues

- **Judicial / Courts (continued)**
 - ✓ **Courtroom Limitations (i.e., Round shape limits flexibility, Inadequate support spaces for courtrooms including entry vestibules and attorney/client conference rooms, lack of integrated courtroom technology)**
 - ✓ **Functional fragmentation (i.e., Clerk, support spaces are scattered throughout the building, remote evidence storage is remotely, holding areas)**
 - ✓ **ADA Compliance (i.e., Inadequate provision for witness stands and jury boxes, Inadequate access to judge's benches, Inadequate circulation widths within many office areas)**

Demand: Existing / Projected Personnel

Santa Fe County Personnel Self-Projections
 Consolidated Administrative Personnel
 7/19/04

Personnel type (complete for each organization or subunit as appropriate)	Existing Number of People	Short-Term (2 years)		Mid-Term (5 years)		Long-Term (10 years)		Mid-Term Growth Rate
		Expected	Conservative	Expected	Conservative	Expected	Conservative	
Administration	51	51	51	54	51	61	52	5.0%
County Manager	14	14	14	14	14	14	14	0.0%
Administrative Services	7	7	7	7	7	7	7	0.0%
Legal / Probate Judge	9	9	9	10	11	11	11	11.1%
Finance	21	21	21	21	19	24	19	0.0%
Electoral / Appointed Officials	71	74	75	77	77	86	85	8.8%
Treasurer	9	8	9	10	11	11	11	22.2%
Assessor	35	38	38	38	38	38	38	8.6%
Clerk	27	28	28	28	28	37	37	3.7%
Planning / Budget / Projects	63	68	67	67	64	106	103	38.3%
Land Use	29	31	29	48	44	54	51	52.1%
Projects and Facilities Management	26	28	28	29	30	40	40	15.4%
RPA	2	2	2	3	2	3	3	0.0%
Surveyor	1	2	2	2	2	2	3	100.0%
Utilities	5	6	6	6	6	6	6	20.0%
Community Health	21	22	21	22	23	23	17	4.8%
Community Health	21	22	20	22	23	23	17	4.8%
DA	69	68	67	67	108	147	148	33.5%
DA	69	68	67	87	106	147	116	53.6%
Total	275	284	280	330	347	423	374	25.1%

Projection Summary by Type of Personnel (expected scenario)					
Consolidated Administrative					
Expected Scenario					
2004 Existing	2006 Short-term	2009 Mid-term	2014 Long-Term	Mid-Term Growth Rate	
51	51	54	61	5.0%	
14	14	14	14	0.0%	
7	7	9	12	28.6%	
9	9	10	11	11.1%	
21	21	21	24	0.0%	
71	74	77	86	8.8%	
9	8	11	11	22.2%	
35	38	38	38	8.6%	
27	28	28	37	3.7%	
63	68	67	106	38.3%	
29	31	47	54	52.1%	
26	28	30	40	15.4%	
2	2	2	3	0.0%	
1	2	2	3	100.0%	
5	6	6	6	20.0%	
21	22	20	22	4.8%	
69	68	106	147	33.5%	
69	68	106	147	53.6%	
275	284	344	422	25.1%	

% growth (Expected Scenario)		% growth (Expected Scenario)		% growth (Expected Scenario)		% growth (Expected Scenario)		% growth (Expected Scenario)	
3.27%	26.18%	53.82%	3.27%	25.09%	53.45%	15.7%	4.90%	15.69%	33.33%
1.64%	5.24%	5.38%	1.64%	5.02%	5.35%	2.45%	2.45%	3.14%	3.33%
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299
204	214	211	240	239	227	265	273	255	299

Demand: Existing / Projected Personnel

■ Courts/Judicial Personnel Projections

✓ Based on analysis of ratio of court filings to existing and projected Santa Fe County population

Santa Fe County, New Mexico

Dept./Div.	Position	2004 Existing			2008			2013			2018			2023		
		Full Time	Contract	Total	Full Time	Contract	Total	Full Time	Contract	Total	Full Time	Contract	Total	Full Time	Contract	Total
JUDICIAL	Judicial Subtotal	20.00	11.00	31.00	21.00	12.00	33.00	23.00	13.00	36.00	26.00	15.00	41.00	28.00	16.00	44.00
CT. ADMIN.	Ct. Admin. Subtotal	9.00	1.00	10.00	9.00	3.00	12.00	10.00	3.00	13.00	11.00	2.00	13.00	13.00	1.00	14.00
CLERK	Clerk Subtotal	23.75	4.00	27.75	28.75	4.00	32.75	28.75	4.00	32.75	32.75	4.00	36.75	34.75	4.00	38.75
SPECIAL PROGRAMS/FAMILY COURT SERVICES	FCS Subtotal	16.25	5.50	21.75	18.25	8.00	26.25	18.25	9.00	27.25	23.50	9.00	32.50	23.50	10.00	33.50
SPECIAL PROGRAMS DRUG COURT	Drug Ct. Subtotal	8.00	0.00	8.00	9.00	0.00	9.00	11.00	0.00	11.00	12.00	0.00	12.00	12.00	0.00	12.00
SPECIAL PROGRAM - ADR	Spec Prog Subtotal	25.25	5.50	30.75	28.25	8.00	36.25	31.25	9.00	40.25	37.50	9.00	46.50	37.50	10.00	47.50
TOTAL JUDICIAL SYSTEM STAFF		78.00	21.50	99.50	87.00	27.00	114.00	93.00	29.00	122.00	107.25	30.00	137.25	113.25	31.00	144.25

Average yearly growth rate

2.91%

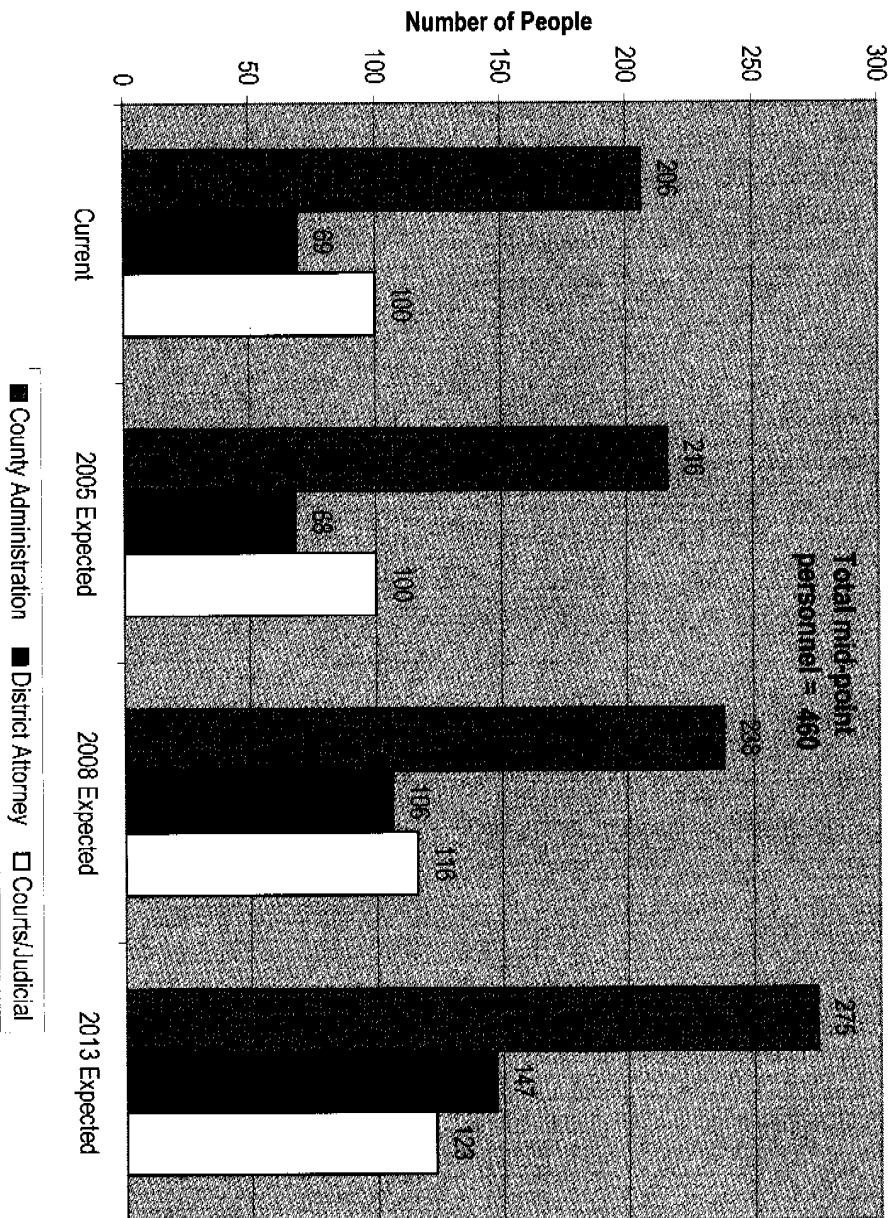
1.40%

2.50%

1.02%

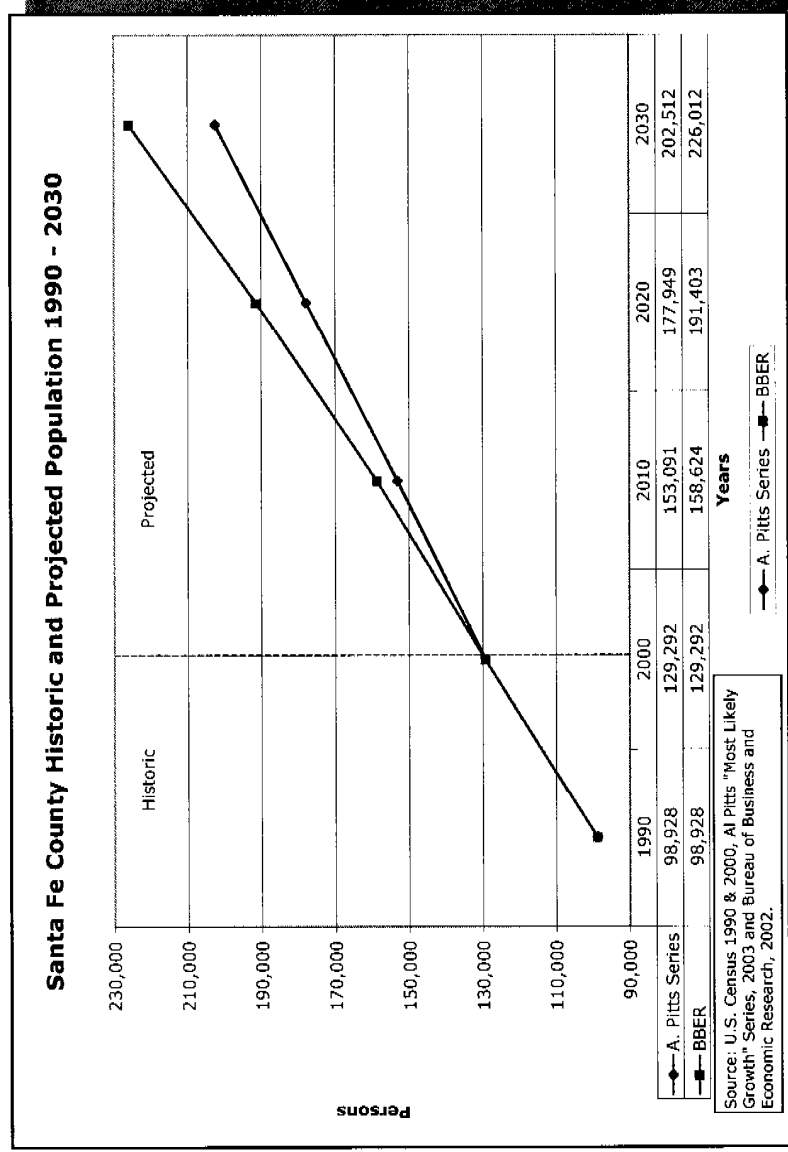
Existing / Projected Personnel

Santa Fe County Personnel Projections by Type (Expected Scenario)



Demand: County Demographics

- The County is expected to continue to grow by a range of:
 - ✓ 23,800 to 29,332 persons from 2000-2010 (1.7% to 2.1% per year)
 - ✓ 24,858 to 32,779 persons from 2010 - 2020 (1.3% to 1.9% per year)



Country Demographics

■ Peer Counties

✓ *Five peer counties were selected to evaluate administrative staff sizes compared to Santa Fe County for purposes of projecting future levels of employment. Criteria for peer counties were:*

- *location in New Mexico and adjacent states*
- *similar county total and unincorporated population*
- *similar population of largest city, and*
- *similar rate of growth.*

✓ *Planners from Santa Fe County Land Use Department helped select the counties.*



Demand - Peer Comparison

- Self-projections for administrative personnel are consistent with an assumption that personnel / 1000 population will remain relatively constant

- The number of county administrative employees would increase if the personnel / 1000 population ratio is closer to peers

Santa Fe County and Peer Counties Administrative Employees Comparison

Counties	Numbers of Full Time County Employees		Proportional Relationships	
	Total Employees*	Total Administrative Employees**	Full Time Admin. Employees/ 1,000 Population	Full Time Admin. Employees/ Square Mile of County Area
New Mexico				
Santa Fe	635	204	1.52	0.11
Dofia Ana	730	198	1.11	0.05
San Juan	824	338	2.81	0.06
Colorado				
Lairimer	1,048	624	2.36	0.24
Mesa	848	454	3.74	0.14
Arizona				
Cocoonino	754	350	2.71	0.02
		Median	2.54	0.08
		Average	2.37	0.10

Sources: Respective County Human Resources Departments contacted by ARC.

*Not Including Courts, District Attorney Office or RPA

** Excluding: Public Works, Sheriff's Department, Fire Marshall, Courts, District Attorney and Detention

Projected Administrative Employees

Year	2004	2006	2009	2014
Santa Fe County Population Projection***	138,652	142,778	151,029	168,567

Total employees/1000 (constant)	1.52	1.52	1.52	1.52
Employees*	210	217	229	256
Self Projection	204	214	239	273
% Difference	3%	1%	-4%	-6%

Employees/1000 (increase)	1.52	1.75	2.00	2.25
Employees*	210	250	302	379
Self Projection	204	214	239	273
% Difference	3%	17%	26%	39%

*Assumes BBBER projection series

Preliminary Planning Goals

- **Form**
 - ✓ *Provide access to public (e.g., visibility, accessibility)*
 - ✓ *Provide quality environment (e.g., attract and retain personnel)*
- **Function/Time**
 - ✓ *Improve service delivery and access to information*
 - ✓ *Provide adequate space (enough space for functions)*
 - ✓ *Provide equity (in space)*
 - ✓ *Provide efficient/effective space organization (e.g., maximize required adjacencies)*
 - ✓ *Provide flexibility to meet future needs*
 - ✓ *Provide appropriate security for function*
- **Economy**
 - ✓ *Reduce operational expenses*
 - ✓ *Provide long-term asset value*



Organizing Concepts

- **Consolidated Administration**
 - ✓ ***Consolidate organizations to optimize work flow and required adjacencies.***
 - *Consolidate administrative functions that meet specific criteria*
 - Type activity
 - Supervisory at County, Department Level
 - Services support other Departments or internal operations
 - Provides select services to public
 - Benefits from location in association with other functions (e.g., operational flow, management control)
 - Type of space
 - Primarily “office” and office support - generally non-specialized type of facility

Organizing Concepts

■ Proposed Functional Clusters

✓ Cluster 1 County

- Administration, services to other County divisions/departments (as well as the public)
- County Manager, Finance, Legal (Probate Judge), Administrative Services,

✓ Cluster 2

- Direct services, high public interaction, vault use
- (Clerk, Assessor, Treasurer)

✓ Cluster 3

- Community development, permitting - high public interaction
- Land Use, Projects & Facilities Management, Utilities, Surveyor, RPA

✓ Cluster 4

- Health/Housing Related
- Community and Health Development

✓ Cluster 5

- District Attorney

✓ Courts/Judicial

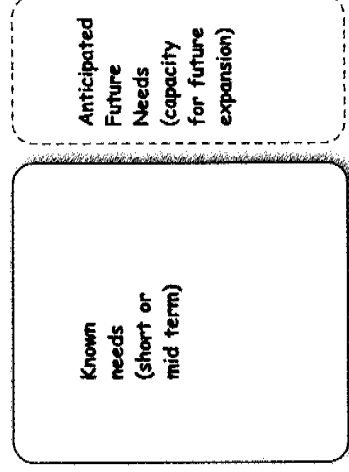
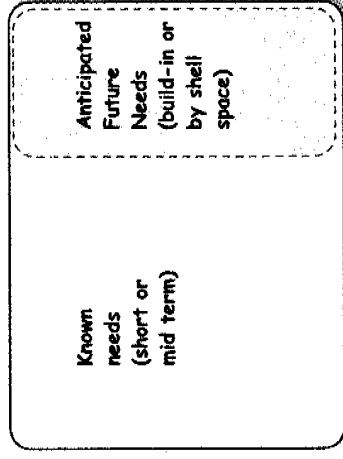


Organizing Concepts

■ Consolidated Administration (continued)

✓ Growth/Change

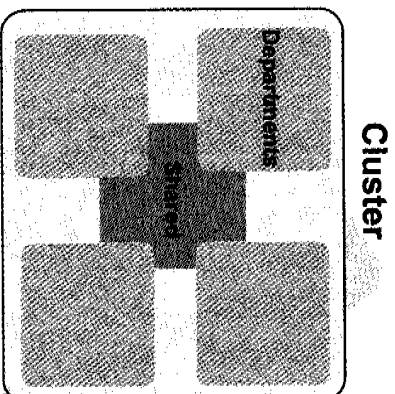
- Assume organizational structures will change - but basic functions will remain similar
- Anticipate change - plan for growth (plan for long-term)
 - Plan for mid-term personnel (minimum) and allow expansion capability for the future
 - By addition
 - Grow into (shell space or lease in interim?)
 - The County should build on a site with reasonable expansion potential (accommodate at least 50% more facility than long-term forecast if possible).



Organizing Concepts

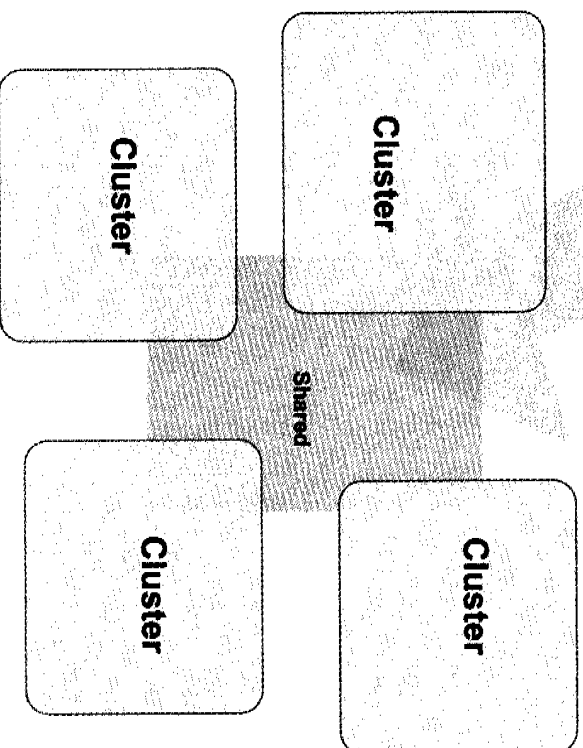
■ Consolidated Administration (continued)

✓ Share common functions in a manner that anticipates future growth



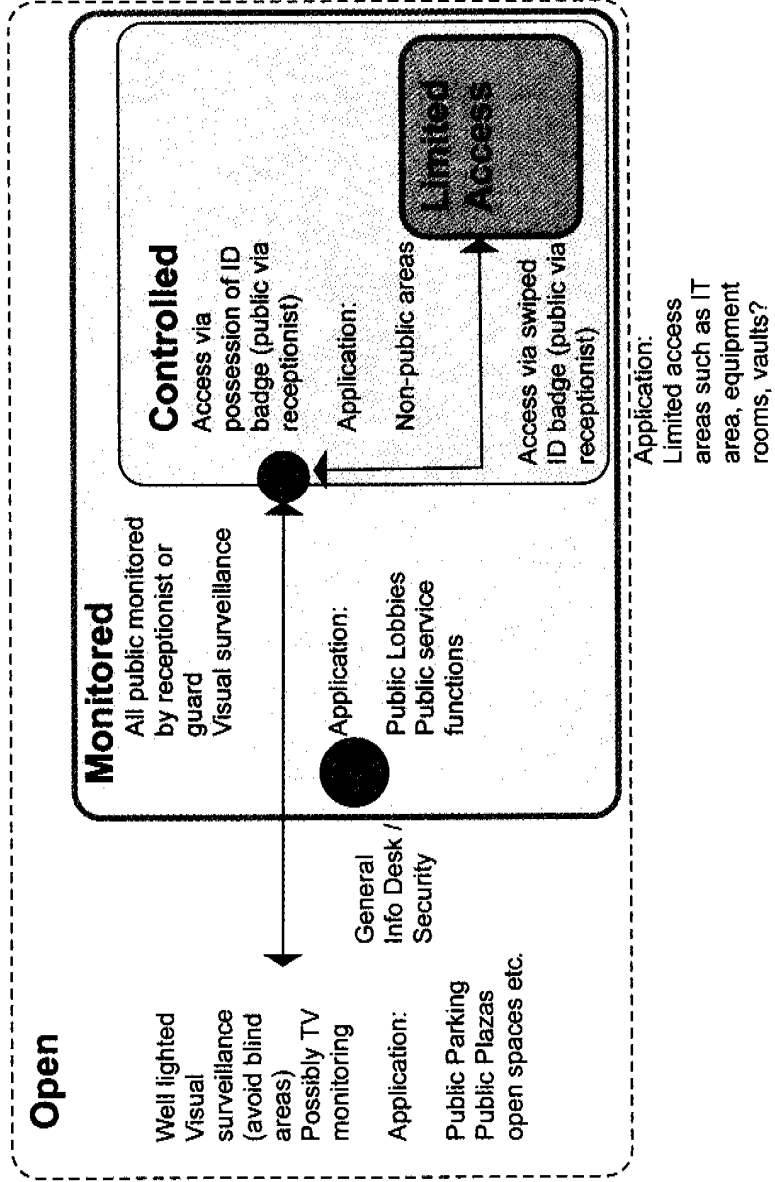
At the Cluster Level:
Departments share common spaces (e.g., conference rooms, workrooms and storage) based on the number of people (80 to 100 people)

At the Building Level:
Clusters share common spaces (e.g., commission chamber, large conference rooms, break rooms, reception/security and bulk storage)



Organizing Concepts

- Consolidated Administration
- ✓ Plan for Security



Organizing Concepts

■ Consolidated Administration (continued)

✓ *Provide equitable distribution of space*

- *Allocate space in a consistent manner*
 - according to what people do -- rather than who they are
 - develop a consistent and clear method to manage and allocate space

✓ *Promote positive working environment*

- *Natural light, required workspace support*
- *Meeting areas (public and staff)*



Organizing Concepts

- **Judicial / Courts**
 - ✓ Zoning ~ the facility should have separate public, prisoner and judicial zones
 - ✓ Paired court sets ~ courtrooms should be planned in pairs to facilitate direct secure prisoner access
 - ✓ Paired judicial office sets ~ judicial office sets should be paired to permit some sharing of support spaces and to facilitate staff interaction and mutual assistance
 - ✓ Separate secure prisoner delivery direct to courtrooms ~ prisoners should never be moved in public spaces but should always be delivered by means of secure elevators and corridors directly to dedicated and secure courtroom entries
 - ✓ Distributed versus collegial judicial office sets ~ judicial offices should be distributed on the floors with courtrooms rather than grouped on a separate office floor.
 - ✓ High volume functions low in building ~ The highest volume public functions should be located as low in the building as possible. Court programs and clerk functions are best suited to this location.

Organizing Concepts

- **Judicial / Courts (continued)**
 - ✓ **Clerk and court collocation ~ the courts and the clerk functions must be located in the same structure and on common public circulation**
 - ✓ **Court Administration deployment ~ Court Administration may be located either with the Clerk functions or with the Courts on a courtroom and judicial floor if necessary.**
 - ✓ **Division specific courtrooms ~ courtrooms will be shared based on sizes but in general the expectation is that courtrooms will be routinely assigned to a specific division of court and used by the division on a consistent basis.**
 - ✓ **Public access to TCAA ~ TCAA positions provide important public information and contact for the court. Security of these workstations is critical as well as easy access from public circulation. A security barrier should be provided that allows interaction with the public but controls access to the judicial offices and circulation beyond.**



Space Needs

■ Methods

✓ Calculated

- Space allocated for personnel by consistent standards (NM Space Standards, Court planning standards)
- Workspace support allocated by number of persons
- Specialized space itemized and estimated

✓ General Office Standards

- GSA - 160 nasf / person (includes workspace support)

NASF - Net assignable square feet (square footage you use)
DGSF - Department Gross Square Feet (NASF plus internal circulation)

GSF - Gross Square Footage (square footage you pay for)
Efficiency - Ratio of NASF/GSF

Tare = GSF - NASF (what is left over ... corridors, walls, stairs /elevators, mechanical spaces, janitorial)

Space Needs

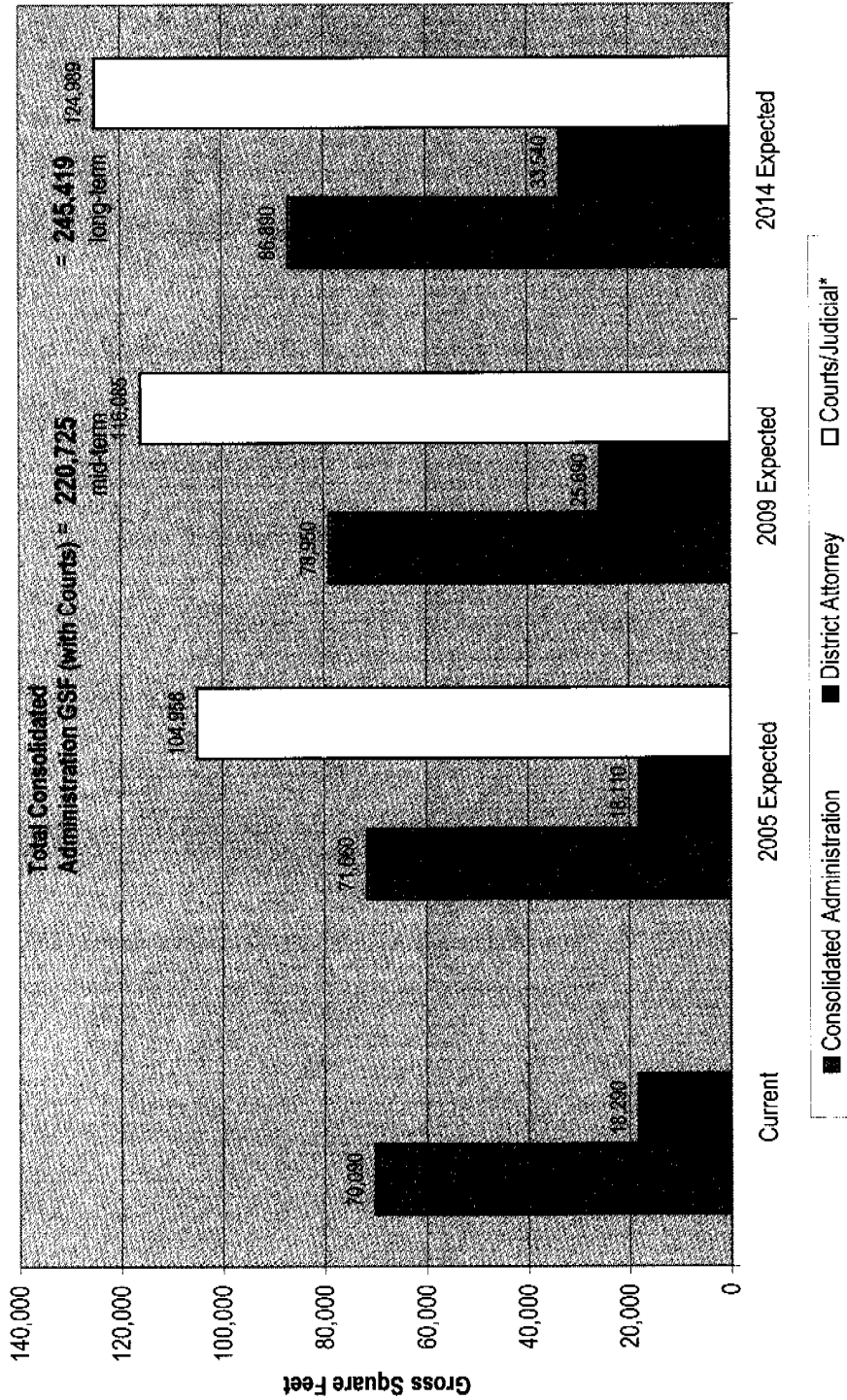
■ Variables

- ✓ *Functions to be included*
- ✓ *Space standards adopted*
 - *Personnel*
 - *Workspace support (conference rooms, workroom, storage etc.)*
- ✓ *Degree of flexibility*
- ✓ *Amount of sharing of functions*
- ✓ *Time frame (what point of time to plan for)*
- ✓ *Building efficiency (NASF/GSF)*
- ✓ *Storage*
 - *On-site vs. off-site*
 - *Compact storage systems*



Space Needs

Santa Fe County Space Projections by Type (Expected Scenario)



*Courts/Judicial projected to 2008 and 2013

Santa Fe County Space Needs Assessment
Page: 29

ARC 20321

NASF - Net assignable square feet (square footage you use)
 DGSF - Department Gross Square Feet (NASF plus internal circulation)
 GSF - Gross Square Footage (square footage you pay for)
 Efficiency - Ratio of NASF/GSF
 Tare = GSF - NASF (what is left over ... corridors, walls, stairs/elevators, mechanical spaces, janitorial)

Space Needs

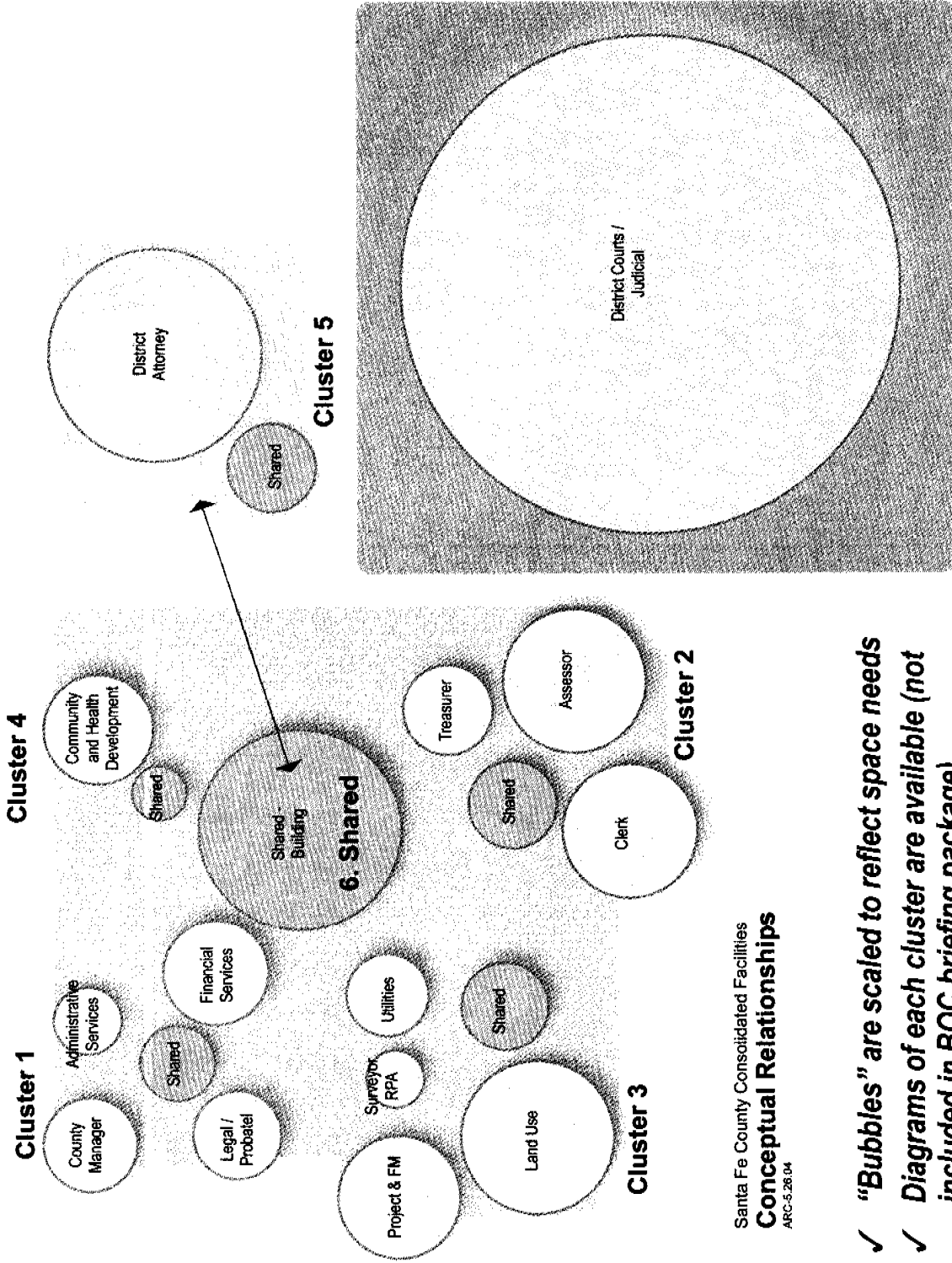
■ Growth to 2023

✓ Anticipate adding at least 40,000 gsf

- *Courts / Judicial*
 - Additional 20,000 GSF (140,430 total GSF)
- *Consolidated / Administration*
 - Additional 20,000 GSF (140,000 total GSF)
 - Suggested by continuing County growth)



Conceptual Relationships



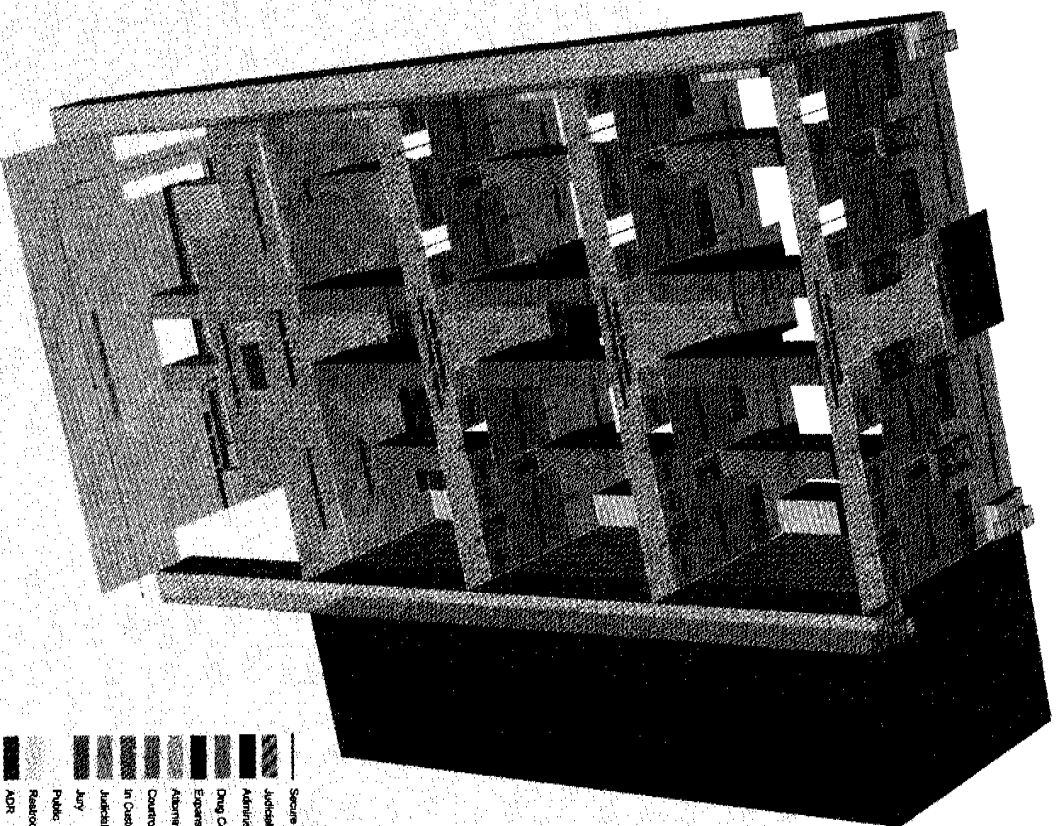
Santa Fe County Consolidated Facilities
Conceptual Relationships
 ARC-5.26.04

- ✓ "Bubbles" are scaled to reflect space needs
- ✓ Diagrams of each cluster are available (not included in BOC briefing package)

Conceptual Relationships

■ Judicial Complex

- ✓ 3 Dimensional relationships showing separation of circulation paths for public, judges and detainees



Security Barrier
Judicial (Reduced Security)
Administrative
Dog Court
Equipment
Attorney/ Conference Room
Courtroom
In Custody
Judicial
Jury
Public
Restroom / Utility Room
ADRS

Space Needs - Site (Long-term)

Consolidated Administration and Courts			
	Outputs	GSF	Acres
A.	Building Footprint	245,419	5.63
B.	Employee / Visitor Parking GSF	224,000	5.14
C.	County Vehicles	6,720	0.15
D.	Subtotal	476,139	10.93
E.	Site Tare	256,382	5.89
F.	Total Site Required (C+D)	732,521	16.82

Note: Assumes 1-story construction, surface parking

50% Increase for long-term growth potential 25.22

Consolidated Administration and Courts			
	Outputs	GSF	Acres
A.	Building Footprint	81,806	1.88
B.	Employee / Visitor Parking GSF	224,000	5.14
C.	County Vehicles	6,720	0.15
D.	Subtotal	312,526	7.17
E.	Site Tare	168,263	3.86
F.	Total Site Required (C+D)	480,810	11.04

Note: Assumes 3-story construction, surface parking + 50% for long-term growth potential

50% Increase for long-term growth potential 16.56

Consolidated Administration and Courts			
	Outputs	GSF	Acres
A.	Building Footprint	81,806	1.88
B.	Employee / Visitor Parking GSF	74,667	1.71
C.	County Vehicles	6,720	0.15
D.	Subtotal	163,193	3.75
E.	Site Tare	87,873	2.02
F.	Total Site Required (C+D)	251,066	5.76

Note: Assumes 3-story construction, 3 Story parking structure + 50% for long-term growth potential

50% Increase for long-term growth potential 8.65

Cost Impacts

■ Cost Impacts

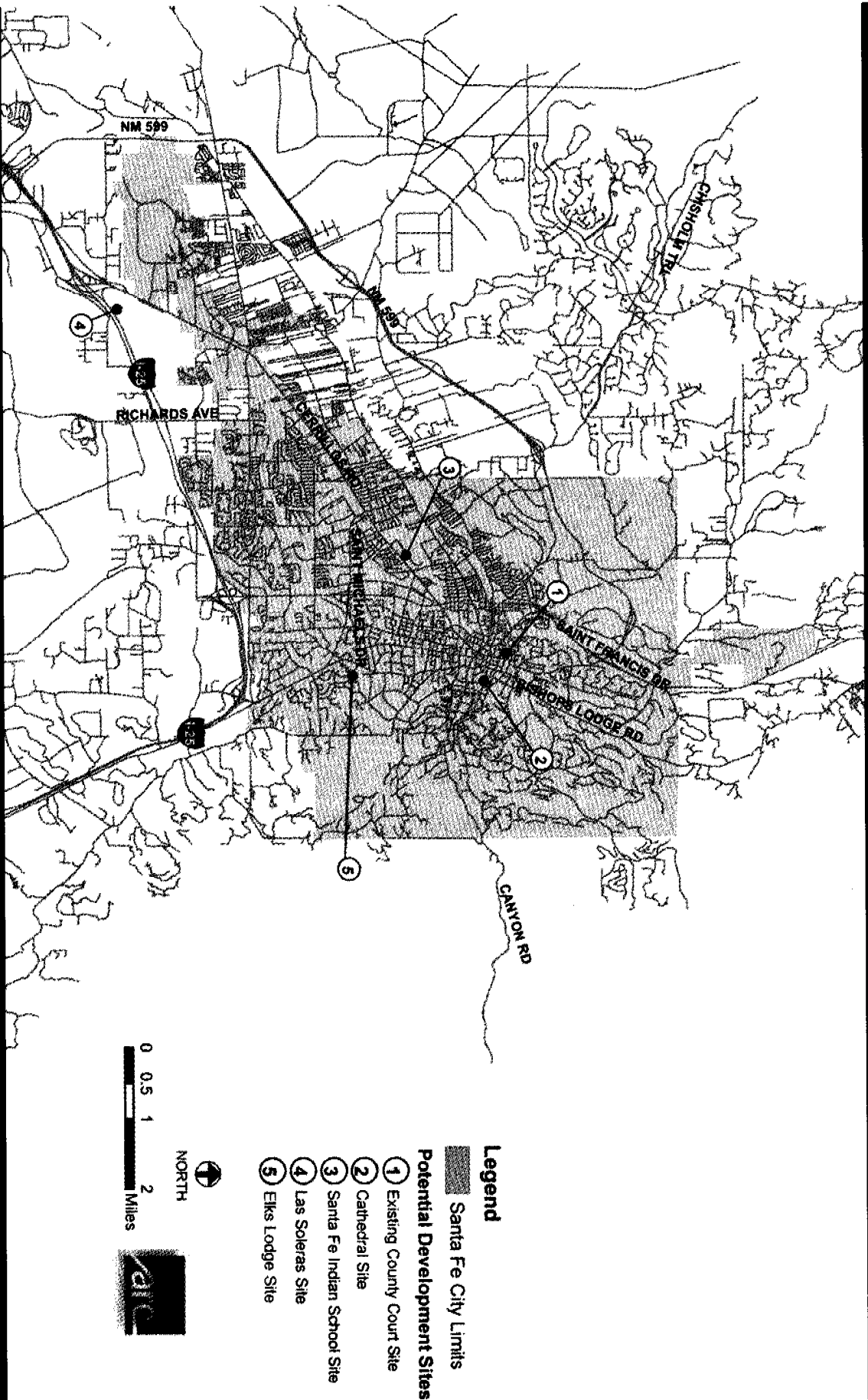
- ✓ Quantity of space*
- ✓ Quality of space*
- ✓ When constructed (inflation assumption)*
- ✓ Type of parking (surface vs. structured)*



Cost Impacts

- Pre-conceptual estimates of probable construction cost
 - ✓ Total needs (mid-term): ~\$39-44 million*
 - Consolidated Administration
 - ~\$15.7 - 17.7 million*
 - Courts
 - ~\$23.2 - 26.2 million*
- ✓ *Notes
 - MACC (Maximum Allowable Construction Cost, cost to contractor) includes site development, 2004 costs
 - Does not include land acquisition or parking structures
 - Does not include owner's overhead (fees, moveable equipment administration, contingencies - typically an additional 20-25%)
 - Assuming mid-point construction 2006 and inflation at 3%/year - total construction cost escalates to \$41.3 - \$47.7 million MACC

Site Location Alternatives



Legend

Santa Fe City Limits

Potential Development Sites

- Existing County Court Site
- Cathedral Site
- Santa Fe Indian School Site
- Las Soleras Site
- Elks Lodge Site



0 0.5 1 2
Miles



Site Alternatives

Preliminary Site Evaluation Matrix

Site #	Site Name	Location	Size (Acres)	Expansion Potential	Zoning	Potential to Accommodate Long-Range Santa Fe County Needs	Site Context / Character	Utility Availability			Access and Parking				Cost		Notes
								Water	Sewer	Power	Vehicular Access	Pedestrian Access + amenities	Satisfy Parking in Surface Lots?	Public Parking Available?	Acquisition Cost	Prelim. Site Dev. Cost (\$M)	
1.	Los Solera	I-25 and Cerrillos	~75	<input checked="" type="checkbox"/>	ETZ, institutional	<input checked="" type="checkbox"/> New construction	Developing area, in County	<input type="checkbox"/> (well)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Donated	\$5.16	of 20 ac. Site development and utility extension	Part of master planned site.
2.	Indian School	Cerrillos and Navajo	~15 (usable) Total site 35	<input type="checkbox"/>	Not Applicable	<input checked="" type="checkbox"/> New or Reuse of existing	Semi-urban	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Lease (no proposal yet)	\$3.6 - 4.8	of 15 ac., site development and parking	Potentially historic buildings on-site. Master plan being developed
3.	Judge Steve Herrera Judicial Complex	Carroll/Griffin/Grant	2.28		BCD - Marcy Subdistrict, Historic District	<input type="checkbox"/> Courts only	Urban	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> (3)	<input type="checkbox"/> (future city structure)	County-owned	\$5.50	+ cost of temporary facilities	Development will require temporary relocation of courts
4.	Cathedral/Marian Hall/SJ Vincent Site	SW corner of Marcy Street and Paseo de Peralla	5 (usable) Total site 12	<input type="checkbox"/> (1)	BCD - Alameda and East Marcy/East Palace Subdistricts, Eastside Historic District	<input checked="" type="checkbox"/> Various options available	Urban	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> (2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> (proposed structure)	Lease (no proposal yet)	\$9.60 (4)	Site development, utility upgrade and parking structure	Master plan in development
5.	Elks Lodge Site	Old Pecos Trail and St. Michaels Drive	~8		R-1 zoning district	<input type="checkbox"/> Admin. needs only	Suburban	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		\$4.15	\$2.6-4.2	Site development	

Yes (Excellent)
 Partial
 No (Poor)
 (blank)

Notes: (1) This site has current and future office / support space which could serve as expansion
 (2) This site has strong potential for public transportation service to offset parking requirements
 (3) A new courthouse structure would have underground parking for judicial employees only
 (4) Parking structure cost would be shared with private development

Site 1 - Las Soleras Site

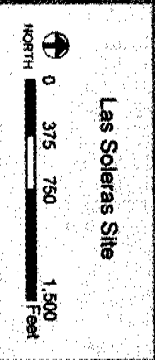


Proposed Site

Las Soleras Site

0 375 750 1,500 Feet

NORTH

A north arrow pointing upwards and a scale bar with markings at 0, 375, 750, and 1,500 feet.

Site 1 - Las Soleras Site

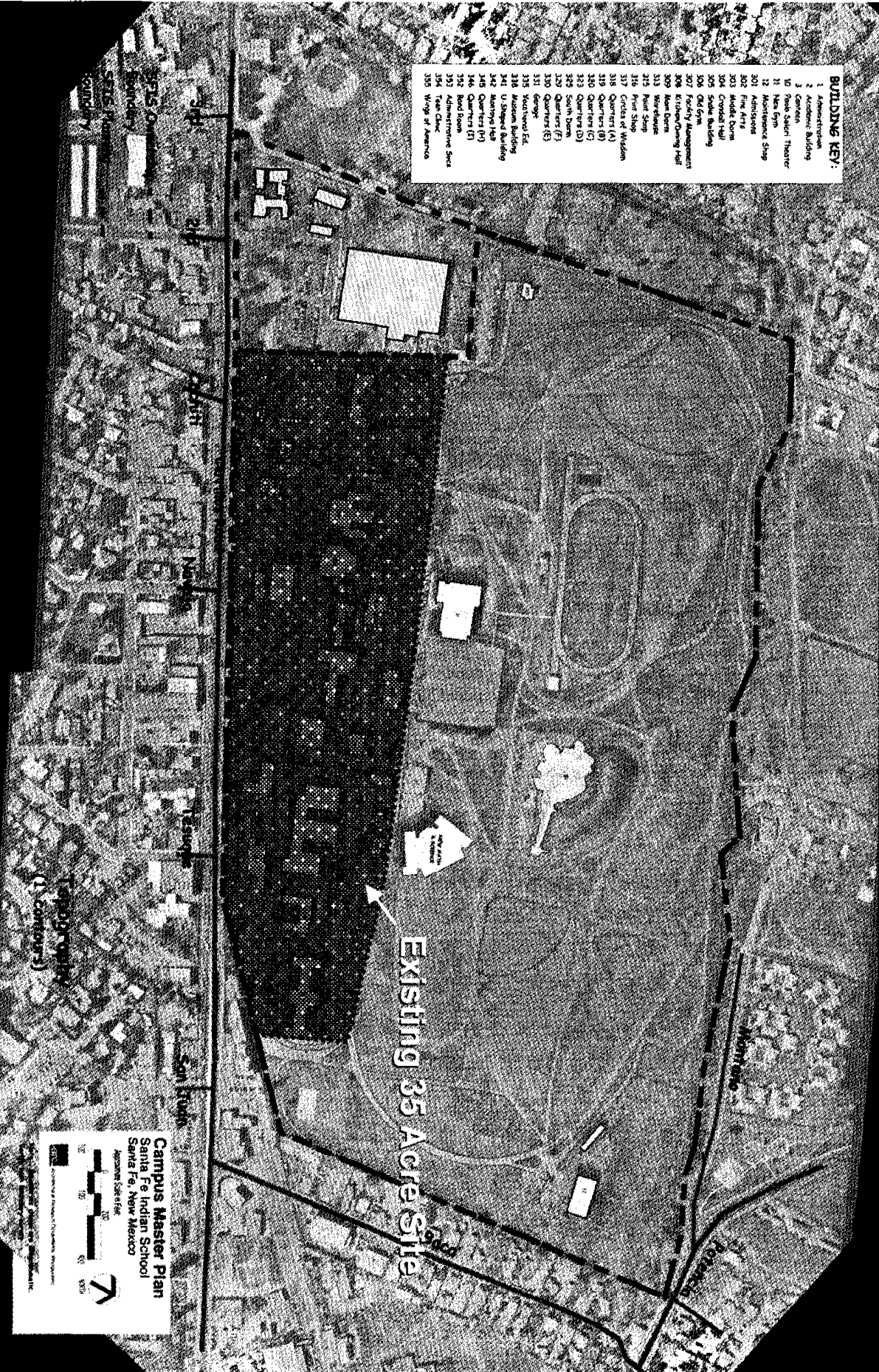


SITE# 1 - LAS SOLERAS (APPROX. 25 ACRES)

Site 2 - Santa Fe Indian School Site

BUILDING KEY:

1	Administration
2	Auditorium Building
3	Center
4	Green
5	Heard School Theater
6	Ice Rink
7	Memorial Shop
8	Music
9	Paint Shop
10	Physical Education
11	Recreation
12	Science
13	Shop
14	Stables
15	Student Union
16	Textile
17	Tool Shop
18	Woodworking
19	Workshop
20	Yard
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100	Yield



Site 2 - Santa Fe Indian School Site



SCALE 1" = 150'

SITE# 2 - INDIAN SCHOOL (OPTION 1)

Site 2 - Santa Fe Indian School Site

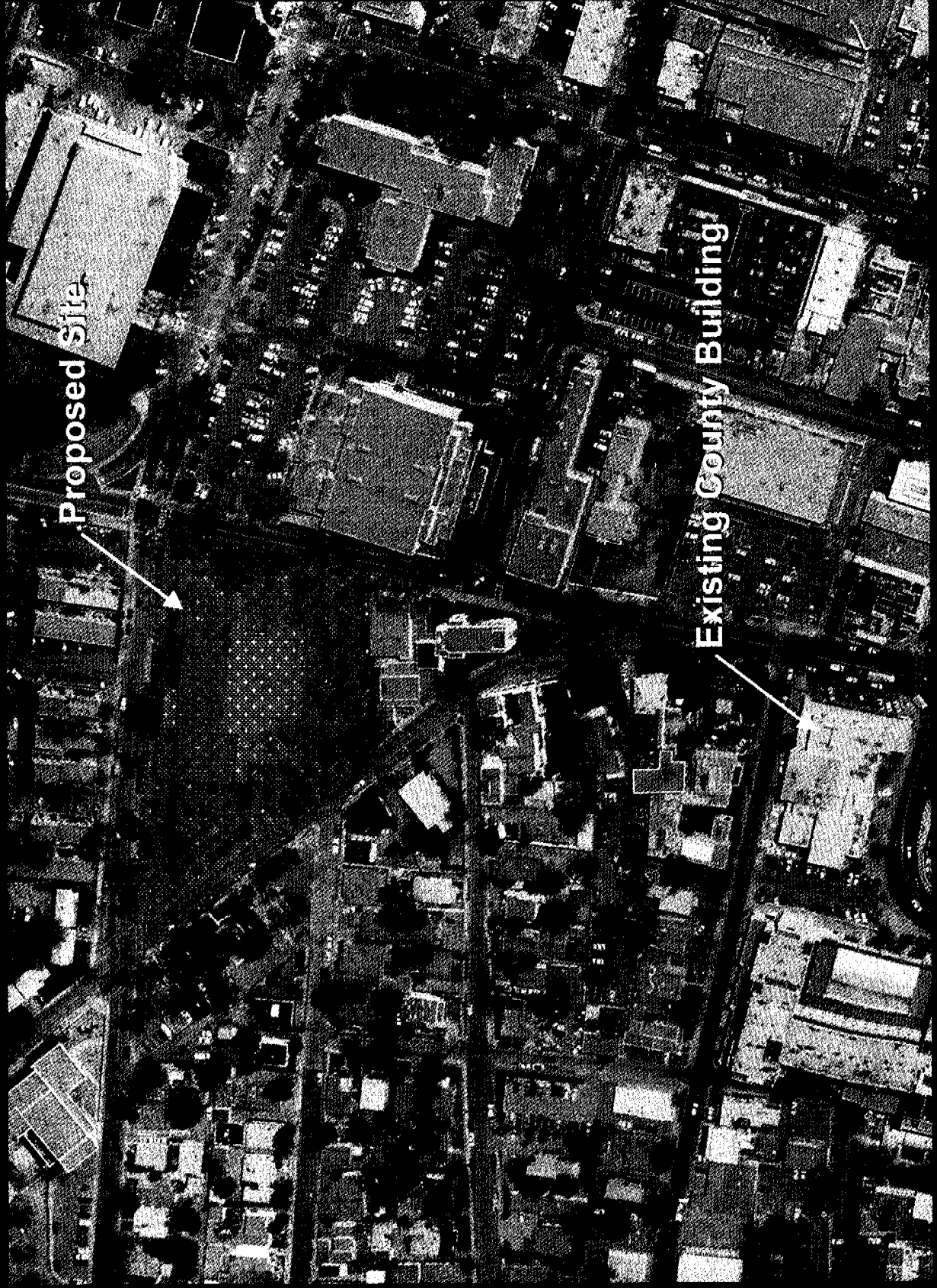


SITE# 2 - INDIAN SCHOOL (OPTION 2)

0 25 50 75 100
SCALE 1" = 150'



Site 3 - Existing County Court Site



Site 3 - Existing County Court Site



0 25 50 100
SCALE 1" = 150'



SITE# 3 - DISTRICT COURT

Site 4 - Cathedral Site



Site 4 - Cathedral Site



SITE# 4 - CATHEDRAL OPTION 1

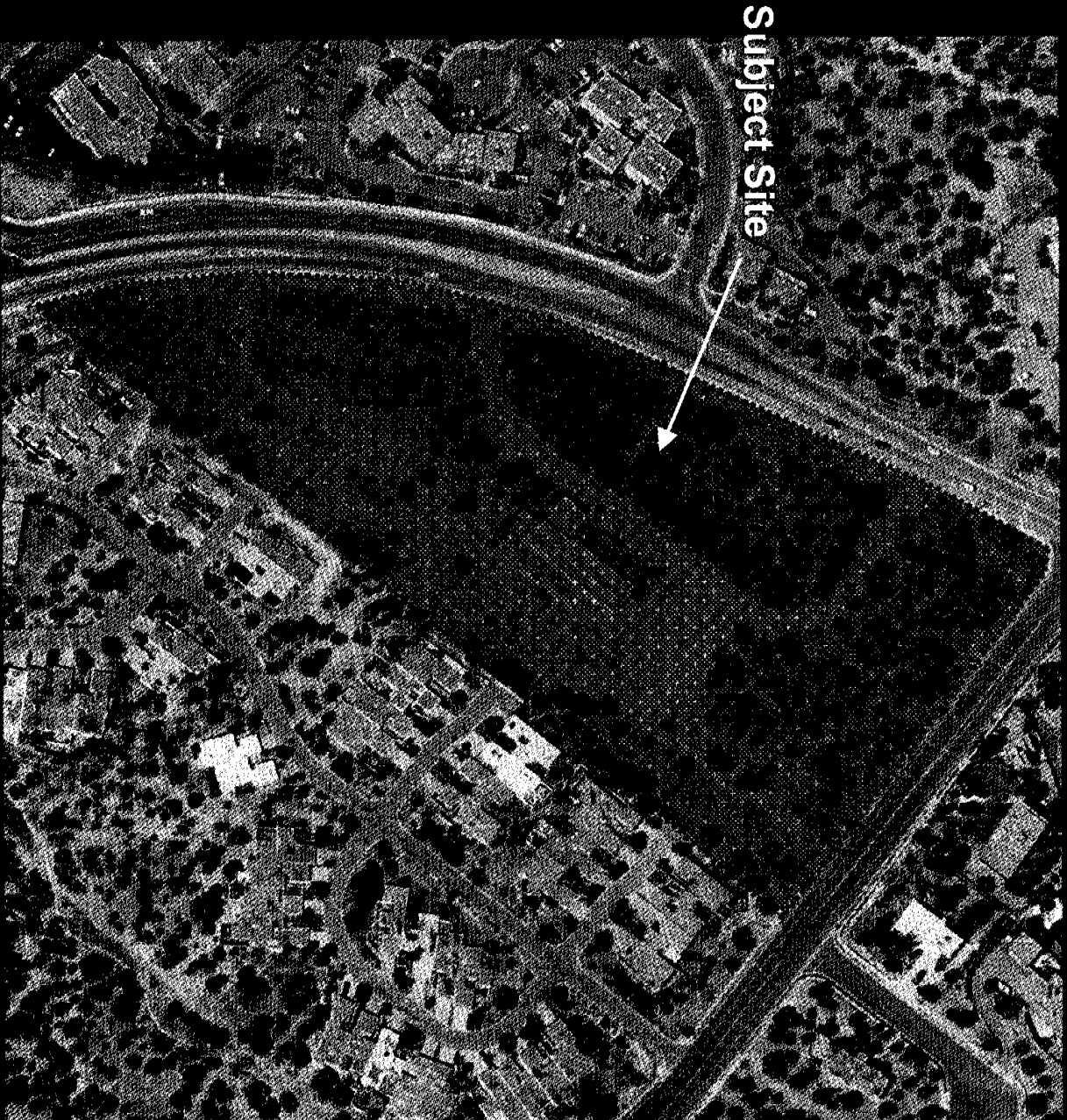


Site 4 - Cathedral Site

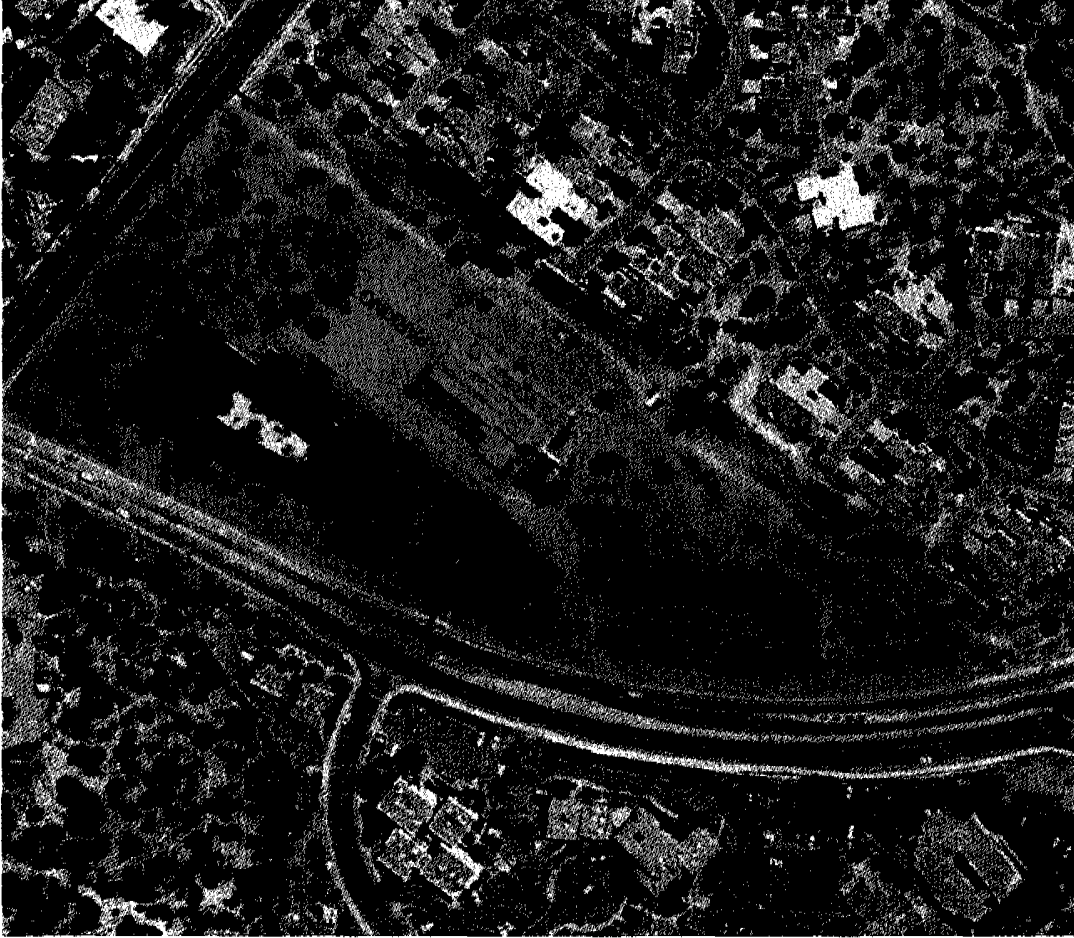


SITE# 4 - CATHEDRAL OPTION 2

Site 5 - Elks Lodge



Site 5 - Elks Lodge

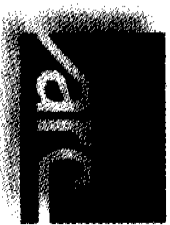


1" = 150'
SCALE

SITE# 5 - ELKS LODGE



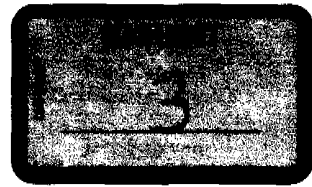
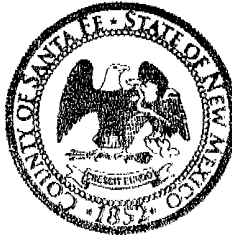
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Harry B. Montoya
Commissioner, District 1

Paul Duran
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3



Gerald T. E. Gonzales
County Manager

**EZ CASE NO. S 02-4321
LA PRADERA SUBDIVISION
GARDNER ASSOCIATES LLC., APPLICANT
DESIGN ENGINUITY, AGENT**

AMENDED ORDER

THIS MATTER came before the Board of County Commissioners of the County of Santa Fe on March 9, 2004, on the applicant's request for:

Final Plat and Development Plan approval for a mixed-use subdivision, consisting of 69 lots with 80 dwelling units and 16,335 sq. ft. of commercial area on 69.2 acres. The property is located west of Richards Avenue between I-25 and the Arroyo Hondo, within the Community College District, within Section 17, Township 16 North, Range 9 East (2-Mile EZ District).

The Board of County Commissioners hereby FINDS:

Applicable Ordinances and Regulations

1. Final Plat applications are subject to the requirements of Section 3.3.4.C and 3.3.5 of the Extraterritorial Subdivision Regulations.
2. Development Plan applications are subject to the requirements of Sections 3.6.B, 3.6.C, 3.4.D and 3.4.E of the Extraterritorial Zoning Ordinance.

Submittals

3. The applicant submitted evidence of legal lot of record; a vicinity map; a description and documentation of existing site data; a report in conformance with Section 3.3.4.B.4.A of the Extraterritorial Subdivision Regulations; proposed plans and plats addressing proposed lot layout; internal vehicular and pedestrian circulation, ingress

SFC CLERK RECORDED 11/03/2004

and egress; a drainage, grading, and erosion control plan; a landscaping plan; an open space plan; location of easements and rights-of-way; access to utility services; and information as required by state agencies. The applicant's submittals addressed landscape types relevant to slope, vegetation and natural drainage for the purpose of identifying the village zone and fringe zone. Plat and development plan submittals also included a market analysis fiscal impact analysis, traffic impact analysis, archaeological survey, affordable housing plan, subdivision disclosure statement, and restrictive covenants. See La Pradera report, materials packet, staff report.

4. To the extent that a required submittal is not contained in the materials before the Commission but such submittal was either reviewed by county staff or the requirement was waived, and staff then represented that the application is in conformance with code requirements, the Board accepts as true staff's testimony that the application is in conformance with the relevant requirements.

Additional Factual Findings and Conformance with Ordinance Requirements

5. On January 28, 2003, the EZA granted Master Plan Approval for a Mixed Use Development in a village zone and fringe zone, consisting of 80 residential units on 69 lots and 16,335 sq. ft. of commercial space on 69 acres.
6. On December 11, 2003, the EZC recommend final plat approval on this request.
7. The request for Final Plat and Development Plan consists of the following: Fringe Zone (15.04 acres), Neighborhood Zone (12.22 acres) and Neighborhood Center (3.0 acres): 63 single family homes, 3 duplexes, 11 live work units, 16,335 sq. ft. of commercial space, 39 acres (56%) open space, including 3 neighborhood parks totaling 3.1 acres.

SFC CLERK RECORDED 11/03/2004

8. The proposed 80 dwelling units will include 12 affordable housing units, which will be integrated within all residential types.
9. *Boundaries of Landscape Types/Location of Zones:* The applicant has provided a slope analysis and identified slopes of 5 to 10 percent, 10 to 15 percent, and over 15 percent. From this slope analysis the landscape types relevant to slope, vegetation and natural drainage have been defined. The location of the zones is based on the landscape types. The analysis of the landscape types represents a refinement of the landscape types and zone boundaries established in the Community College District Ordinance based on detailed site conditions.
10. *Zoning Allowances:* The minimum residential density that is required in a village zone neighborhood center/neighborhood is 3.5 units per acre, the applicant is proposing 3.7 units per acre. The applicant is complying with residential densities in the fringe zone with 1 unit per acre. The minimum floor area ratio in a village zone neighborhood center is 0.25 and the maximum is 2.0. The applicant is proposing the minimum floor area ratio. Floor area ratio is the ratio of the building floor area to the net land area (not including roads and open space) and is calculated by dividing total floor area by net land area.
11. *Market Analysis/Economic Fiscal Impact:* The market analysis indicates that there is a demonstrated need for the proposed development and an absorption rate of 3 residential lots per month is a conservative forecast. The economic/fiscal impact report indicates that the project will provide employment for approximately 114 people during construction and five new permanent jobs after build-out. The project will generate earnings from services and material of approximately 6.7 million dollars during the development period. The net annual County benefit is estimated

to be \$78,000 during the construction period and \$44,000 per annum after build-out (gross receipts, property taxes, fees).

12. *Access/Traffic:* Dinosaur Trail will provide access to the development. The on-site portion of Dinosaur Trail consists of a 50' easement which includes a 10' trail. All off-site portions of Dinosaur Trail consist of a 40' easement with a separate 10' trail easement. The property will have three points of access off of Dinosaur Trail. Dinosaur Trail will be improved to a basecourse road from the end of the development property west to the edge of the existing pavement. The on-site portion of Dinosaur Trail and the off-site portion to the east will be improved up to the intersection of Richards Avenue with a 22' wide paved driving surface. The intersection of Dinosaur Trail with Richards Avenue will be relocated to provide a connection with the proposed Oshara development. The intersection of Dinosaur Trail and State Road 14 will be eliminated. Dinosaur Trail will be relocated to intersect with Rancho Viejo Blvd. All internal roads within the subdivision will be paved. A Traffic Impact Analysis was submitted that requires a southbound deceleration lane on Richard's Avenue for right turns onto Dinosaur Trail. The County Public Works Department is requiring both northbound and southbound deceleration lanes on Richards Avenue to be constructed at this time. All improvements will be constructed with the first phase of development.

13. *Water/Wastewater:* The BCC approved a request on September 2, 2003 to transfer a portion of the water service agreement from the Oshara Development to the Garner Property. The Santa Fe County Water Utility will provide water to the development. The applicant has entered into a contract with County Utilities to supply 51.9 ac. ft. The total estimated water budget for the development is 12.89 ac. ft. per year. The

SFC CLERK RECORDED 11/03/2004

applicant was originally proposing to reduce the standard 0.25 ac. ft. per year water allocation per residential lot to 0.13. The proposed water use for the commercial development is 0.34 ac ft. per year. The reduction of water use will be accomplished by utilizing a private community sanitary sewer system connected to a reclamation plant. Homeowners will be required to use dual plumbing to bring back the treated effluent to every toilet. Reclaimed water will also be used for landscaping on individual lots and for streetscape and park landscaping. A leach field is also being proposed as a back-up method for system malfunction or excess runoff. An application for a discharge permit has been submitted to the Environment Department. The State Engineer's Office does not have a problem with the proposed water budget, but does have concerns regarding operation of the system and water availability. The County Hydrologist did not support the proposed water budget of 0.13 acre feet per lot because there is no history and no proof that this amount of water would be adequate to serve one dwelling unit. The County Hydrologist recommends no less than 0.16 acre feet of water per dwelling unit. The applicant has agreed to the 0.16 acre foot allocation for the 80 residential units, which amounts to 12.80 acre feet for the residential portion of the development. A commercial water budget of 0.34 acre feet is also proposed, bringing the total water allocation to 13.14 acre feet. In addition, the applicants would agree to hold up construction of the 11 proposed condo units as an additional reserve factor. Once the applicant can prove that the water budget as proposed (0.16 ac. ft.) is sufficient to meet the needs of the residents, they can then proceed with the development of the condo units.

14. *Fire Protection:* The entire project will be served by fire hydrants capable of producing 1000 gpm at a residual pressure of 20 PSI. Each home will be located

within 500 feet of a hydrant. Two hydrants will be installed along Dinosaur Trail to serve the Petchesky Ranch and developments off of Churchill Road.

15. *Solid Waste:* The Homeowners Association will contract with a licensed solid waste disposal service for solid waste pick-up on a regular basis.
16. *Terrain Management:* The Arroyo Hondo extends through the site. No lots are platted within the 100 year floodplain. Each lot will have storm water cisterns to collect rainwater for use on individual lots for landscaping. Two centralized detention ponds are proposed to retain excess storm water flows. The ponds are located in the neighborhood parks. Staff recommends that the ponds be relocated or separated from the park area for safety purposes.
17. *Open Space:* A total of 39 acres (56% of the property) will be common open space. Three neighborhood parks with a variety of recreational facilities such as a volleyball court, sandbox, park benches and picnic tables are being proposed.
18. *Archeological:* The property is located in an area designated as having a high potential for archeological sites. An archeological survey has been submitted. The archeological investigation yielded one significant site, which has been place in a protective easement.

Consideration of Applicants' and Public's Comment

19. On behalf of the applicants, the Board took testimony from Oralynn Guerrerortiz and Rosanna Vasquez, Esq.
20. The Board took testimony from Allen Hoffman and Lynn Canning, members of the public.
21. To the extent that any testimony of a factual nature is in conflict with the above findings, the Commission expressly chooses not to adopt such testimony.

WHEREFORE, the Board of County Commissioners hereby **CONCLUDES** that the application is in accordance with Section 3.3.4.C (Final Plat Submittals) and Section 3.3.5 (Review Procedures for Preliminary and Final Plat) of the Extraterritorial Subdivision Regulations. This application is also in accordance with Sections 3.6.B and 3.6.C (Preliminary and Final Development Plans) and section 3.4.D (Final Development Plans) of the Extraterritorial Zoning Ordinance.

WHEREFORE, it is hereby ordered that, the application is **GRANTED**, subject to the following conditions:

County Conditions:

1. Water service shall be provided by Santa Fe County water utility in accordance with all applicable ordinances, resolutions, rules and procedures.
2. The retention ponds shall be relocated or separated from the neighborhood parks.
3. All redline comments must be addressed.
4. Final development plan and plat with appropriate signatures must be recorded with the County Clerk.
5. The grading and drainage plan must be signed and sealed by a Professional Engineer.
6. Road names and addresses must be approved by Rural Addressing.
7. Water restrictions, final homeowner's documents, and disclosure statement are subject to approval by staff.
8. All utilities must be underground.
9. A detailed signage plan must be submitted for review and approval prior to final plat recordation.
10. The applicant must submit solid waste fees as required by the subdivision regulations.

SFC CLERK RECORDED 11/03/2004

11. All lots are subject to the Santa Fe County Fire and Rescue Impact Fees. This must be clearly noted on the final plat.
12. The applicant must submit an engineer's cost estimate and financial guarantee for all required improvements (i.e. road construction, street and traffic signs, fire protection, etc.). A schedule of compliance projecting time period for completion of improvements must be included. Upon completion, the applicant must submit a certification by a registered professional engineer that improvements have been completed according to the approved development plan.
13. Compliance with applicable review comments from the following:
 - a) State Engineer's Office
 - b) State Environment Department
 - d) Soil & Water District
 - e) State Department of Transportation
 - f) County Hydrologist
 - h) Development Review Director
 - i) County Fire Marshal
 - j) County Public Works
 - k) County Technical Review Division
 - l) State Historic Preservation Office
14. The following note must be put on the plat:

Permits for building construction will not be issued until required improvements for roads, drainage, and fire protection have been completed as required by staff.
15. Prior to the recordation of the Plat/Development Plan, the developer shall pay a fire review fee in accordance with Santa Fe County Resolution No. 2003-47.

16. The applicant shall participate in a CCD wide infrastructure Extension Policy for infrastructure improvements, operations and maintenance at such time as provided by the County.
17. Prior to plat recordation, Gardner Assoc. LLC and Emerald Alliance, Inc shall submit an agreement regarding proportionate reimbursement for road improvements to Dinosaur Trail that were done by Emerald Alliance, Inc.
18. Approved discharge permit from the Environment Department shall be submitted prior to recording the plat.
19. Commercial uses shall be limited to low water use businesses as approved by the County Hydrologist. This shall be noted on the plat and in the disclosure statement. Water budget shall provide a minimum of 0.16 acre feet per residential unit.
20. The applicant must submit an affordable housing agreement in conformance with Community College District Ordinance with Final Plat application.
21. Consent from property owners must be submitted for easements regarding realignment of Dinosaur Trail for extension to Richards Ave. and realignment of Dinosaur Trail for extension to Rancho Viejo Blvd.
22. Dinosaur Trail shall be improved from the proposed subdivision to the existing asphalt pavement on the west in conformance with minimum standards for a basecourse road surface, or to the point where the road has not been improved with a basecourse road surface meeting minimum standards.
23. Centralized neighborhood park shall have at least 0.25 acres of property that is not within the drainage pond, and shall have adequate toddler play facilities.
24. Minimum standards must be maintained for village trail extending off district trail on east side of property. Basecourse surface may be from edge of flood fringe.

25. Road section for village street shall include on-street parking on one side of the street, and shall be extended to three sides of the plaza site.
26. Standards for Village trail along off-site portion of Dinosaur Trail shall be maintained (10 foot wide with 2 inches of asphalt over 4 inches of compacted base course) or suitable material for bike riding.
27. The Plaza within the neighborhood center shall be a minimum of 0.33 acre.
28. The applicant shall provide base flood elevations for limits of the 100-year flood zone, and note that finished floor elevation shall be at least 1 foot above base flood elevation.
29. Building envelopes for the fringe zone lots shall be defined for the purpose of minimizing disturbance of natural slope and vegetation.
30. The applicants shall submit a development agreement addressing the proposed back-up water supply plan, the restriction of sale and development of the 11 condo units.
31. A letter to serve and assignment of allocation of water for the La Pradera property shall be submitted prior to plat recordation as required by the County Utilities Department.
32. All 12 affordable housing units shall be built as part of the 69 lots in the first phase.
33. Approval for the second phase of the development, which consists of 11 condo units, is contingent upon the County Hydrologist finding that sufficient water exists to service those units. To enable the County Hydrologist to make that determination, a minimum of 3 years of water use data from a sufficient number of units to make such data reliable shall be submitted to the County.

City Conditions:

1. The applicant's engineer shall comply with the conditions of approval provided by the City's Traffic Division Engineer.
2. Comply with the County Affordable Housing Ordinance.

SFC CLERK RECORDED 11/03/2004

3. Obtain red-line comments from the Case Manager regarding the City Subdivision Engineer review.

IT IS SO ORDERED


I certify that the above order was adopted by the Board of County Commissioners of the County of Santa Fe on this _____ day of _____, 2004.

Paul Campos, Chairman Board of County Commissioners

ATTEST:

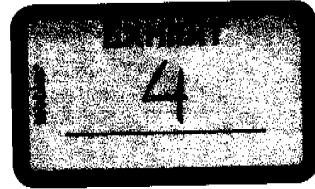
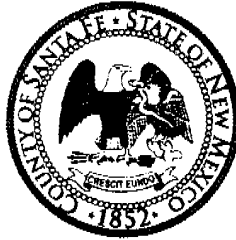
Rebecca Bustamante, County Clerk

APPROVED AS TO FORM:



Stephen C. Ross, County Attorney


SFC CLERK RECORDED 11/03/2004



Finance Department

MEMORANDUM

TO: Santa Fe Board of County Commissioners

FROM: Susan Lucero, Director of Finance 

DATE: August 31, 2004

RE: County Bonding and Planning Strategy

ISSUE:

Santa Fe County is in need of improving and or constructing County roads, related public works projects; improving or constructing water production, diversion, and treatment projects; construction of fire stations, and construction of a consolidated County administrative and judicial complex.

BACKGROUND:

On December 16, 2003, an initial introduction of road and related public works capital projects facing Santa Fe County and the required financing was discussed with the Board of County Commissioners. During the administrative meeting of May 25, 2004 the Board requested staff to pursue the enabling of these and other capital projects.

During the month of June, the County contracted with Research and Polling, Inc., to develop a questionnaire and poll 500 registered voters within Santa Fe County. The voters were questioned as to what they considered as top priorities for Santa Fe County government. They were asked what their level of support would be for funding capital projects through increases in property taxes. In summary, the voters responses were comprised of the following:

Support for \$24M water bond measure*	70%
Support for \$20M road and public works bond measure	69%
Support for \$49M consolidated admin/judicial bldg	34%
Support for \$1.5M firefighting bond measure	82%

*Since completion of the poll, the figures representing capital projects for water have increased to \$51M to include revised cost estimates regarding surface water diversion developments.

The majority of support exists for water, road and related public works and firefighting building projects for all voters within Santa Fe County whether they are residents within or outside of the city limits. Based upon these results, the most appropriate matching of capital project to form of financing would be to consider general obligation bond issues for water, road and firefighting building projects. Since, a minority of support exists for the consolidated administrative/judicial complex, the more appropriate form of financing would be to pursue a revenue bond issue.

SFC CLERK RECORDED 11/03/2004

Based upon this year's valuation assessment, the County currently has \$122M of general obligation bonding capacity available. If the County were to consider the following projects through increases in property taxes, the cost to the taxpayer would be estimated as follows (based upon the assumption of an average taxpayer with an appraised property value of \$300K since the median price of a home in Santa Fe County this past year was \$324K):

Bond Measure	GO Bond Issue	Cost to Taxpayer
Water Projects	\$51M	\$48/year
Road & Public Works Projects	20M	37/year
Firefighting Bldg Projects	1.5M	< 1/year

Contingent upon voter approval of these bond issues, the County would have approximately \$49.5M of remaining general obligation bonding capacity.

The water projects bond measure does take the largest portion of the available bonding capacity. To issue a general obligation bond versus a revenue bond for a project of this level is less expensive, is shared evenly by all taxpayers, and has the majority support of the voting public. If the County were to initiate a water project bond issue and receive authorization from the voters, it would allow the County to jump start a project perceived by all taxpayers as vital. The bond issue could also provide an avenue for cooperation between the County and City on water service agreements and future water projects requiring further collaboration.

Based upon the likelihood that voters would not approve the construction of a consolidated administrative/judicial facility, the more appropriate financing source for this project would be a revenue bond. The annual debt service cost of a \$45M revenue bond would be approximately \$3.2M per year over 25 years. Possible revenue sources for this would be the capital outlay gross receipts tax through consideration of modifying the language contained within the County ordinance and to enact the general purpose 1/16th increment approved by the NM legislature this past year. Both of these revenue sources combined could total \$4M per year.

REQUESTED ACTION:

The County has different funding mechanisms available to it for consideration of any of these capital projects. Timing requirements do exist for potential projects funded by general obligation bonds. Board action would be required by September 3rd in order for bond questions to be placed on the general election ballot. No specific timing requirements exist for a project funded by a revenue bond since such a bond does not require voter approval. We respectfully await your direction.

SFC CLERK RECORDED 11/03/2004

SFC CLERK RECORDED 11/03/2004 EXHIBIT

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