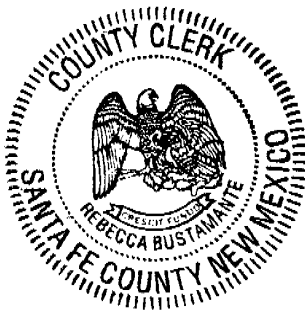


2230614

SANTA FE
BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

September 24, 2002



Paul Duran, Chairman
Jack Sullivan, Vice Chairman
Paul Campos
Marcos Trujillo
José Varela Lopez

1227 652 ✓
COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 9 day of OCT A.D.
20 02 at 1:12 o'clock P.m.
and was duly recorded in book 2230
page 614-698 of the records of

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

Deputy

SANTA FE BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Administrative Items)
September 24, 2002 - 10:00 a.m.

2230615

Amended Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Invocation
- V. Approval of Agenda — *Approved w/ amendments 5-0*
 - A. Amendments
 - B. Tabled or Withdrawn Items — *approved 20-69 & 70 - amended after*
- VI. Approval of Minutes — *August 15, 2002 - Page 20*
August 26, 2002 - August 27, 2002 - amended
- VII. Presentations
 - A. Employee of the Quarter — Kathleen Padilla —
- VIII. Matters of Public Concern — Non-Action Items —
- IX. Matters from the Commission
 - A. Discussion/Direction Regarding Application by Turquoise Trail Elementary School to Office of State Engineer for Temporary Permit to Change Place and Purpose of Use of Underground Waters
- X. Consent Calendar
 - A. Request Authorization to Accept and Award a Contract to the Lowest Responsive Bidder, IFB #23-07, for Public Housing Renovation of Units to be Funded Under the Capital Fund Program (Community and Health Development Department) *OK*
 - B. Resolution No. 2002 ~~128~~ ¹²⁸ A Resolution Requesting an Increase to the General Fund (101)/DWI Teen Court Program to Budget Fiscal Year 2002 Cash Balance and a Grant Award Received from the New Mexico Children Youth and Families Department for Expenditure in Fiscal Year 2003 (Community and Health Development Department) *12/1/02 OK*
 - C. Resolution No. 2002 ~~115~~ ¹¹⁵ A Resolution Requesting an Increase to the General Fund (101)/ Underage Drinking Grant Program to Budget a Grant Award Received from the New Mexico Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Community and Health Development Department) *OK*

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D. Resolution No. 2002 - A Resolution Requesting an Increase to the General Fund (101)/DWI Grant Program to Budget a Curriculum Infusion Grant Award Received from the New Mexico Department of Finance and Administration for Expenditure in Fiscal Year 2003 (Community and Health Development Department) *ok*
- E. Resolution No. 2002 ¹¹⁷ A Resolution Requesting a Decrease to the Housing Special Revenue Fund (230)/Public Housing Development Grant to Realign the Fiscal Year 2003 Budget with the Fiscal Year 2002 Cash Balance Available for Expenditure in Fiscal Year 2003 (Community and Health Development Department) *ok*
- F. Resolution No. 2002 ¹¹⁸ A Resolution Requesting an Increase to the General Fund (101)/Mail Room Department to Budget Payment in Lieu of Tax and Prior Fiscal Year Reimbursement Revenue for Expenditure in Fiscal Year 2003 (Manager's Office) *ok*
- G. Resolution No. 2002 ¹¹⁹ A Resolution Requesting an Increase to the EMS Fund (206)/ Various EMS Districts to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department) *ok*
- H. Resolution No. 2002 ¹²⁰ A Resolution Requesting an Increase to the Fire Protection Fund (209)/Various Fire Districts to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department) *ok*
- I. Resolution No. 2002 ¹²¹ A Resolution Designating a Project Representative and Signature Authority Regarding the Regional Water System Feasibility Study for Cuatro Villas Mutual Domestic Water Users Association (Land Use Department) *ok*
- J. Request Approval of Amendment No. 1 to Professional Services/Price Agreement Codification/Compilation Services (Legal Department) *Purchase*
- K. Request Authorization to Enter into a Joint Powers Agreement with the New Mexico Energy, Minerals and Natural Resources Department for a Grant to Assist in Management of the Cerrillos Hills Historic Park Project for \$79,975 (Project and Facilities Management Department) *isolate P/A*
- L. Resolution No. 2002 ¹²² A Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget Special Appropriation Projects (SAP) Grants Received from the New Mexico 2002 Legislature for Expenditure in Fiscal Year 2003 (Project and Facilities Management Department) *ok*
- M. Resolution No. 2002 ¹²³ A Resolution Requesting an Increase to the State Special Appropriations Fund (318)/Various Projects to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Project and Facilities Management Department) *ok*
- N. Resolution No. 2002 ¹²⁴ A Resolution Requesting an Increase to the Community Development Block Grant Fund (250)/Arroyo Seco Teen Center to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Project and Facilities Management Department) *isolate ok*
- O. Resolution No. 2002-¹²⁴ A Resolution Designating a Project Representative and a Signature Authority for the New Mexico Environmental Department Grant Agreement No. SAP 99-077-STB -Agua Fria Sanitary Sewer Line Project (Public Works Department) *ok*

ok P. Resolution No. 2002 ¹²⁵ A Resolution Requesting an Increase to the General Fund (101)/Solid Waste Community Programs to Budget a FY 2002 Beautification Litter Grant Award Received from the New Mexico State Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Public Works Department)

ok Q. Resolution No. 2002 ¹²⁶ A Resolution Requesting an Increase to the Road Projects Fund (311)/ South Meadows Road Project to Budget Fiscal Year 2002 Cash Balance and a Grant Award Received From the New Mexico State Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Public Works Department)

Remove R. Request Approval of a Memorandum of Understanding Between Santa Fe County and the City of Santa Fe for Recycling Services (Public Works Department)

need to start S. Request Approval of Change Order No. 2 for the Agua Fria Phase II Sanitary Sewer, Drainage, and Road Improvements Project – Condore Construction Company (Public Works Department)

is that same T. Request Authorization to Accept an Offer Regarding IFB #23-10, Indefinite Quantity Contract for Solid Waste Roll Off Containers (Public Works Department)

N/A U. Request Authorization to Accept an Offer Regarding IFB #23-08, Indefinite Quantity Contract for Solid Waste Compactors (Public Works Department)

ok V. Resolution No. 2002 ¹²⁷ A Resolution Designating a Project Representative and a Signature Authority for the New Mexico Environmental Department Grant Agreement No. SAP 00-0101-STB – Agua Fria Sanitary Sewer Line Project (Public Works Department)

XI. Administrative Items

A. Committee Resignations

1. Resignation from the Regional Planning Authority

B. Committee Appointments

1. Appointment to the Lodgers' Tax Advisory Board

2. Appointment to the Health Policy and Planning Commission

3. Appointment to the Regional Planning Authority

4. Reappointment to the Bennie Chavez Community Center

Committee vacated - copy appointed by Council resigned

XII. Staff and Elected Officials' Items

A. Community and Health Development Department

ok 1. Request Authorization to Amend Contract No. 21-0141-CHDD with Behavioral Therapy Associates to Add \$32,500 for Training and Outcome Evaluation Services for the Third Year of the Santa Fe County Craft Project

ok 2. Request Authorization to Amend Contract No. 21-0145-CHDD with Life Link, Inc. to Add \$272,685 for Treatment and Community Training Services for the Third Year of the Santa Fe County Craft Project

ok 3. Request Authorization to Amend Contract No. 21-0126-CHDD with Community and Family Services to Add \$23,000 for Process Evaluation Services for the Third Year of the Santa Fe County Craft Project

2/1A
2/20
4. Request Authorization to Enter into a Memorandum of Understanding with the City of Santa Fe to Provide DWI Compliance Monitoring for City of Santa Fe Municipal Court 22306 of 8

B. Fire Department

ok 1. Request Approval of Professional Service Agreement #23-0088-FD with Southwest Planning & Marketing for the Review and Update of the Santa Fe County Fire Strategic Plan

C. Land Use Department

ok 1. Request Authorization to Accept a State Land Office Business Lease No. BL- 1501 with the State Land Office for a Ninety-Nine Year Ground Lease of 75 Acres Adjacent to State Road 14 for the Purpose of Developing the Santa Fe County Economic Business Park

ok 2. Resolution No. 2002 - A Resolution Relating to the Ground Lease Agreement Between the New Mexico Commissioner of Public Lands and the County of Santa Fe, New Mexico of the Surface Estate of Certain State Trust Land Within Section 36, Township 16 North, Range 8 East, N.M.P.M., Consisting of Approximately 75 Acres, More or Less

D. Sheriff's Office

ok 1. Request Authorization to Enter into Professional Service Agreement Contract #23-0063-SD with the First Judicial District Attorney's Office Regarding Drug Prosecution for the Region III Narcotics Task Force in the Amount of \$65,000

Amend 2. Request Authorization to Enter into an Agreement with the Santa Fe Animal Shelter for Housing Stray Animals for the Animal Control Office

E. Utilities Department

1. Request Approval of Reimbursement Agreement Between Santa Fe County and the City of Santa Fe for Costs Incurred Under the City's Contract with CDM for the Santa Fe Water Supply Plan Including Alternatives Analysis for Utilization of San Juan - Chama Water

F. Matters from the County Manager, Estevan Lopez

G. Matters from the County Attorney, Steven Kopelman

Delete - No Executive session
1. Executive Session

a. Discussion of Pending or Threatened Litigation
b. Discussion of Purchase, Acquisition or Disposal of Real Property or Water Rights

H. Public Hearing 4:00 PM

1. Project and Facilities Management Department

a. Presentation and Second Public Hearing on the Proposed Santa Fe County FY03-07 Infrastructure Capital Improvement Plan and Approval of Resolution No. 2002 - A Resolution Authorizing and Supporting the Plan 131

I. 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).

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 24, 2002

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

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

Members Present:

Commissioner Paul Duran, Chairman
Commissioner Marcos Trujillo
Commissioner Paul Campos
Commissioner Jack Sullivan
Commissioner José Varela Lopez

Members Absent:

None

IV. Invocation

An invocation was given by Presbyterian minister Paul S. Seto.

V. Approval of the Agenda

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

CHAIRMAN DURAN: Are there any changes to the agenda, Steve?

STEVE KOPELMAN (County Attorney): Thank you, Mr. Chairman. If you note on the amended agenda, we've added in Article IX. A. Matters from the Commission, a discussion/direction regarding application by Turquoise Trail Elementary School to Office of State Engineer for temporary permit to change place and purpose of use of underground waters.

Also, Mr. Chairman, we're asking under the Consent Agenda, that's X. R. to remove R, which was the request approval of a memorandum of understanding between Santa Fe

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County and the City of Santa Fe for recycling services. That's still a work in progress.

And then, Mr. Chairman, members of the Commission, Article XII. C. 2 is added. This was actually in your packet but it wasn't noted in the agenda. It's a resolution relating to the ground lease agreement between the New Mexico Commissioner of Public Lands and the County of Santa Fe.

And then we're also requesting adding XII. E. under the Utilities Department, a request for approval of a reimbursement agreement between Santa Fe County and the City of Santa Fe for costs incurred under the City's contract with CDM for the Santa Fe Water Supply Plan including alternatives, analysis for utilization of San Juan/Chama water.

And then also, Mr. Chairman, we'd ask for a deletion of item G, which is the executive session. There's nothing scheduled now under executive session.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER CAMPOS: Second, as amended by Mr. Kopelman.

CHAIRMAN DURAN: Any further discussion?

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

VI. Approval of Minutes: August 15, 2002

CHAIRMAN DURAN: Any changes to those minutes? If not, what's the pleasure of the Board?

COMMISSIONER CAMPOS: There are several sets, Mr. Chairman.

CHAIRMAN DURAN: Oh, yes. I was going to do them one at a time.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, of the August 15th minutes.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the August 15, 2002 minutes as submitted passed by unanimous [5-0] voice vote.

August 26, 2002

CHAIRMAN DURAN: Any changes to those minutes?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I had some typographical changes and they may include what Mr. Kopelman has too.

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CHAIRMAN DURAN: Mr. Kopelman.

MR. KOPELMAN: Thank you, Mr. Chairman, members of the Commission. On page 20, at the middle of the page where it has the motion for EZ Case S 01-4691, it says passed by majority voice vote, it says with Commissioner Sullivan with Commissioner Campos abstaining. I believe that Commissioner Campos abstained and Commissioner Sullivan voted against. That should be clarified. And then also on page 69 and 70, it starts out—let me see—it starts out on the bottom of the page, IX. 2. but I believe that that was further discussion on clarifying the Sonterra project and I believe that the Community College District redistricting case doesn't begin until page 75. So I think that caption should just be deleted there since it's on page 75 and that's when the discussion on that Windmill Ridge case ensued.

CHAIRMAN DURAN: So you're talking about page 70?

MR. KOPELMAN: Page 69, that should be deleted where it says Community College District Case, because that discussion doesn't begin until page 75.

CHAIRMAN DURAN: Okay.

MR. KOPELMAN: And those were the changes that I had.

CHAIRMAN DURAN: So the Chair will entertain a motion to approve with the changes mentioned by Mr. Kopelman and the minor changes of Commissioner Sullivan.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the August 26, 2002 minutes as amended passed by unanimous [5-0] voice vote.

August 27, 2002

CHAIRMAN DURAN: Any changes to those minutes.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I had some minor changes which I've given to the recorder and I would mention that one of those was on the approval of the Windmill Ridge Subdivision and it indicated that the vote was 3-2 but it didn't indicate who voted in what capacity. And my memory was that the negative votes were Commissioner Campos and myself and the positive were the rest of the Commission.

CHAIRMAN DURAN: I thought that you and Campos voted in favor of that.

COMMISSIONER SULLIVAN: Age will do strange things to our memories.

CHAIRMAN DURAN: It's amazing what a month will do. Okay. I agree. That was the case.

COMMISSIONER SULLIVAN: We could check it on the tapes but that's my recollection.

CHAIRMAN DURAN: Okay, so with those changes, what's the pleasure of the

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Board?

COMMISSIONER CAMPOS: Move to approve with the changes as suggested by Commissioner Sullivan.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the August 27, 2002 minutes as corrected passed by unanimous [5-0] voice vote.

VIII. Presentations

A. Employee of the Quarter – Kathleen Padilla

MR. KOPELMAN: Thank you, Mr. Chairman, members of the Commission. I feel very I guess proud and honored to be giving this discussion. I've been up here for quite a few years as County Attorney and today I'm sitting in for Estevan Lopez but I don't believe that we've ever had an employee from our department who has been voted the Employee of the Quarter. So this is a first for the Legal Department. Everybody from our staff is here in the second row with the exception of Gerald Gonzalez who's actually serving on jury duty today. And at the far left is Kathleen Padilla who's been working for the Legal Department now for I believe a little over three years.

We're very, very fortunate to have Kathleen working for the County. She really epitomizes I think what we all look for in our employees and also in ourselves as workers. And as human beings. She's extremely conscientious. She's a very dedicated worker. She's hard working. She's professional. She's very loyal and she's smart. And when you add all those up together, you realize why in the Legal Department we feel very grateful to have her working with us. Especially important is Kathleen's ability to work in stressful situations. I've worked at law firms before and usually the paralegals are the first ones who seem to kind of lose it because the lawyers are putting so much pressure on them to get the briefs done and get all the cites taken care of properly. In our office, it's usually the other way around. Usually it's the lawyers who are getting a little stressed out and Kathleen seems to keep things together.

So I think Kathleen is very, very deserving of this award, especially this past quarter we had quite a few dead-lines and briefs that needed to be filed in our litigation. In addition to that, Antoinette Armijo, our administrative assistant was out on maternity leave and so everybody stepped up to the plate and Kathleen really took a much larger share of work, never complained, always did it voluntarily and it was one of those situations where this honor I think is very, very warranted. So I wanted to just say those words and just introduce Kathleen to everybody. I'm sure you all know her but if you could stand up, Kathleen, please.

KATHLEEN PADILLA (Paralegal): Mr. Chairman, Commissioners, thank you very much. I'd like to say thank you for Steve and Monica and Sophia and Gerald, who's not here, for nominating me as Employee of the Quarter. It's a great honor and it's a great feeling

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knowing that your work is appreciated. I work with a really great office, really great people here at the County and I really look forward to continuing my work with everyone. Thanks.

COMMISSIONER TRUJILLO: Mr. Chairman, it has been impressed on me by not only elected officials but also department heads that we're a diverse workforce in Santa Fe County and that all of us contribute to the direction of Santa Fe County and it's great to see that a female, a lady is getting the Employee of the Quarter award and that holds true across the board for all of our diverse employees in Santa Fe County. Thank you very much.

COMMISSIONER CAMPOS: Thank you.

MS. PADILLA: Thank you.

CHAIRMAN DURAN: I think we ought to turn the whole place over to all the women.

VIII. Matters of Public Concern - Non-Action Items

CHAIRMAN DURAN: Is there anyone out in the audience that would like to address the Commission concerning any matter?

IX. Matters from the Commission

A. Discussion/Direction Regarding Application by Turquoise Trail Elementary School to Office of State Engineer for Temporary Permit to Change Place and Purpose of Use of Underground Waters

KATHERINE YUHAS (County Hydrologist): Mr. Chairman, Commissioners, I've just handed you a brief memo that I was requested to put together yesterday, just informing you of where the State Engineer's Office is with this application. [Exhibit 1] What has happened is that the Santa Fe Public Schools would like to use part of their water right that they have at Turquoise Trail Elementary. They have about nine acre-feet, a little bit more than that. They'd like to take one acre-foot of that and transfer it into construction for an elementary school in Agua Fria. The first notice for this was published on September 15th. The requirement is that they publish once a week for three weeks. So the final notice will be published on October 1st and if for some reason the County wanted to take action on that, we would have until October 11th to file a protest.

COMMISSIONER TRUJILLO: So is this a permanent transfer or this is only during, for the duration of the construction and then it reverts back to its original use?

MS. YUHAS: Mr. Chairman, Commissioner Trujillo, it's just for the period of one year. It's one acre-foot and it's just one year during the construction.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think we should be involved in this issue.

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It came up earlier when the school district took water to do school construction off the site without a permit, knowing that they needed a permit and it wasn't until some of the public brought it to the newspaper's attention that it became an issue and was finally stopped. I think that the school district needs to encourage their contractor to use recycled water for construction. That is available and we've dealt at some length with the issues of protecting the aquifer and I see no reason that we should be exporting water from an area which is extremely water short and wells have already gone dry into the city to build schools. I feel the City has an obligation to participate in the construction of its schools and this is an inappropriate use.

They've created regulations that say you can't use extra water in the city so go get it in the county. Well, it's all the same aquifer and I feel that this is inappropriate and we should file a protest with the State Engineer.

CHAIRMAN DURAN: I think that's an interesting analysis of the situation. My thought is we're dealing with a state agency who actually doesn't even need our approval to do anything. I think that they're request is very reasonable. It's for a year so they can build a school for our community and I would be opposed to filing an appeal. I think that it's not good form and I don't think it would get anywhere anyway.

MS. YUHAS: Mr. Chairman, if I could just clarify, both of the schools are actually located in the county, but the school being built in Agua Fria is not within the city limits; it's in the county.

COMMISSIONER TRUJILLO: And when you transfer the water rights, you transfer the paper water rights, not the wet water. So you're not tapping anything in the Galisteo Basin as far as wet water is concerned. You're using the water in the Santa Fe system or off of wells in the Agua Fria area to construct that school, right? So it doesn't exacerbate a bad situation in Eldorado as far as water is concerned.

MS. YUHAS: Mr. Chairman, Commissioner Trujillo, I actually think they are going to take the water from Turquoise Trail and take it over there for the construction. That's my understanding.

COMMISSIONER TRUJILLO: They're going to pull the wet water.

MS. YUHAS: Exactly. So it's the use of the wet water.

COMMISSIONER SULLIVAN: Commissioner Trujillo, they are physically trucking water from the well at the Turquoise Trail school to this site and previously to other school sites for construction, rather than getting it from the City or any other source where they normally get it, which is from fire hydrants or from the wastewater treatment plant. There's plenty of water available, recycled water, at the wastewater treatment plant to use for construction. You don't need potable water for construction.

CHAIRMAN DURAN: So is it, this is water just for construction purposes, just like Commissioner Sullivan mentioned? They don't need it for anything other than building, keeping the dirt down, stuff like that?

MS. YUHAS: Mr. Chairman, the application states that it is just for construction and I was requested to point out that this is not a transfer of water rights, this

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is just a transfer of point of use, just for one year, and just the one acre-foot of water.

CHAIRMAN DURAN: Have they even asked the City if they would provide them water for that purpose?

MS. YUHAS: Mr. Chairman, I don't know if they've requested that or not.

CHAIRMAN DURAN: There's no one here from the schools?

MS. YUHAS: I can have that information for you though, but not until the October 8th meeting. You all won't be together again until then.

CHAIRMAN DURAN: Okay, a bell just rang in my head. It does kind of go with your desire to limit the draw-down of the aquifer in that area.

COMMISSIONER SULLIVAN: That's the point.

CHAIRMAN DURAN: Okay.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Quick question for Ms. Yuhas. What's the likelihood of success if the County or the residents nearby do challenge the application. They have to argue some sort of impairment that's very specific to them or what's the standard?

MS. YUHAS: Mr. Chairman, Commissioner Campos, yes. We would have to come forward with an argument that says that this will impair someone. That taking one acre-foot of water out of there for a year will cause damage, harm, to someone within that community. I don't know whether it will or not because I haven't certainly spent the time to do it. What we would have to do is raise a reasonable argument though that that could be the case and request them to look at it. That is what the State Engineer does when they evaluate these applications though.

COMMISSIONER CAMPOS: In this case it's just one acre-foot, right?

MS. YUHAS: That is correct. It is one acre-foot.

COMMISSIONER CAMPOS: Is that a lot of water? Do you think there will be impairments? Is this a symbolic gesture or are we looking at real impairments?

MS. YUHAS: Mr. Chairman, Commissioner Campos, I certainly wouldn't want to offer a scientific opinion without doing some modeling, some real work, but in general, I don't think that taking one acre-foot once out for one year is going to impair very much. In general, that type of small appropriation is not a problem.

CHAIRMAN DURAN: Although what if you're wrong?

MS. YUHAS: Mr. Chairman, I suppose it's possible I could be but it doesn't happen too often.

COMMISSIONER TRUJILLO: Mr. Chairman, aren't we speaking through both sides of our mouth when we're saying that Eldorado has a problem with water and then we're approving the exportation of wet water from that area, even if it's a drop. It just doesn't make sense. We're exacerbating the problem. It's a bad situation as it is.

CHAIRMAN DURAN: I just have an idea. There is a wastewater reuse committee that I am a member of that I've asked Gary Roybal to start attending. Maybe

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what we could do is ask Gary to check with that committee to see if there's any effluent available for a year that they could use to build this facility. And see if we can get the City to agree to it. And if not, then you'd bring it back for us to consider it but—and if they don't want to do it then tell them we would be opposed to it.

COMMISSIONER SULLIVAN: Mr. Chairman, I think my suggestion on that would be that I think if we filed the protest we can always either withdraw it or modify it based on those negotiations. If we don't file it and we miss the 30-day period then we have no say-so in the issue. Then there's a hearing that follows that, I believe after the protest period. I think that's a good idea what you're suggesting. I would suggest we do both.

MS. YUHAS: Mr. Chairman, if I could. We will actually have until October 11th in which to file a protest. So if you wanted, I could have a protest prepared for the October 8th meeting and we could have a discussion regarding whether or not they might be able to use treated effluent at that time and if they had not been able to resolve it to anyone's satisfaction I could file that the next day.

CHAIRMAN DURAN: So how about if we table this until the next meeting with that understanding, that Katherine would come by and bring us an appeal, that we file the appeal on the 11th.

MS. YUHAS: Right. We'd have until the 11th.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER SULLIVAN: It's just a discussion and direction item. I don't think we had it on for a motion, did we, Mr. Kopelman?

COMMISSIONER TRUJILLO: If we're going to table it—

CHAIRMAN DURAN: Oh, it's direction. Yes, discussion and direction. Do we have consensus on that direction?

COMMISSIONER SULLIVAN: That sounds fine.

COMMISSIONER CAMPOS: Yes, from me.

CHAIRMAN DURAN: Okay. Thank you. Okay, Matters from the Commission, I just have one item. I just want the Commission to know that I just recently became aware of a clearing house for water rights that's located in Albuquerque and I'll try and get more information to the Commission in the next 30 days. But I was made aware that there was a piece of property in the Pojoaque Valley that was, I think it was like three acres, two acres, and the individual had six acre-feet of water rights allocated to that property and that individual is selling to of those water rights to be transferred to the Santa Fe Basin at the price of \$45,000 per acre-foot. I just say that because in the last couple months we've talked about requiring development to actually bring wet water to the table. When we actually start talking about it I think that the reality of the situation is that—when we continue talking about it the reality of the situation is that they're not \$6,000 an acre-foot, they're \$45,000.

COMMISSIONER TRUJILLO: Mr. Chairman, are these traditional water rights?

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CHAIRMAN DURAN: Yes.

COMMISSIONER TRUJILLO: Senior traditional water rights?

CHAIRMAN DURAN: Right. They're transferring them to domestic use somewhere here in the county but they're keeping adequate water rights to keep the land that has been traditionally used for agriculture under irrigation.

COMMISSIONER TRUJILLO: Under that use. And without the ordinance that we're working on, the acequia probably does not know that these water rights are being transferred so they don't have a voice in the process. They cannot stifle the process and at least know that they're losing some of their traditional water rights. I think that's the essence of the ordinance that we're working on.

CHAIRMAN DURAN: Well, they would be given notice similar to the school situation before that a transfer is going to take place.

COMMISSIONER TRUJILLO: Yes, but they don't have a voice during the process. They're just told it's going to take place.

CHAIRMAN DURAN: Oh, so what you're suggesting is that in that process they should be notified—

COMMISSIONER TRUJILLO: They'd be notified and they'd participate—

CHAIRMAN DURAN: At the beginning of the process.

COMMISSIONER TRUJILLO: Exactly.

CHAIRMAN DURAN: Okay. Good. Any other items from the Commission?

COMMISSIONER VARELA: Mr. Chairman, I have two items. I was just wondering what the Commission felt about the actions that were taken by the Bureau of Reclamation last week to start releasing water from Heron Dam for the silvery minnow and where that puts basically cities like Albuquerque and Santa Fe County and the City who have water rights in that dam. Basically, relegating us to second priority. I was just wondering if the Commissioners would be in favor of basically enjoining the appeal process that's taking place now to show that basically the citizens of Santa Fe County and the City of Santa Fe should be the ones that have first priority to water, especially in these difficult times.

CHAIRMAN DURAN: I would be in favor of that.

COMMISSIONER TRUJILLO: I would too.

COMMISSIONER SULLIVAN: Let's bring something forward, a resolution for consideration.

COMMISSIONER CAMPOS: Mr. Chairman, I would concur that we should consider a resolution but at the time I would like to have some public input from organizations within the community who may have some input like the Sierra Club. Have a community discussion on that issue. Because I think what Judge Parker did is basically saying to us is you really don't have as much water as you thought you had. You even have less water than you thought you had. So I think a lot of people will argue that you need water not only for human consumption but for the environment and that you have to

balance it too. That is the discussion that's going on in different parts of the West.

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: I think that the Sierra Club and all the environmental groups have ample voice and that's the reason that they're getting what they're getting. I think where the due process does not exist is with the communities in and around the Rio Grande for agricultural purposes and for potable water uses and for things like that. The environmental groups do have a voice. They have taken a stand and that's why their programs are being implemented.

CHAIRMAN DURAN: Well, I heard they may even drain El Vado and Heron entirely to provide water to the silvery minnow. I think we should take some kind of a position on this thing. I mean if the silvery minnow is going to live and we're going to die, I'm not sure if that's what we want to do. I guess Steve, can you work on some kind of resolution with Commissioner Varela Lopez? I guess opposing the draining of Heron and El Vado?

MR. KOPELMAN: Mr. Chairman, we can work on that. Would you like us to put that down as a matter to be discussed at the next meeting on October 8th as a public hearing matter or open it to the public?

CHAIRMAN DURAN: Yes, I think so. Any other questions, Commissioner? Comments?

COMMISSIONER VARELA: Yes, the second item, Mr. Chairman. I was at a Public Works meeting at City Hall last night and there was some discussion there about the amount of buses and miles that we have of city bus service in the county. Apparently I heard that the City was going to forward a bill to the County for providing bus service out in the county. I was just wondering, have we ever budgeted for that or have we ever received a bill from the City for that service? The first amount that was bandied about was I think \$72,000 and then it went over \$100,000 towards the end of the discussion. So I was just wondering if—

KATHERINE MILLER (Finance Director): Mr. Chairman, Commissioner Varela Lopez, we've been actually negotiating with the City. We've had a joint services agreement with the City on paratransit. One of the areas that is out in the county but one of the areas that we have not actually compensated the City for is the county bus lines, but the customers actually pay for that and the City receives federal funding for that. So it's never been an issue that they have requested additional funds from the County. The only one that we have paid for and are in the process of working with the City Manager and Finance Director on right now is an agreement to cover paratransit costs out in the county.

We have budgeted for that and we are probably within \$20,000 from what we've offered the City for it and what they've come back and offered and we're supposed to meet again next week with them when Estevan is back.

COMMISSIONER VARELA: Okay, thank you because I guess their staff was given direction to send a bill to the County so that will be forthcoming I guess.

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CHAIRMAN DURAN: They've been doing this every year. When we talk about our joint powers agreement, they bring in the transit issue, and then we bring out the staffing of the EZA issue and it just turns into a—and there's always a Commissioner or a City Councilor that gets behind one issue or the other. The County Manager and the City Manager and the Finance Directors get together and work it out so I wouldn't worry too much about it. Any other questions or concerns? Commissioner Sullivan?

COMMISSIONER SULLIVAN: Mr. Chairman, I had a couple of things I wanted to bring up. Just to follow up, by the way, on the cost of water rights. I think first of all we have to realize that water is no longer free. It's a part of the cost of building and developing and living in Santa Fe. And by putting a price on it we help to conserve it. But also I think the situation, certainly in Rancho Viejo, they're proposing that they will be getting their water from the Middle Stem Rio Grande rights, which are considerably cheaper than those that you mentioned. So I don't doubt that there could be rights that have to be transferred at that cost depending on where they were transferring to. If they're transferring to Pojoaque they may need that. But for the southside, they're apparently able to transfer Middle Stem Rio Grande rights, which are considerably less expensive. So there is a wide spectrum of prices in the market, it is my understanding.

I wanted to ask the Commission if they would think about rescheduling the November meeting. Our second meeting in November is during the Thanksgiving holiday and I think a lot of staff and others might be away or would like to visit relatives and so forth. That meeting would normally be on a Tuesday before Thanksgiving on Thursday.

CHAIRMAN DURAN: What day is that? The 26th?

COMMISSIONER SULLIVAN: Yes. I didn't know whether it might be possible to have that meeting, say on the 19th.

CHAIRMAN DURAN: I think that might be RPA.

COMMISSIONER SULLIVAN: Is that RPA day?

CHAIRMAN DURAN: What about the 27th?

COMMISSIONER SULLIVAN: My idea was to get it out of that week entirely. Because there's two days off there at the end of the week and a lot of people will be off and traveling and it would be nice to have a break for a change.

COMMISSIONER TRUJILLO: How about the week before?

COMMISSIONER SULLIVAN: Any time the week before would—I suggested the 19th but if that's an RPA then perhaps the 20th.

CHAIRMAN DURAN: How about if we try to change the RPA to the 18th and then have the BCC on the 20th? I just hate to have two meeting back to back.

COMMISSIONER SULLIVAN: Yes, but isn't Monday, is the reason we do RPA on Tuesday is because Monday's Public Works with the City? And we've got some of those RPA members in City meetings?

CHAIRMAN DURAN: Yes.

COMMISSIONER SULLIVAN: I don't like to have them back to back either but the RPA seems to be moving pretty well.

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CHAIRMAN DURAN: Yes, I agree.

COMMISSIONER SULLIVAN: Pretty smoothly and we got out of there in not much more than an hour last meeting, so—

CHAIRMAN DURAN: So do you want to suggest the 20th then?

COMMISSIONER SULLIVAN: I would suggest the 20th if that's acceptable to the Commission?

CHAIRMAN DURAN: It's okay with me. Steve?

MR. KOPELMAN: Mr. Chairman, members of the Commission, another possibility would be that first Tuesday in December.

CHAIRMAN DURAN: That would be the following week.

MR. KOPELMAN: Right. December 3rd I believe that is.

CHAIRMAN DURAN: That even sounds better.

COMMISSIONER SULLIVAN: And then we would still have the meeting on the 10th?

MR. KOPELMAN: Mr. Chairman, members of the Commission, Commissioner Sullivan, sure, because one of the meetings would be an administrative meeting; the other one would be the public hearing.

COMMISSIONER SULLIVAN: The 3rd would sound better to me.

CHAIRMAN DURAN: Want to do that?

COMMISSIONER TRUJILLO: Yes, that's fine.

COMMISSIONER SULLIVAN: Instead of the—

CHAIRMAN DURAN: Okay. So I guess we'll do that then.

COMMISSIONER SULLIVAN: Just reschedule the November 26 meeting to December 3.

CHAIRMAN DURAN: And what time does that one start? Oh, it's one of these meetings.

COMMISSIONER SULLIVAN: No, no. No, no. That's the land use meeting.

CHAIRMAN DURAN: Okay.

COMMISSIONER SULLIVAN: That's a land use meeting.

CHAIRMAN DURAN: You're right. You're right.

COMMISSIONER SULLIVAN: So that would be 4:00.

MR. KOPELMAN: Excuse me, Mr. Chairman, members of the Commission. The rescheduled meeting would actually be the administrative meeting, right?

COMMISSIONER SULLIVAN: No, it's the land use meeting.

MR. KOPELMAN: It's the second meeting, right?

COMMISSIONER SULLIVAN: Oh, you're right. I'm sorry. You're right. So that would be the administrative meeting.

MR. KOPELMAN: The 10th then would be the land use meeting.

CHAIRMAN DURAN: Right.

COMMISSIONER SULLIVAN: The 10th is normally the land use meeting.

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MR. KOPELMAN: Right.

COMMISSIONER SULLIVAN: Okay. I'm backwards. You're right.

MR. KOPELMAN: And Mr. Chairman, what we'll do is we'll actually formally put this on the agenda for formal action to be taken at our next meeting.

COMMISSIONER SULLIVAN: So the 3rd will be the administrative meeting and the 10th will be the land use meeting as normal. Okay. That makes sense.

CHAIRMAN DURAN: Could we do it at 9:00 instead of 8:30? Unless you don't mind me being late?

COMMISSIONER SULLIVAN: Are you talking about the Indigent Board? Whatever time you like. You're the Chair.

CHAIRMAN DURAN: I just have a son I take to school and I can't get here at 8:30.

COMMISSIONER TRUJILLO: Nine is better for me too.

CHAIRMAN DURAN: So is 9:00 okay with everybody? Okay, great. So you'll publish that, Steve?

MR. KOPELMAN: Yes, Mr. Chairman, we'll take care of it.

CHAIRMAN DURAN: So, Commissioner Sullivan, any other items?

COMMISSIONER SULLIVAN: A couple other quickies, Mr. Chairman. I wanted to remind the Commission and also the public that next Monday I believe it is, the 285 Highway Corridor Plan Committee and the Planning Department is having their second meeting at the Eldorado School on the 285 Highway Corridor Plan. It starts at 7:00. I bring this out because I think it's important that we see what's going on there and because there's an issue that is an important one to be decided and ultimately will come to the Commission and as many Commissioners who can be there and listen to it in that meeting would speed up the dialogue at the Commission meeting when it eventually gets here as a master plan, and that issue, to summarize it briefly is, we're going forward with a 285 Corridor Plan. There is also a Simpson Ranch Contemporary Community Plan going on which has within it, the 285 Corridor.

The 285 Corridor Plan started well before the Simpson Ranch Plan started so the planners would like to get it going and moving and done with. There are many in the community that agree with that. There are other many in the community that think it should be a part of the Simpson Ranch Plan. And it's become a fairly spirited debate and there's good and bad points to both sides, I think. I haven't made up my mind on it certainly. I want both plans to work and I'm not sure what the best way for it is to happen. So I would encourage anyone who can make that meeting out at Eldorado to do so and hear the issues involved in both of those plans.

CHAIRMAN DURAN: What day is that?

COMMISSIONER SULLIVAN: That's next Monday, 7:00 at the school.

CHAIRMAN DURAN: The 30th?

COMMISSIONER SULLIVAN: Yes. And again, just to perhaps shorten some of the debate and to inform the Commissioners when it comes up that the master plan

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will come to the Commission of course for approval and I think it's valuable to hear what some of the residents have to say and this is a work study type of session and if three or more Commissioners show up I don't think that's a problem. This is a public meeting and it's kind of like showing up at a baseball game, but correct me if I'm wrong, Mr. Kopelman.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, as long as—if the Commissioners are scattered in the audience and they're not together discussing business there's no problem.

CHAIRMAN DURAN: No huddling, eh?

COMMISSIONER SULLIVAN: No huddling.

MR. KOPELMAN: Absolutely.

COMMISSIONER SULLIVAN: Okay. So I'd encourage you to go to that because that will be a fairly controversial issue which will work its way back to the Commission. I'd like to ask if the staff knows, we dealt with an issue last month that supposedly had a critical time element to be done by the end of the month on the Brutsche property, and they were going to make a \$600,000 donation to the Trust for Public Lands if the Commission acted by the end of August, which we did. Can someone tell me, was that donation made?

ROMAN ABEYTA: (Land Use Administrator): Mr. Chairman, Commissioner Sullivan, I don't know if that donation has been made or not but we can follow up with the applicant.

COMMISSIONER SULLIVAN: Okay. And then perhaps maybe send an e-mail out to us all and just let us know. Another question or issue I had was we've been operating our new emergency facility out on Route 14 for quite some time and I wasn't going to let Stan go through this whole meeting without responding to something. So, Mr. Holden, could you tell us, do you have a plan for a grand opening or a dedication for the facility? I'd like the public to see it. I saw it while it was under construction and I was impressed while it was under construction. I haven't seen it since.

STAN HOLDEN (Fire Chief): Mr. Chairman, Commissioner Sullivan, yes, we have a date for the second time. The Sheriff, Ray Sisneros has decided on the 25th of October, which is a Thursday. We're waiting for a definite time now from Estevan but the one that's being bandied about is 2:00. But there will be some official invitations made up and we'll also do some press releases for the newspapers and the radio stations so that we make sure to get the word out.

COMMISSIONER SULLIVAN: Okay, good. Now, that doesn't conflict, does it? I read in the paper, I haven't heard it but at the end of October, the 25th or 26th or something, there's supposed to be a joint City/County Commission affordable housing seminar. And I never heard about it until I read it in the paper. Do we know about that?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I read about it in the paper also. I don't know if Estevan has worked on it but I didn't know anything about it.

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COMMISSIONER SULLIVAN: Do you recall what the date was?

MR. KOPELMAN: I think you're right. It might have been on the 25th.

COMMISSIONER SULLIVAN: Okay. Maybe we should find out what this joint seminar that the City is setting up for us. Let us know, Stan. We're looking forward to attending the opening.

CHIEF HOLDEN: We're looking forward to having people there and be able to tour the facility and see what the County has done.

COMMISSIONER SULLIVAN: How is it operating? Got the bugs worked out?

CHIEF HOLDEN: We still have some very minor issues with the contractor. Very small things. Floats being misadjusted and water levels getting too high in the cooling tower but they are minor issues that are being worked out. There's nothing significant, but as far as the functionality on a day to day basis, the building is working as it was designed to and since you've given me the forum, let me take the opportunity to tell you that the Regional Emergency Communications Center is working excellent and the combination or the consolidation of the Sheriff's dispatch and the City and County fire dispatch with the City PD dispatch has worked out wonderfully so far. Again, we've had some minor issues on an operational level but those have been worked out and it's working excellently.

COMMISSIONER SULLIVAN: Great. Keep up the good work.

CHAIRMAN DURAN: No one's escaped?

COMMISSIONER SULLIVAN: No one's escaped from the emergency facility.

CHIEF HOLDEN : That would be across the street I think.

COMMISSIONER SULLIVAN: Mr. Chairman, the other item I had was I had hoped originally during the meeting that's been scheduled for October 5th, the retreat, we were going to be able to meet with the Councilors from the Town of Edgewood to begin to iron out some of our difficulties and apparently that's not going to take place. Do we have a schedule or can we work out some kind of a schedule to be able to sit down with the Councilors and begin to try to iron out some of the issues we have?

MR. KOPELMAN: Mr. Chairman, Commissioners, do you want to have a joint meeting of the two public bodies or do you want to do it in another fashion?

COMMISSIONER SULLIVAN: I think we almost have to. I don't know how many from Edgewood would show up and I don't know whether we would go there or they would come here, or I was thinking the retreat at the Community College might be a good forum and a less formal work session type of environment rather than a formal meeting. But however it works out I think what we're lacking in this issue is face to face communication, however we can do that.

CHAIRMAN DURAN: I think that our retreat is pretty booked up.

COMMISSIONER SULLIVAN: I know. I found that out. So I'm asking is there an alternative time that we could do this.

CHAIRMAN DURAN: I wouldn't mind going down there.

COMMISSIONER SULLIVAN: I wouldn't either.

CHAIRMAN DURAN: We would be talking about the Campbell Ranch annexation and all of that, right?

COMMISSIONER SULLIVAN: We could talk about whatever we want to talk about.

CHAIRMAN DURAN: I think that's a good idea.

COMMISSIONER SULLIVAN: And get at some of these issues that we're concerned with in the lawsuit, the checkerboard annexation issues, some of which don't involve Campbell Ranch but are issues having to do with the cost of providing fire service and EMT service and Sheriff service.

CHAIRMAN DURAN: Maybe you could get with Estevan and have him find a date that works for us the sooner the better.

MR. KOPELMAN: Let me just ask, Mr. Chairman, members of the Commission, would you like to do this as an evening meeting, a joint evening meeting, or doing it during the day? And would you prefer to go down there or have them come up here?

CHAIRMAN DURAN: Six p.m.

COMMISSIONER SULLIVAN: I wouldn't mind going down to Edgewood.

CHAIRMAN DURAN: Make it easy for them.

COMMISSIONER SULLIVAN: Because the issues are there. The newspaper coverage is there and I think we need to go down there and initiate this communication and not be demonized as the evil Santa Fe County. We have certain reasons for doing what we're doing in appealing the order but we have other objectives that we want to meet down there in the long term. We want to work with the town.

CHAIRMAN DURAN: I think a 6:00 session is probably better for them.

COMMISSIONER SULLIVAN: It's okay with me. I don't know how many Commissioners could make it but typically Wednesdays or Thursdays are better for me because usually other committees are—

CHAIRMAN DURAN: Wednesdays are best for me.

MR. KOPELMAN: Okay, Mr. Chairman, Commissioner Sullivan, we'll try to set something up within the next few weeks.

COMMISSIONER SULLIVAN: Find a date that we can get some of the Councilors there. We want to have just more than one show up, obviously.

MR. KOPELMAN: Right.

CHAIRMAN DURAN: Okay.

COMMISSIONER SULLIVAN: And then the last thing I had, Mr. Chairman, was I just wanted to offer my congratulations to John Russell Rodke on achieving the rank of Eagle Scout. Mr. Rodke lives out in the Route 14 area off of County Road 42 and he's 16 years old. He has earned 35 merit badges in Boy Scouts, 21 are required for the rank of Eagle Scout and did as his Eagle Scout project a water

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conservation project out in the Community College District area constructing rock and debris dams to prevent erosion and he and his fellow Boy Scouts spent 500 hours constructing five of those dams to allow the water to recharge into the aquifer. And he's quite an amazing young man and I had the privilege of attending his Eagle Scout ceremony last Saturday. So I just want to offer our congratulations to him on that accomplishment. Two percent of those who enter Boy Scouts achieve the Eagle Scout rank and I also found it interesting that within our military academies such as West Point and the naval academy, approximately 60 percent of the freshman class of everyone of those academies is an Eagle Scout. So we just want to pass on our congratulations. It's quite an accomplishment. That's all I had, Mr. Chairman.

CHAIRMAN DURAN: Were you an Eagle Scout?

COMMISSIONER SULLIVAN: I was, Mr. Chairman.

CHAIRMAN DURAN: I knew it.

COMMISSIONER SULLIVAN: And I guess I should say to be perfectly correct, I am, because it's not something you retire from. It stays with you.

CHAIRMAN DURAN: Well, I think that's very honorable. Okay, Commissioner Campos, do you have anything you would like to bring forward?

COMMISSIONER CAMPOS: Just the Community College District, the Thornburg project, the fiscal impact one-year issue that we discussed last time. It was ruled I think by the Commission that they wanted it for one year starting at the date of master plan approval. I would urge one of the Commissioners who voted for that to ask for reconsideration so that we can have more flexibility. The fiscal impact statement is one of the most important public issues that we have down there and to approve a project without having completed the fiscal impact is not good public policy. So I would ask one of the Commissioners here that voted for this project to ask for its reconsideration. That's it.

CHAIRMAN DURAN: Commissioner Trujillo.

COMMISSIONER TRUJILLO: Yes, you briefed me, Steve, regarding the jurisdictional issue of Native American and non-Native American. And I'd like for you to articulate or represent, give us a synopsis so that the Commission understands what we're dealing with in that area.

MR. KOPELMAN: Okay, Mr. Chairman, Commissioner Trujillo, there was an incident that occurred, I believe it was out in the Pojoaque/Nambe area where I guess a Native American apparently had knifed a non-Native American, actually on the reservation boundaries but in one of the areas where private individuals live. The jurisdiction in that case, because it's within the boundaries, even though the victim was not Native American, the jurisdiction under federal law is with the tribes and the BIA. So what ended up happening or at least our Sheriff's Office did get involved in it. I don't know if anybody from the Sheriff's Department is here now, but the primary jurisdiction was the BIA and apparently, there's been a difficulty now in moving forward with any prosecution because it appears from the information according to the Sheriff's Department that the tribe is not turning over evidence and so you have a situation where a citizen of the county was

badly injured. It was a very violent action and the Sheriff's Department had only been able to go so far with an investigation.

And it doesn't appear at this point that there is any real movement on the part of the Pueblo to prosecute. And again, it was a pretty serious situation. So I've dealt with, I've been talking with the Sheriff's Department on this and it appears that we may need to try to move this to a higher level and I'm not exactly sure what the next step should be but very possibly maybe getting the Commission involved and maybe a letter going out to the Pueblo to at least see that justice can be done in this case.

Also we'll call the District Attorney's office to see what their involvement has been to date. But it does appear to be a serious situation and it's one that I know on the part of the victim's family there's real concern and fear that something like this could happen again.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: I have a follow-up question. How serious was the battery?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, my understanding is that according to the Sheriff's Department, the victim probably would have been killed except the knife actually hit his sternum. So it was very serious.

COMMISSIONER CAMPOS: Is there any federal jurisdiction? I know in murder cases the FBI can come in and do an investigation and the US District Attorney would prosecute. Would a case like this come under the US District Attorney's jurisdiction?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, my understanding is that the BIA has primary jurisdiction but I will follow up a little more on the issue of the FBI.

COMMISSIONER CAMPOS: Well, if the BIA does have primary jurisdiction, why is the Pueblo able to stop the proceeding? Couldn't this be handled in federal court?

MR. KOPELMAN: Mr. Chairman, Commissioner, I will follow up on those questions. I got some preliminary information in dealing with the Sheriff's Department. Commissioner Trujillo last time had brought this issue up so we will certainly get a lot more information and be able to have answers to some of those questions that you're posing.

COMMISSIONER TRUJILLO: Mr. Chairman, and this is one example of many things that are happening within the reservation in non-Indian residences of non-Indian areas where we're having to deal with liquid waste. We're having to deal with roads. We're having to deal with potable water and the whole jurisdictional issue places the non-Indians or non-Native American community in that area under siege. Unless we take this issue all the way to Congress, I don't think there's anyway that we'll be able to rectify it. It's a situation that is totally convoluted. The laws were made in Congress. They have a

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disparate impact in the area and again, the community feels that they're under siege. So what sort of direction can you give this Commission that will give impetus to a semblance of an appropriate quality of life for everybody in that area?

MR. KOPELMAN: Mr. Chairman, members of the Commission, Commissioner Trujillo, I think the first step, really is to get all the facts in this case and it may be a situation where we need to set up meetings with the BIA, possibly set up meetings with the Pueblo government because I think the chances of changing federal legislation is an uphill battle. This is legislation that's been on the books for many, many years. There's been a lot of case law over jurisdictional questions and as you indicate, jurisdiction is totally with the federal government when it comes to dealing with Indian Pueblos, states and local governments have absolutely no authority or any responsibility or powers. It's totally the federal government.

But I think if we can get the information and then figure out what the next step is, who to speak with, maybe set up meetings with BIA and voice our concerns and work maybe up through that chain of command on that level maybe that's the beginning point to see whether we can get some responses from them in this case.

CHAIRMAN DURAN: I just have a quick one, I just remembered. In the last week or so there was an article in the paper about several families that live on Joe Miller's land, the piece of property that we have agreed to purchase. And I was wondering if there might be a way of adopting something within our COLTPAC purchase, our guidelines, that would address the fact that if we acquire a piece of property and it results in the displacement of families that are on living on that property, if we could somehow require the property owner to participate in some sort of compensation to relocate those people since we are actually the cause of the displacement. Or that our goals and visions under the COLTPAC program is the cause of the displacement. I don't know. Can we talk about that some time, Steve and then bring it forward for the Commission to consider?

MR. KOPELMAN: Mr. Chairman, we've begun discussions with Joe Miller and his attorney on this and we've pretty much said that it's our preference that they actually take an active role in helping these people relocate this prior to us acquiring the property. And we can certainly discuss it in more detail down the road.

CHAIRMAN DURAN: But he's not going to relocate them on I-25, is he? On that piece of property?

MR. KOPELMAN: I hope not, Mr. Chairman.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I've talked to I think it's Mr. Gucito, Daniel Gucito and his other concern is that these are older mobile homes. They are four families that have been there for a long time, because of their age and because they're single-wide, none of the mobile home parks will accept this type of unit at this point in time and they really—he's come to the conclusion that he has nowhere to go.

CHAIRMAN DURAN: Right. That's what I heard. That's what I read.

Well, I hate to be the cause of someone living on the street. Why don't you just keep us posted on that as it progresses.

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER VARELA: I think there are two places here in town. I don't know if they have any open spaces but there's one on lower Agua Fria. I think it's called Lone Star Trailer Park. And then a new trailer park that was built I believe approximately two years ago when they took the Roadrunner Trailer Park off of Cerrillos Road. They had to have a place to move all those people that had really older mobile homes and they did set up a new trailer park I think off of Zepol Road, off of Airport Road, and they did let all those older trailers move in there. So I don't know. There might be a space or possibility there also.

COMMISSIONER CAMPOS: Good information.

CHAIRMAN DURAN: Okay, good. If there's no other concern from the Commission, we'll move into item X.

X. Consent Calendar

- A. Request Authorization to Accept and Award a Contract to the Lowest Responsive Bidder, IFB #23-07, for Public Housing Renovation of Units to be Funded Under the Capital Fund Program (Community and Health Development Department)**
- B. *Resolution No. 2002-128 A Resolution Requesting an Increase to the General Fund (101)/DWI Teen Court Program to Budget Fiscal Year 2002 Cash Balance and a Grant Award Received from the New Mexico Children Youth and Families Department for Expenditure in Fiscal Year 2003 (Community and Health Development Department)**
- C. Resolution No. 2002-115. A Resolution Requesting an Increase to the General Fund (101)/ Underage Drinking Grant Program to Budget a Grant Award Received from the New Mexico Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Community and Health Development Department)**
- D. Resolution No. 2002-116. A Resolution Requesting an Increase to the General Fund (101)/DWI Grant Program to Budget a Curriculum Infusion Grant Award Received from the New Mexico Department of Finance and Administration for Expenditure in Fiscal Year 2003 (Community and Health Development Department)**
- E. Resolution No. 2002-117. A Resolution Requesting a Decrease to the Housing Special Revenue Fund (230)/Public Housing Development Grant to Realign the Fiscal Year 2003 Budget with the Fiscal Year 2002 Cash Balance Available for Expenditure in Fiscal Year 2003**

(Community and Health Development Department)

- F. Resolution No. 2002-118. A Resolution Requesting an Increase to the General Fund (101)/Mail Room Department to Budget Payment in Lieu of Tax and Prior Fiscal Year Reimbursement Revenue for Expenditure in Fiscal Year 2003 (Manager's Office)**
- G. Resolution No. 2002-119. A Resolution Requesting an Increase to the EMS Fund (206)/ Various EMS Districts to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)**
- H. Resolution No. 2002-120. A Resolution Requesting an Increase to the Fire Protection Fund (209)/Various Fire Districts to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)**
- I. Resolution No. 2002-121. A Resolution Designating a Project Representative and Signature Authority Regarding the Regional Water System Feasibility Study for Cuatro Villas Mutual Domestic Water Users Association (Land Use Department)**
- J. Request Approval of Amendment No. 1 to Professional Services/Price Agreement Codification/Compilation Services (Legal Department)**
- K. *Request Authorization to Enter into a Joint Powers Agreement with the New Mexico Energy, Minerals and Natural Resources Department for a Grant to Assist in Management of the Cerrillos Hills Historic Park Project for \$79,975 (Project and Facilities Management Department)**
- L. Resolution No. 2002-122. A Resolution Requesting an Increase to the State Special Appropriations Fund (318) to Budget Special Appropriation Projects (SAP) Grants Received from the New Mexico 2002 Legislature for Expenditure in Fiscal Year 2003 (Project and Facilities Management Department)**
- M. Resolution No. 2002-123. A Resolution Requesting an Increase to the State Special Appropriations Fund (318)/Various Projects to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Project and Facilities Management Department)**
- N. *Resolution No. 2002-129. A Resolution Requesting an Increase to the Community Development Block Grant Fund (250)/Arroyo Seco Teen Center to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Project and Facilities Management)**
- O. Resolution No. 2002-124. A Resolution Designating a Project Representative and a Signature Authority for the New Mexico Environmental Department Grant Agreement No. SAP 99-077-STB - Agua Fria Sanitary Sewer Line Project (Public Works Department)**
- P. Resolution No. 2002-125. A Resolution Requesting an Increase to the General Fund (101)/Solid Waste Community Programs to Budget a FY**

2002 Beautification Litter Grant Award Received from the New Mexico State Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Public Works Department)

- Q. Resolution No. 2002-126. A Resolution Requesting an Increase to the Road Projects Fund (311)/ South Meadows Road Project to Budget Fiscal Year 2002 Cash Balance and a Grant Award Received From the New Mexico State Highway and Transportation Department for Expenditure in Fiscal Year 2003 (Public Works Department)**
- R. Request Approval of a Memorandum of Understanding Between Santa Fe County and the City of Santa Fe for Recycling Services (Public Works Department)TABLED**
- S. *Request Approval of Change Order No. 2 for the Agua Fria Phase II Sanitary Sewer, Drainage, and Road Improvements Project – Condore Construction Company (Public Works Department)**
- T. *Request Authorization to Accept an Offer Regarding IFB #23-10, Indefinite Quantity Contract for Solid Waste Roll-Off Containers (Public Works Department)**
- U. Request Authorization to Accept an Offer Regarding IFB #23-08, Indefinite Quantity Contract for Solid Waste Compactors (Public Works Department)**
- V. Resolution No. 2002-127. A Resolution Designating a Project Representative and a Signature Authority for the New Mexico Environmental Department Grant Agreement No. SAP 00-0101-STB – Agua Fria Sanitary Sewer Line Project (Public Works Department)**

CHAIRMAN DURAN: Are there any items on the Consent Calendar A through V that the Commission would like to isolate for further discussion? Commissioner Sullivan? I was just starting from the right.

COMMISSIONER SULLIVAN: Starting from the right. Okay.

CHAIRMAN DURAN: I wasn't singling you out.

COMMISSIONER SULLIVAN: I'd just like to ask a question about items B, K, N, S and T.

CHAIRMAN DURAN: Commissioner Varela, do you have any items you'd like to discuss?

COMMISSIONER VARELA: No, Mr. Chairman.

CHAIRMAN DURAN: Commissioner Trujillo? Commissioner Campos? Okay, so the Chair will entertain a motion to approve the Consent Calendar A through V, excluding items B, K, N, S and T for further discussion.

COMMISSIONER CAMPOS: So moved.

COMMISSIONER SULLIVAN: Second, Mr. Chairman. Let me just check here. We may be—okay, we didn't change the numbers?

CHAIRMAN DURAN: No.

COMMISSIONER SULLIVAN: Okay, because we removed one.

CHAIRMAN DURAN: R was tabled.

COMMISSIONER SULLIVAN: R was tabled, so we're not approving R. But they didn't change the numbers on us, the letters. So we're okay on the letters.

CHAIRMAN DURAN: Okay, so the motion stands as stated. There's a second. Any further discussion?

The motion to approve Consent Calendar items A, C, D, E, F, G, H, I, J, L, M, O, P, Q, U, and V passed by unanimous [5-0] voice vote.

X. B. Resolution No. 2002-128 A Resolution Requesting an Increase to the General Fund (101)/DWI Teen Court Program to Budget Fiscal Year 2002 Cash Balance and a Grant Award Received from the New Mexico Children Youth and Families Department for Expenditure in Fiscal Year 2003 (Community and Health Development Department)

DAVID SIMS (DWI Coordinator): Mr. Chairman, Commissioners, this is simply to make adjustments necessary to accommodate new grant funding that was secured from Chidden, Youth and Families and to appropriately allocate the budgetary funds for this current fiscal year.

CHAIRMAN DURAN: Was that that \$5,000 that I gave out of my discretionary—

MR. SIMS: That is a part of the package, yes sir. We are actually as we talk, we're actually hoping to hold that \$5,000 in reserve for an anticipated continuing reduction in the cap from local—

CHAIRMAN DURAN: For next year.

MR. SIMS: Yes, sir.

CHAIRMAN DURAN: Any—Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, the question I had was, I understand that Teen Court has run into financial problems and I wanted to know, a) to get an update on that and then b) one of the items listed in the budget rationale was for the purpose of purchasing drug testing devices. And I wasn't aware that Teen Court was involved in drug testing. How does that fit into that program?

MR. SIMS: Let me address that and then I'll come back to the first issue. Teen Court does handle cases where young people have been arrested for possession of marijuana, possession of alcoholic beverages. And all of those, all of the teens that are charged with those kinds of misdemeanor crimes are enrolled in a substance abuse prevention program that is a component of the Teen Court program. And a part of that is drug and alcohol tests that are run on those young people to determine if they are clean from drugs and alcohol during the course

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of the program. So it's definitely a component of what we do with the Teen Court, specifically with the cases that involve substance abuse or possession of substances.

As far as the larger picture of the Teen Court, the financial status situation, one of the things that has transpired over the time that I've been with the DWI program is that up until FY02, the Teen Court was a separate component in what could be requested from the local DWI funds that's administered by DFA. In FY02, a cap was placed on Teen Court and it was made a subcomponent of the prevention category. So Teen Court is no longer a category of its own; it has been merged into the prevention arena as far as DFA is concerned when we submit out applications. We started out with a \$50,000 cap. This year we have a \$40,000 cap and next year we have a \$30,000 cap on DFA administered funds that are accessible to be used for Teen Court. This is a statewide mandate and statewide policy that was proposed by DFA and endorsed by the State Grant Council that oversees the awarding of these funds as directed by the legislature.

So this is something that we are anticipating and we're doing our best to secure additional funding from other sources such as the CYFD grant that we secured for this fiscal year. We are currently awaiting a response from a larger grant from the Office of Juvenile Justice, that's a federal funding source that we have submitted an application to. We also submitted additional—our Teen Court director, Alex Sealy, submitted this application to CYFD and has also submitted other applications, some of which have been declined and some of them are still pending to secure additional funding to make up this shortfall in our cap that we're having to accommodate.

COMMISSIONER SULLIVAN: Just one last question, Mr. Sims. Thank you. I appreciate that update. Is there any evidence that this is working?

MR. SIMS: Yes, sir. We have very good response from the young people. It's something that is very much appreciated by the juvenile probation office that we coordinate with. It's very much appreciated by the school system that makes referrals directly to the Teen Court program and all of the entities that make the referrals and work in conjunction with this program. They are very supportive of it and that's why they make referrals to it.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: I think that's a lot better than throwing them into D Home. What's the pleasure of the Board? Any other questions on this item? What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman, of Resolution 2002-128.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER VARELA: Second, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion?

The motion to approve Resolution 2002-128 passed by unanimous [5-0] voice vote.

X. K. Request Authorization to Enter into a Joint Powers Agreement with the New Mexico Energy, Minerals and Natural Resources Department for a Grant to Assist in Management of the Cerrillos Hills Historic Park Project for \$79,975 (Project and Facilities Management Department)

PAUL OLAFSON (Open Space Manager): Mr. Chairman, Commissioners, this is approval of a joint powers agreement with the New Mexico Energy, Minerals and Natural Resources Department and it's to do some trail work in the Cerrillos Hills Park. And because it's a JPA, we need to bring it before you all for approval. And the application for the grant was approved in 2001.

CHAIRMAN DURAN: Any questions of Mr. Olafson?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: My question was that the caption of this was for a grant assisting the management of the Cerrillos Hills Historic Park project, and I thought, Great, because we've been trying to get our arms around the management of that for some time. But my understanding from reading this is it's a grant for developing trail head facilities, trail construction and signage master plan. So where are we on the management plan?

MR. OLAFSON: Mr. Chairman, Commissioners, Commissioner Sullivan, again, this is an aspect, I guess, of the entire management plan and this has been already developed and it's coordinating with the Cerrillos Hills Park Coalition, National Park Service and so it's kind of a first step, and this is a trail system that has already been delineated and aligned and we're also working with the Chimayo Youth Conservation Corps in helping do the construction of this trail, or that will be the next step. And so this is kind of I guess an initial phase in managing where the existing trails are and improving those existing trails so that they are up to spec. And we are continuing on completing an entire management plan with this as an initial phase or step in that process.

COMMISSIONER SULLIVAN: And you're working on that management plan now?

MR. OLAFSON: Correct.

COMMISSIONER SULLIVAN: COLTPAC is and the staff?

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

COMMISSIONER SULLIVAN: And this work, it will be done—will it be done, you indicated with YCC forces. So it won't be done by contractors. It's like volunteer labor and that type of thing?

MR. OLAFSON: Volunteer labor as well, but we also will support the YCC in helping them do that as well.

COMMISSIONER SULLIVAN: So part of that will reimburse the County, Public Works Department, equipment or whatever is necessary?

MR. OLAFSON: Yes, as needed. But primarily, it's primarily for the construction and signage of this. So some of it may come from Public Works. A lot of it will

come from volunteer efforts as well as staff time in included in that match.

COMMISSIONER SULLIVAN: And what's the proposed time table for the management plan?

MR. OLAFSON: We hope to have something in place and approved by COLTPAC and you all by the spring and have then an official opening of the park.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN DURAN: Paul, I have a question. How did we get the New Mexico Energy, Minerals Department to participate in this? Was it because—

MR. OLAFSON: The state parks are within that program.

CHAIRMAN DURAN: Oh, okay.

MR. OLAFSON: So it was a grant through the state parks, through the chain of command.

CHAIRMAN DURAN: And our participant match amount came from what fund?

MR. OLAFSON: We're probably going to be able to cover all that with in-kind staff and support and if there is additional requirements on top of that we have the maintenance fund. But we're aiming to use the in-kind as the match.

CHAIRMAN DURAN: Okay, good. Any other questions? Commissioner.

COMMISSIONER CAMPOS: I may have missed this, but once the trails are built, is there going to be a requirement, Mr. Olafson, about supervision, having access to supervision in that area when it's open for public use? And if so, is there any money. I assume the County is going to have to pay for that.

MR. OLAFSON: Mr. Chairman, Commissioner, I'm not sure if I quite understand the question.

COMMISSIONER CAMPOS: When you have a place that's open to the public, is there any requirement that there be any regular—a ranger out there walking around, making sure it's safe, things like that? Making sure that the roadways are safe?

MR. OLAFSON: Mr. Chairman, Commissioner Campos, eventually we do want to have that in place and currently these trails are being already used. So we're trying to get a hold on that right away and in the spring, we're working also with the Cerrillos Hills Coalition and we're hoping to develop a community stewardship program whereby community members will help in that overall monitoring and maintenance. And as far as the longer a ranger or regular visits, our office will handle that as deemed necessary and hopefully, with this management plan then we can get a regularly scheduled thing. Of course it really relies on staff time and the resources we have. But for this period, I think we have a handle on it and over the long term we're working with the National Park Service, the Coalition, the community, to develop a stewardship program and have that be a daily event.

COMMISSIONER CAMPOS: Thank you.

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

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman, of—it's

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not a resolution. Move for approval of item K, authorization to enter into joint powers agreement with New Mexico Energy, Minerals and Natural Resources Department.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

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

X. N. Resolution No. 2002-129. A Resolution Requesting an Increase to the Community Development Block Grant Fund (250)/Arroyo Seco Teen Center to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Project and Facilities Management)

TONY FLORES (Project Manager): Mr. Chairman, Commissioner Sullivan, I stand for any questions.

COMMISSIONER SULLIVAN: My question has to do with the Arroyo Seco Teen Center. Do we have, is there a plan to consolidate or to move some of these centers together? We've got a couple—I know we're funding several of them in close proximity there. Could you bring us up to date on that, Mr. Flores?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, currently, we only have the Hands Across Cultures Teen Center that's located in that area. What has been requested as being brought forward as part of the ICIP plan is eventually, the community of La Puebla would like a community center and the community of Arroyo Seco would also like a community center. At the direction of Commissioner Trujillo we are trying to look at consolidating a centralized meeting place or community center for those areas, but that will be an ongoing process and we hope to bring back a plan to the Board once we have the three communities meet and decide which is the most advantageous place for all three communities.

The teen center itself has got its own mission statement. It is a County facility that can be utilized for these types of services. The money that we are requesting is budgeted for the new appropriations for continued growth of the existing teen center.

COMMISSIONER SULLIVAN: So the existing center in Arroyo Seco is County owned and operated. Is that correct?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, it is County owned and we have a private operator operating the facility.

COMMISSIONER SULLIVAN: Is that Hands Across Cultures?

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

COMMISSIONER SULLIVAN: Okay. And this is to, this adjustment is to bring in additional grant money for construction at this center?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, this appropriation that was received through the legislature and the prior year cash balances were for Phase 2 of the teen center, which encompasses administrative offices and meeting space.

COMMISSIONER SULLIVAN: And the request from La Puebla and other areas, would we then be building another teen center there?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, for La Puebla, for instance, the hope of the community was that it would be located in the La Puebla park, which is located in the community of La Puebla. The citizens of the Arroyo Seco area have requested a community center somewhere in their vicinity. Those are requests and non-funded projects at this time and that's why, at the direction of Commissioner Trujillo, we are going to work together to try to determine which of those areas, which of those three communities is the most advantageous for all communities to come to.

COMMISSIONER SULLIVAN: And that would be a community center. Is that different from the teen multi-purpose center?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, yes. That's why I indicated earlier. The teen center or the Hands Across Cultures have a specific mission but the facility is a County facility that would be available for us to use for meetings. But they do have a separate mission from any of our current community facilities.

COMMISSIONER SULLIVAN: Okay. Thank you.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion to approve, seconded by Commissioner Sullivan.

The motion to approve Resolution 2002-129 passed by unanimous [5-0] voice vote.

X. S. Request Approval of Change Order No. 2 for the Agua Fria Phase II Sanitary Sewer, Drainage, and Road Improvements Project – Condore Construction Company (Public Works Department)

CHAIRMAN DURAN: Commissioner Sullivan, do you have any questions of Mr. Lujan?

COMMISSIONER SULLIVAN: Mr. Chairman, by the way, I want to thank the staff for dividing these items up into smaller groupings.

CHAIRMAN DURAN: I know. It's great.

COMMISSIONER SULLIVAN: It makes it a lot easier to get to them. The basic question I had here on the Santa Fe sewer, drainage and road improvements project was that my understanding of this is it was a final closing change order. But it seems like the amount of items that we didn't do are numerous and total up to about \$105,000 and the additional items that we did do are also numerous and total up to about \$74,000. It seems to be an awful lot of changes. And I just wanted to know, Mr. Lujan, how that came

about.

JAMES LUJAN (Public Works Director): Mr. Chairman, Commissioner Sullivan, these are the final quantity measurements that were taking place. Some of the items were included. We did have a lot of problems with the consultant engineer on that project, and as we did the final quantities, this is what it came up to, the \$49,970 is the only change. We did remill a lot of the asphalt and reuse it as base, so that quantity wasn't as great and several other items that we did in there. Any specific item I might be able to address.

COMMISSIONER SULLIVAN: There wasn't any one specific but it just seemed we had 20 or so items that were substantially changed. Did we accomplish our goal on this project? Did we get the sewer as far as we had planned to get it?

MR. LUJAN: Yes, we did.

COMMISSIONER SULLIVAN: And did we hook up the number of homes that we had anticipated hooking up?

MR. LUJAN: The number, that's still to be determined by the City. There's some areas that are going to require lift stations because of the elevations, but the stub-out is to the property lines on Agua Fria.

COMMISSIONER SULLIVAN: And this involves the City hooking them up?

MR. LUJAN: Correct. The number of stub-outs were provided, it's just the grade to the residence itself and they're going to work within themselves and that was brought up at the public hearings. Commissioner Duran was present at those, that they may be require lift stations in some of those areas.

COMMISSIONER SULLIVAN: Okay. I guess you'll learn from this experience when it comes to the next selection and I don't even know who the consultant was on this project. I'm not trying to denigrate any consultant but I'm just saying that this seems to be a lot of changes.

MR. LUJAN: We've kept them in mind.

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

CHAIRMAN DURAN: I have a question, James. So we went through this whole process of making sure that people along Agua Fria have the ability to hook up to the City sewer. And then if I remember correctly, several months ago the City adopted a resolution that prevented extensions of water lines outside of the city limits and the hook-up of individuals to City sewer. I guess I have a couple—is it true that they are not allowing people to hook-up to City sewer and then as part of that, why would they want to do that? Doesn't that just increase effluent?

MR. LUJAN: Mr. Chairman, Commissioners, on this project I understand they're going to allow people to hook up on this on. I believe it's for any new construction, any new development is what I got from them. On this project I specifically asked that question and they are going to allow the ones that want to hook up on this

project to hook up.

CHAIRMAN DURAN: What's the rationale for not allowing someone to hook up to the City sewer?

MR. LUJAN: They haven't given me a good answer on that. I think it would just bring in revenues and create more for their system and take away people off septic tanks.

CHAIRMAN DURAN: Do any of the Commissioners have any insight into that?

COMMISSIONER CAMPOS: I don't, but it's concerning. Because it certainly does bring effluent and more liquid into their system and it doesn't seem to be harmful in any way to them. I would like to know more about why the City is resisting signing up folks in Agua Fria as soon as possible. If we could get an official—that would be great.

CHAIRMAN DURAN: Should it come from the Attorney's office or Public Works?

COMMISSIONER CAMPOS: I think it should come from maybe our Manager's Office.

CHAIRMAN DURAN: Could you coordinate that with Estevan?

MR. LUJAN: Mr. Chairman, also, some of our state legislators have had concerns about that. Again, we have expended—these funds did come from the NMED which is state appropriations which funded it and now they don't want to allow some to hook up and it's concerning to us also. I'll coordinate it.

CHAIRMAN DURAN: It's very similar to some of the problems that the northern part of the county is experiencing, like wells that aren't too deep and contamination of the aquifer, all of that. It just seems a little—I just can't figure out why they would prevent that. Maybe you could help us get an answer to that.

MR. LUJAN: I will.

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

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the change order to the Agua Fria Phase II passed by unanimous [5-0] voice vote.

X. T. Request Authorization to Accept an Offer Regarding IFB #23-10, Indefinite Quantity Contract for Solid Waste Roll-Off Containers (Public Works Department)

CHAIRMAN DURAN: Any questions of Mr. Lujan, Commissioner Sullivan?

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COMMISSIONER SULLIVAN: I was confused on this. I was confused about the five percent preference in this and I was confused whether when you bid on it you had to bid on both items or whether you could bid just on one item. I felt I needed a little explanation of what happened on this particular bid?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, we did the bids on items like this where one item can be manufactured separately from the other, that we reserve the right to split the award. In this particular case, had the one company not been considered non-responsive they actually deviated from the specifications substantially, so they were deemed non-responsive. They could have potentially been the low bidder on one item and Environmental Systems on the other. As it stands, since they were thrown out as non-responsive, the low bidder was Environmental Systems on both items and we just awarded one, or recommend an award of one agreement to them.

The five percent preference is a statutory preference that a New Mexico state manufacturer or business can be five percent higher than the lowest bid if it's an out of state bidder and still receive the award. And that is also a statutory requirement. So they were within that five percent, Environmental Systems, on the other item and therefore were awarded the contract based on that.

COMMISSIONER SULLIVAN: I'm looking at attachment A on the bid results. So what happened was Environmental Systems is an instate contractor and AG Products is not?

MS. MILLER: That's correct.

COMMISSIONER SULLIVAN: So even though for item two, the 40-yard roll-off containers, AG Products was slightly less, \$2,950, than Environmental Systems, which was \$2,983.50, we are still required to award it to Environmental Systems because they weren't more than five percent over.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, yes. That's that five percent preference. The New Mexico business receives that preference by statute to be awarded. So that note I put at the bottom, the \$3,097, as long as they were under that on that item they were considered the low bidder.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN DURAN: Any other questions?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Motion to approve. Is there a second?

COMMISSIONER VARELA: I second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the agreement for roll-off containers passed by unanimous [5-0] voice vote.

XI. Administrative Items

A. Committee Resignations

1. Resignation from the Regional Planning Authority

CHAIRMAN DURAN: I guess Commissioner Trujillo is resigning and the Commission is would like to appoint Commissioner Varela.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman. I'm resigning and I think it's more appropriate that Commissioner Varela participate in the RPA because of the district's proximity to the City of Santa Fe and the regional planning aspects of the area. So with that I tender my resignation and make a motion to appoint Commissioner Varela.

COMMISSIONER CAMPOS: To accept your resignation.

COMMISSIONER TRUJILLO: I put forth my resignation in the hopes that the Commission accepts it. And in the same motion—I don't know if I can do that.

COMMISSIONER CAMPOS: It's coming up next in the next item.

CHAIRMAN DURAN: I'll second the motion to accept your resignation. It's unfortunate—not unfortunate, but I must tell you, at the last meeting we made some real progress and it's finally, we're finally working together and we have some goals and our new Regional Planning director has really been able to pull us together and I think has a real grasp of what the issues are and I'm very pleased with the work that we've embarked on.

COMMISSIONER TRUJILLO: I'm glad to hear that.

COMMISSIONER SULLIVAN: And they have a fabulous chairman.

CHAIRMAN DURAN: Yes. That used to be an Eagle Scout.

COMMISSIONER TRUJILLO: You don't want to mention any names?

The motion to accept Commissioner Trujillo's resignation from the Regional Planning Authority passed by unanimous [5-0] voice vote.

XI. B. Committee Appointments

3. Appointment to the Regional Planning Authority

CHAIRMAN DURAN: The Chair will entertain a motion to appoint Commissioner Varela to the Regional Planning Authority.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER CAMPOS: Do you want the job, Commissioner?

COMMISSIONER VARELA: Yes, I'll take the job.

CHAIRMAN DURAN: Welcome. You'll enjoy it.

The motion to appoint Commissioner Varela to the Regional Planning Authority passed by unanimous [5-0] voice vote.

XI. B. 1. Appointment to the Lodgers' Tax Advisory Board

MS. MILLER: Mr. Chairman, Commissioners, we're requesting that the appointment of Mr. Smithson from the Sunrise Springs Inn be made to the Lodgers' Tax Advisory Board. We have a vacancy on there. Molly Agrecho from Rancho Encantado is no longer on the board. We have four members and we're requesting at the recommendation of the other members of the Lodgers' Tax Advisory Board that the appointment of Mr. Eddie Smithson be made.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Ms. Miller, what's the criteria for serving on this board? Do you have to have a lodging establishment or work for one?

MS. MILLER: Mr. Chairman, Commissioner Campos, typically, I don't know that there's an actual set criteria in our ordinance other than it be somebody who is contributing through their facility to the Lodgers' tax revenue. And even then, it's not an actual requirement in the ordinance. I take that back, it's not a specific requirement, but it's somebody with a background in lodging facilities and tourism and whatnot within our county and then typically the recommendation would come from somebody on the Commission or someone on the board and they are people who are actually managing or working at one of the facilities that contributes to our Lodgers' tax revenue.

COMMISSIONER CAMPOS: How many members do we have?

MS. MILLER: There's five members on the board.

COMMISSIONER CAMPOS: And all five members on the board represent a lodging establishment?

MS. MILLER: Mr. Serber, I believe, the chairman, does not at this time. He has over the course, but I don't believe—he's the member from the public. Yes.

COMMISSIONER CAMPOS: So we have one public member. Is that working out well, do you think? Or do we need more public members?

MS. MILLER: Mr. Chairman and Commissioner Campos, this is Teresa Sanchez. She staffs the Lodgers' Tax Advisory Board meetings so she's probably more expert.

TERESA SANCHEZ (Lodgers' Tax Advisory Board Liaison): It's a five-member board and two are from lodging facilities, one from at large and the other two are from tourism-generating, so it could be a restaurant. We have one, Florence Jaramillo from Rancho de Chimayo, and then Ben, our public at-large. And Eddie Smithson will fill a lodging facility vacancy.

COMMISSIONER CAMPOS: And these requirements, are they by

ordinance, resolution, by statute?

MS. SANCHEZ: By both. We have an ordinance that patterns the state statute.

COMMISSIONER CAMPOS: The statute requires this type of representation?

MS. SANCHEZ: It does.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN DURAN: Okay, I'll make a motion to approve Mr. Smithson to the Tax Advisory Board.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to appoint Eddie Smithson to the Lodgers' Tax Advisory Board passed by unanimous [5-0] voice vote.

XI. B. 2. Appointment to the Health Policy and Planning Commission

VIRGINIA VIGIL (Policy Analyst): Thank you, Mr. Chairman, members of the Commission, what you're receiving right now from Steve Shepherd is a letter from the chairman of the Health Policy and Planning Commission, recommending and endorsing the appointment of Dr. Mario Pacheco to fill the vacancy that was left by the departure of Dr. Arturo Gonzales. [Exhibit 2]

Dr. Pacheco is a well established physician in the community. Has an impeccable reputation within his profession and also within the community. By just a cursory review of his curriculum vitae it can be seen how much he has actually contributed to the community. The Health Policy and Planning Commission was very pleased that St. Vincent's recommended him as their representative. We are here before you to ask that you appoint Dr. Mario Pacheco as St. Vincent's representative to the Health Policy and Planning Commission.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to appoint Dr. Mario Pacheco passed by unanimous [5-0] voice vote.

XI. B. Committee Appointments

2. Appointment to the Regional Planning Authority [See above.]

XI. B. 4. Reappointment to the Bennie Chavez Community Center

CORKY OJINAGA (Project & Facilities Management Director): Mr. Chairman, Commissioners, Edith Trujillo has been on this committee for several years now. She's asked to be reappointed. Her term just recently expired. It's staff's recommendation to reappoint Edith Trujillo for a two-year term.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Second.

COMMISSIONER SULLIVAN: There's a motion and a second.

Discussion. I have a question from Ms. Trujillo's questionnaire. It appears that she recommends that the committee should take turns renting the center and it says only two are the only ones doing it now and apparently they had a problem and someone was using the center, not paying for it and bringing in liquor for a wedding. Do you have any other information on that incident?

MR. OJINAGA: Mr. Chairman, Commissioners, we have investigated this. We sat down with the committee members of each of our community centers, have explained there's no alcohol allowed in County facilities. I think we've remedied that problem there. It's the committee that will make recommendations as to how they're going to rent the center and who's going to do that so I think we've straightened that out.

COMMISSIONER SULLIVAN: Do we have some policies in place on renting these centers in terms of how much it costs? Do they provide insurance? Do they sign a release of liability? Is there a set procedure in each of the centers?

MR. OJINAGA: Commissioners, yes there is. Again, this is something that we've taken to the committees, outlined the fee schedule that's associated with each community center. It's across the board, basically \$50 deposit, \$50 to rent the community center.

COMMISSIONER SULLIVAN: And then there's some documents they sign?

MR. OJINAGA: There is a document that they sign and the people requesting to use the community center will sign a release.

COMMISSIONER SULLIVAN: So this individual had their wedding there and then didn't pay the \$50?

MR. OJINAGA: I'm not sure what took place on this particular one but I think we've solved that problem.

COMMISSIONER SULLIVAN: That's what Ms. Trujillo says anyway. Maybe Commissioner Trujillo has more—is this a relative of yours, by the way?

COMMISSIONER TRUJILLO: No, it's not but I think staff has met with

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the appropriate people, the boards of the community centers. Not only Chimayo, also El Rancho, and gone over the rules and bylaws regarding the renting out of the center and the appropriate behavior at the centers. So that has been impressed on them and the problem has been rectified.

COMMISSIONER SULLIVAN: I appreciate her bringing it up because very often we don't hear about these issues and obviously we don't want that to happen again. Not that the money is a great amount but certainly the liability if we get involved in some alcohol related accident is significant.

The motion to appoint Edith Trujillo to the Bennie Chavez Community Center passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

XII. Staff and Elected Officials' Items

A. Community and Health Development Department

1. Request Authorization to Amend Contract No. 21-0141-CHDD with Behavioral Therapy Associates to Add \$32,500 for Training and Outcome Evaluation Services for the Third Year of the Santa Fe County CRAFT Project

LINDA DUTCHER (CRAFT Project Director): Commissioner Sullivan, Commissioners, we have been awarded a third year of funding for our federally funded CRAFT project. All three of these request for amendments relate to contracts which are already in place and which will allow us to carry out the activities of the grant as approved in the federal award.

COMMISSIONER SULLIVAN: Are there questions of Linda? I had one question. We had this outcome evaluation contract and then in the next item, we're talking about an additional—no, in the third item there's another evaluation contract in the CRAFT program. Could you clarify?

MS. DUTCHER: Yes, Commissioner Sullivan. The outcome evaluation deals with the actual consequences of our doing the CRAFT project. Were we able to recruit people to go to treatment as we had planned? The process evaluation rather, looks at the way in which the project was carried out? Did we get input from the community? Were we able to make contact with other agencies and that sort of thing?

COMMISSIONER SULLIVAN: And both of these are federally funded?

MS. DUTCHER: Yes. The entire project is federally funded.

COMMISSIONER SULLIVAN: That's all questions I had. Were there other questions?

COMMISSIONER TRUJILLO: If not, Mr. Chairman, move for approval.

COMMISSIONER SULLIVAN: Motion from Commissioner Trujillo.

COMMISSIONER CAMPOS: Second.

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COMMISSIONER SULLIVAN: Second from Commissioner Campos. Is there further discussion?

The motion to approve CRAFT evaluation passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

XIII. A. 2. Request Authorization to Amend Contract No. 21-0145-CHDD with Life Link, Inc. to Add \$272,685 for Treatment and Community Training Services for the Third Year of the Santa Fe County CRAFT Project

MS. DUTCHER: Commissioner Sullivan, other Commissioners, yes. The Life Link is our treatment provider. That's where the actual work of treating the clients in the community goes on.

COMMISSIONER SULLIVAN: Are there questions of Ms. Dutcher?

COMMISSIONER TRUJILLO: No, Mr. Chairman. Move for approval.

COMMISSIONER SULLIVAN: There's a motion from Commissioner Trujillo.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: Second from Commissioner Campos. the only question I had Ms. Dutcher was how is it working? How is Life Link doing, and briefly, are we making some progress in your judgement?

MS. DUTCHER: Commissioner Sullivan, I'm pleased with the way the project is going. We are enrolling approximately the number of people we had indicated to the federal government that we expected. It's really too early to have large statistics because of the numbers, but when we did a preliminary evaluation in June we looked to see if you're a client in the CRAFT project and you were working your way through the 12 training sessions that you would receive, at that point we had about three dozen such clients who were half-way through and I wondered, are they successful in getting their loved ones into treatment? Even at the half-way point, about 57 percent of them had been able to convince their loved ones to go get the help they needed. We think that's very good results.

COMMISSIONER SULLIVAN: Good. There's a motion and a second.

The motion to approve Life Link's contract amendment passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

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XII. A. 3. Request Authorization to Amend Contract No. 21-0126-CHDD with Community and Family Services to Add \$23,000 for Process Evaluation Services for the Third Year of the Santa Fe County CRAFT Project

MS. DUTCHER: Mr. Chairman, Commissioners, this process evaluation as I described before looks at how the project is carried out. Also, this contractor is the one that primarily interacts with the federal government on a separate interest group which we're required to belong to. All the grantees of this sort have to belong to different sub-interest groups. We belong to the Co-occurring and Functional Disorders Group and there's a number of meetings with the federal officials that have to take place for that. This contractor is the one that's primarily involved in that one.

COMMISSIONER TRUJILLO: Mr. Chairman, and all of these monies have been earmarked for these purposes, right? The monies already exist?

MS. DUTCHER: Commissioner Trujillo, yes, awarded by the federal government.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Motion by Commissioner Trujillo.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: Second by Commissioner Campos. Any further discussion?

The motion to amend the process evaluation for CRAFT passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

XII. A. 4. Request Authorization to Enter into a Memorandum of Understanding with the City of Santa Fe to Provide DWI Compliance Monitoring for City of Santa Fe Municipal Court

COMMISSIONER SULLIVAN: This should make Judge Gallegos happy.

MR. SIMS: Commissioner Sullivan, Commissioners, this is something that has been an ongoing part of the DWI program in both the magistrate court and in the municipal court and that is that we provide compliance monitoring services for those individuals who've been convicted of DWI. This is, I understand that previously this was the process that was used to secure those services for municipal court. When I first started with the DWI program we had a contractor that was a County contractor that worked in the municipal court to do this service. That has proved to be problematic in a number of respects, including being able to keep someone in to fulfill that contract over a period of time. We've gone through several contractors and have issued RFPs to attempt to secure an additional one.

Both myself and the municipal court administrator felt like this would be a better way to

accomplish the same thing and simplify the process, certainly for our County procurement staff and the County. This will be a much more efficient way of dealing with, providing this service.

COMMISSIONER SULLIVAN: Are there questions of Mr. Sims? Is this the same amount of money that we spent before on this?

MR. SIMS: It's approximately the same amount. Yes, sir. And it's what was approved by the planning council and by the Commissioners when we submitted the application for this component.

COMMISSIONER SULLIVAN: And it's funded how?

MR. SIMS: By the local DWI program. The DFA administered funds that come from the excise tax on the sale of alcohol.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Motion from Commissioner Trujillo.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: Second from Commissioner Campos for approval. Any further discussion or questions of Mr. Sims?

The motion to approve the compliance monitoring contract passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this vote.]

XII. B. Fire Department

A. Request Authorization to Enter into a Memorandum of Understanding with the City of Santa Fe to Provide DWI Compliance Monitoring for City of Santa Fe Municipal Court

CHIEF HOLDEN: Mr. Chairman, members of the Commission, in August of 1997, the Fire Department's first five-year plan was approved by the Commission and it is now time to update that plan and we are requesting approval of a professional services agreement with Southwest Planning and Marketing. Once that plan has been approved within the department, we'll bring it back to the Commission for formal adoption and approval, and I estimate that will be sometime in January of 2003.

COMMISSIONER SULLIVAN: Questions of Mr. Holden? Was there a procurement for this, Stan, or were you satisfied with the services previously and then you continued on, or how d'd that operate?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, we did go through the procurement process. There were I think five responses to the request for proposals. Two of them, Southwest Planning and Louis Berger were evaluated and Southwest Planning was selected.

COMMISSIONER SULLIVAN: Okay. Questions of Mr. Holden?

COMMISSIONER TRUJILLO: Stan, is this part of the communications or emergency response and link to rural addressing and all of that countywide?

CHIEF HOLDEN: Mr. Chairman, Commissioner Trujillo, that is a component of the five-year plan. Yes, sir.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Motion for approval from Commissioner Trujillo.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: Second from Commissioner Campos. Any further discussion? Commissioner Duran?

CHAIRMAN DURAN: I'm going to abstain because I wasn't here when you guys were talking about it.

The motion to approve the professional services agreement with Southwest Planning passed by unanimous [4-0] voice vote. [Chairman Duran abstained.]

CHAIRMAN DURAN: Do you want to take a break for lunch?

COMMISSIONER SULLIVAN: Well, we're almost finished.

COMMISSIONER TRUJILLO: We have three more items.

CHAIRMAN DURAN: Oh, really. Well, let's just go through it.

COMMISSIONER SULLIVAN: Except for the public hearing that somebody inauspiciously scheduled for 4:00 in the afternoon, but other than that—

COMMISSIONER TRUJILLO: Four o'clock?

MR. KOPELMAN: Excuse me, Mr. Chairman, I think on the Sheriff's Office, I believe the individual who is going to be presenting that, I think he was told to come after lunch. And I think there's one other item that—

CHAIRMAN DURAN: What is it?

MR. KOPELMAN: That's a professional services agreement under the Region III Narcotics Task Force.

CHAIRMAN DURAN: Why doesn't somebody get a hold of the Sheriff and see if he can get him to come over right away.

COMMISSIONER SULLIVAN: Or is there anyone else that can give us the information on it?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I know there's—the information is in the packet, but I don't think that Katherine had any information other than what was in there. But maybe that's enough for the Commission to feel comfortable to take that forward.

CHAIRMAN DURAN: Why don't we look at it and see. If it is, we'll go.

XII. C. Land Use Department

1. Request Authorization to Accept a State Land Office Business Lease No. BL- 1501 with the State Land Office for a Ninety-Nine Year Ground Lease of 75 Acres Adjacent to State Road 14 for the Purpose of Developing the Santa Fe County Economic Business Park

SOPHIA COLLAROS (Assistant County Attorney): Commissioners, Roman Abeyta was going to present this matter to you but he had an emergency and can't be here. However, I have worked with the committee regarding this bid ground lease and as the attached resolution indicates, the State Land Commissioner has awarded this 99-year lease to Santa Fe County.

CHAIRMAN DURAN: Great. Were there other bids?

MS. COLLAROS: I don't know. I'm assuming so since the attachment indicates that we were the highest bidder, so I'm assuming so. I don't have that information, however.

CHAIRMAN DURAN: Could you ask Roman to find out and e-mail us on who those other bidders were.

MS. COLLAROS: I certainly will.

CHAIRMAN DURAN: I'd like to know, wouldn't you.

COMMISSIONER SULLIVAN: I'd like to know. Also, there was a comment, I noticed, Mr. Chairman, in the acceptance letter or in the notification letter from the State Land Office which indicated that the proposal was very well and professionally prepared. So who did that?

MS. COLLAROS: There were a group of individuals. I can tell you, however, that Roman Abeyta and his office were in charge of putting the entire document together but we all met several times to be sure that it was complete and I'd like to let you know that when we did meet with representatives from the State Land Office subsequent to the awarding of this bid, that this comment was made that it was such an excellent job and so well put together that they would like to use that as a guide to responses to bid proposals. The Land Office was quite laudatory in the work that was done.

CHAIRMAN DURAN: I think Rudy Garcia was on top of that for the last six or seven months.

MS. COLLAROS: With respect to the lease, yes. I came in, obviously I've only been here 2-1/2 months so I can't tell you everyone that worked on it.

COMMISSIONER SULLIVAN: Well, just congratulations to staff on a good presentation.

CHAIRMAN DURAN: Yes, that was great.

COMMISSIONER SULLIVAN: Let me just read the part of the letter that comes from Donald Britt that says, "I want to thank you and your staff for the excellent bid proposal that was submitted. It was complete and conformed not only to the letter of the law but

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also to the spirit of a public auction. It is truly a professional presentation." Not too shabby.

CHAIRMAN DURAN: Not too bad. What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

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

The motion to approve the ground lease of State Land Office property passed by unanimous [5-0] voice vote.

XII. C. 2. Resolution No. 2002-130. A Resolution Relating to the Ground Lease Agreement Between the New Mexico Commissioner of Public Lands and the County of Santa Fe, New Mexico of the Surface Estate of Certain State Trust Land Within Section 36, Township 16 North, Range 8 East, N.M.P.M., Consisting of Approximately 75 Acres, More or Less

CHAIRMAN DURAN: How does this tie in, Steve?

MR. KOPELMAN: Mr. Chairman, the State Land Office had requested that we do a formal resolution and it's actually at the very back of the lease agreement. It's about seven or eight pages from the very back. It's a very simple resolution. All it really says is that the Board of County Commissioners agrees to enter into a bid ground lease between the Commissioner of Public Lands and the County.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER VARELA: Second.

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

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: The question that I had is we start this lease off with a base rent of \$1,000 and then when we move up to the fifth year, we're up to \$15,000 and \$30,000 on the tenth year and \$45,000 on the 15th year and \$60,000 subsequent to that, on the 20th year. And also there's a percentage of two percent of rentals that we achieve. So my question is if we don't get tenants in this industrial park, I assume we're still committed to pay that base rent. Is that not correct?

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

COMMISSIONER SULLIVAN: But the percent rent wouldn't kick in.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, that's also correct and my guess is that if things really went south, we would probably need to sit down with the State Land Office and try to renegotiate if it came to that.

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COMMISSIONER SULLIVAN: I know there's been discussion and maybe Commissioner Duran can fill me in of some organizations, or a organization that's been interested in moving in. Are they still on the front burner?

CHAIRMAN DURAN: Yes, that's Clean Air Systems. My understanding is that they still are interested and the reason that we went to the 99-year lease was that the 25-year lease that we had originally negotiated which only had 20-odd years left didn't satisfy their lender's requirement for the financing. And now that we have 99 years they would qualify. And I actually think that's the situation with most of the people that come forward is that they need a longer period of time to retire their debt.

COMMISSIONER SULLIVAN: So are we actively pursuing these?

CHAIRMAN DURAN: I think the next thing we need to do is, I know there's been some discussion, Commissioner Campos had some concern that relative to this project, and now that we have the 99-year lease I really think we need to establish our vision and some goals that this Commission wants to get behind for that property. Maybe we can do that for the next 60 days or so. Does that sound like something you want to do?

COMMISSIONER CAMPOS: Mr. Chairman, I think the staff has been working on something on how to develop this land, what the vision is. I think we need to look at that very soon so that we can get moving on it. It's essential that we do move on it very quickly.

CHAIRMAN DURAN: Could you find out if Clean Air Systems—

MS. COLLAROS: Commissioners, if I may let you know, in the lease agreement, one of the provisions in there is that within 180 days, a revised master plan would be submitted to the Land Commissioner for review and approval. And this is with respect to having a managing partner manage the facility and also develop it. So right now, staff is working on preparing a request for procurement that will go out for solicitation of entities that might be interested in partnering and developing the land. In addition, we're also referencing the ordinance that was passed by the Commission. It was in 1996. It's Ordinance 1996-7, that addresses the vision for an economic business park and how the County is to follow that mission.

CHAIRMAN DURAN: I think that since we have pretty much a whole new Commission coming on board after the first of the year that we should probably revisit those goals, make sure everybody is still on board. I think that they are very honorable and promote economic development but it probably is a good idea to have everybody involved in that decision.

MS. COLLAROS: Certainly. And in the interim, we're working on this RFP to make sure that it's issued because we've got the 180-day time constraint.

CHAIRMAN DURAN: I actually think that would help us in developing goals in addition for that property. Any other questions of staff? What's the pleasure of the Board?

The motion to approve Resolution 2002-130 passed by unanimous [5-0] voice vote.

XIII. D. Sheriff's Office

1. Request Authorization to Enter into Professional Service Agreement Contract #23-0063-SD with the First Judicial District Attorney's Office Regarding Drug Prosecution for the Region III Narcotics Task Force in the Amount of \$65,000

MR. KOPELMAN: Mr. Chairman, members of the Commission. I've reviewed the contract. It's pretty straightforward. The Region III Narcotics Task Force has received a grant from the Bureau of Justice Assistance and a portion of that grant requires drug prosecutions. The only entity that actually can take this forward under law would be the First Judicial District Attorney's Office. So this contract is really a pass-through of this federal grant that would provide additional funds of I believe up to \$65,000 to the District Attorney's Office to assist with these special drug prosecutions that Region III would be bringing forward.

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the professional services agreement for drug prosecutions passed by unanimous [5-0] voice vote.

XII. D. 2. Request Authorization to Enter into an Agreement with the Santa Fe Animal Shelter for Housing Stray Animals for the Animal Control Office

CHAIRMAN DURAN: If you recall, at the last County Commission meeting under Matters from the Commission I requested that the Finance Department investigate and bring forward an agreement. Katherine, perfect timing. That we ask the Finance Department to bring forward, investigate and bring forward an agreement that provides for the housing of our stray animals at the proposed new animal shelter. Katherine.

MS. MILLER: Were you on the agreement for the animal shelter? One of the things that came up in the negotiation on the care of the animals is that the animal shelter has been programming into the construction of their new facilities space for our animal control. They used to be housed when we leased space from the shelter downtown here, but they ran out of room and have outgrown that facility. So we moved our animal control and moved them to a space on St. Michael's that we have. We have about 11 months or so left on that lease.

Hopefully, that lease would expire about the time that the shelter is built in, they're estimating it to be a year to 18 months that it will be in construction. And then they wanted to lease space to animal control. We did not program in space at the public safety complex out on 14 for animal control because they work so closely with the animal shelter that they're actually there more often than they would be at any other place. They also have to collect fees when

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somebody comes to claim an animal, to license them and things like that. So right now, we've been having the shelter do that but from control perspectives it would be nice if the County did that.

So animal control has been working with the shelter to do this and one of the issues that came up is they want some type of guarantee that we will lease from them in order to build space for us. And they're looking at building about, I want to say 4,000 square feet for our six employees. It may not be quite that much. I think they said something about 500 or 600 square feet per person. But I didn't go into the detail with them on that exactly. I said we'll have to bring that back as another item of discussion. But they want some assurance that if they build this space for us we're going to go in. Otherwise, they will take it out of their programming right now.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: So Katherine, is this agreement just for the care of animals, or does it also include the potential space for our employees?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, this is just for the care of the animals. Basically, animal control brings in anywhere from 1000 to 1200 animals a year and they take them to the shelter. We require the shelter to hold them for five days before they're euthanized. We also request that they put them into the adoption service if they're suitable animals for that and if nobody claims them. And then we also have several medical requirements while they're there. If they are euthanized we also request that they dispose of them, which is an item I needed to bring up. As a matter of fact, I'm glad you asked that.

The shelter came back—they took this to their board after we had agreed with the director. Kate Rindy took it to the board and one of the items was that they did not account for enough for the disposal of the animals. So instead of \$6,060 a month, she requested that it be \$6,100. So it was a \$40 a month increase. She said that she had not covered the cost of that \$100 a month as opposed to \$60 a month. So that would be one change that I would request on approval of this agreement that it actually go up another \$40 a month.

CHAIRMAN DURAN: So it would be \$6,100.

MS. MILLER: But that's what that \$6,100 or \$7,100 includes, are all of those services, and it does not include housing or our staff.

COMMISSIONER SULLIVAN: Mr. Chairman, and it's limited to 100 animals per month. So it's \$61 per animal.

CHAIRMAN DURAN: 120 a month.

COMMISSIONER SULLIVAN: Okay. Mine says 100. It says 120 on the letter and then it says 100 in the contract.

MS. MILLER: Mr. Chairman, Commissioner, it should be 120. I can change that. We've been averaging about 80 to 100 this year, but we have been as high as 130. We talked to Kate Rindy and I apologize for that because it was an issue that was discussed and apparently did not get changed in there, that it would be up to 120 a month before we'd have to

pay anything beyond that. But we have not been, we've been averaging more like 100, 80 to 100.

COMMISSIONER SULLIVAN: Move for approval, Mr. Chairman, as amended to reflect the initial price of \$6,100 per month and the 120 animals per month.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER CAMPOS: Second.

COMMISSIONER TRUJILLO: Discussion. Just one question for Katherine. These are stray county animals or do they include stray city animals, or both?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, the City has a contract with the shelter for city animals and one of the questions that did come up in the discussion with them is well, if a dog is running back and forth across the city lines, who actually pays for it. And they said That is one of the issues between the City and the County and the animal shelter suggested that we actually regionalize our animal control into one entity because it is difficult to determine who's the responsible jurisdiction.

COMMISSIONER TRUJILLO: Maybe regionalize it and get some more manpower or womanpower because we don't have enough people to take care of the issues that we have to deal with regarding stray animals. We just can't do it.

MS. MILLER: We have, I believe, six employees in total in animal control through the whole county so that's quite a bit of area to cover with six staff.

COMMISSIONER TRUJILLO: So if we regionalize it maybe we could combine our forces.

MS. MILLER: Mr. Chairman, Commissioner Trujillo, yes, that was one of the items—it was just brought up as an issue that it might be helpful to do that and make better use of our resources. But as it stands right now, there are two separate animal control entities and they do pay separately.

CHAIRMAN DURAN: So our animal control people will bring all the animals that they pick up and take them over to the animal shelter. Is there going to be a place for our County employees to process this task? I guess my question is, so then our employees will be housed elsewhere. Their offices will be elsewhere off of that site.

MS. MILLER: Mr. Chairman, the first year, until the build—right now they're off of Cerrillos and our staff is off of St. Michael's, so they're fairly close to each other and animal control will take them to the shelter, do the paperwork there and then go back and finish up paperwork in their office. The desire is that they would actually be, when the new facility off of 599 is constructed, is that they would be housed at the new shelter. And that was what the animal shelter asked if we could formalize some kind of agreement, because they are programming in space for us but they don't want to, at the cost of construction, they don't want to build it if we're not going to move there.

CHAIRMAN DURAN: Well, in this professional services agreement for animal care services, is there something in here, and I'm sorry I haven't read it, but is there something in here that deals with space?

MS. MILLER: This is purely for the next year and nine months.

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CHAIRMAN DURAN: So how is this going to satisfy their concerns?

MS. MILLER: That concern it's not and I guess one of the questions is would the Commission like us to bring back a separate agreement, kind of a lease suit-to-build agreement for the shelter on that issue.

CHAIRMAN DURAN: I thought that's what we had talked about at the last meeting. I don't think there was ever a question that we weren't going to continue using them to care for our animals, but it was more of a space—that they were building space to house us.

MS. MILLER: There's two issues. The contract that we have with them for the care of the animals expires at the end of September, and that's the agreement in your packet. And in the discussions with them on that issue, it came up that there has been a rumor or something to the effect that we weren't going to move out to the facility when they're done.

CHAIRMAN DURAN: So then this still doesn't address the concern that I brought up last month.

MS. MILLER: No.

CHAIRMAN DURAN: Okay. When are we going to start working on that?

MS. MILLER: At the direction of the Board I'll go and start working on an agreement—

CHAIRMAN DURAN: That direction was given at the last meeting. I don't mean to be picky here but at the last meeting is when we asked you to come forward with some kind of agreement that would ensure that we were going to be using the space that they're going to construct for us at that facility.

MS. MILLER: Mr. Chairman, I apologize. I understood that there was a question of whether we could move them at the last meeting over to the magistrate building. At that particular time—

CHAIRMAN DURAN: To move who over there?

MS. MILLER: Animal control, and I think Commissioner Sullivan asked me and I said that was a separate type of issue and I did not know at that time that there was any concern that we were going to be out at the shelter, and then when I discussed it with you a couple weeks ago, when I went back and worked with the director, I said is this—a week or two ago I asked the director, is there some concern that we are not moving out there. It was my understanding is that there has been talk that, not with Sheriff Sisneros. He's in agreement that we should move out there, but that a future Sheriff was wondering where they should be housed.

CHAIRMAN DURAN: Not where the animals were going to be housed but where the staff was.

km : Yes.

CHAIRMAN DURAN: And I thought that's what we were going to talk about today. Okay, there's a motion to approve the animal care services, which still leaves the facility issue, whether or not they should build space for us out there up in the air.

MS. MILLER: Yes.

The motion to approve the animal shelter agreement passed by unanimous [5-0] voice vote.

MS. MILLER: Mr. Chairman, would you like me to bring back an agreement, proposed agreement as far as housing out there or, like I said, we currently have a lease for office space and that will be good for about a year.

CHAIRMAN DURAN: Maybe we should just check the minutes of the last meeting, because I think it's pretty explicit in the minutes of the last meeting.

MS. MILLER: Okay.

CHAIRMAN DURAN: What the direction was.

COMMISSIONER CAMPOS: Mr. Chairman, what was the direction? I don't remember. Could you put it in context for us?

CHAIRMAN DURAN: Sure. The direction was the animal shelter is concerned that they're going to be building space for us at their new facility—

COMMISSIONER CAMPOS: Space for offices.

CHAIRMAN DURAN: Office space. Nothing about animal care. There's no one else that's going to take care of our animals in Santa Fe County anyway. But that there was space that they're building out there and if we're not going to commit to lease from them, then they're not going to build the space. Their master plan right now has space allocated for the County staff to be housed in, and so the direction given at the last meeting was to give them some assurance that we were going to enter into a lease agreement with them for the space that they were going to build for us. And if we're not, then they're not going to build it for us.

COMMISSIONER CAMPOS: Where are we on that issue? Are we just waiting for a new Sheriff to be elected or what is your position on it?

MS. MILLER: Mr. Chairman, Commissioner Campos, I don't really program where people go so I'm willing to go forward and work on that issue. It has just been, it was an issue that was brought up when I was negotiating this agreement with the shelter. And I had the understanding that we were moving out there because the Sheriff, animal control and the shelter had discussed it. So we had not been purchasing property in GFD or in Corky's shop, had not really been addressing that issue. It wasn't something that had been formalized but when the shelter said, Well, we're programming in space, I said, Then maybe we should address this issue.

COMMISSIONER CAMPOS: So the issue is for the County Commission to decide or the Sheriff to decide or how does that work?

CHAIRMAN DURAN: Let me put it in perspective here. The problem is that the animal shelter got wind that we were not going to lease the space that they were proposing to build for us. So it turned out that it was Commissioner Solano—

COMMISSIONER CAMPOS: Sheriff-nominee Solano?

CHAIRMAN DURAN: Right. Who had—there was scuttlebutt out there he was going to have animal control housed out at State Road 14. So, and I don't think that he's been involved in the conversations that we've had relative to this Commission's commitment to the

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animal shelter. So probably the thing we should do is ask him to join us in this discussion so that we know what his reasons for taking them, wanting to have animal control out at State Road 14, what his reasons are and also give him input into why we think they should be out there.

COMMISSIONER CAMPOS: Who has the ultimate decision?

CHAIRMAN DURAN: Well, I think that we have—I don't know. I'd hate for it to be a tug o' war with him.

MR. KOPELMAN: Excuse me, Mr. Chairman. I just want to mention that there's an election for Sheriff in November. It's actually a contested election. And so the new Sheriff won't have any input until January 1st.

CHAIRMAN DURAN: So I think it would be nice as a courtesy to get his thoughts on this thing—

COMMISSIONER CAMPOS: For both candidates is what he's suggesting.

CHAIRMAN DURAN: Okay. I see what you mean.

COMMISSIONER CAMPOS: If you want to go that route.

CHAIRMAN DURAN: I think this Commission has made a commitment to the animal shelter and I don't know how much more input we need to follow through with our commitment to them. I can only tell you that in the past it's always—animal control used to be at the animal shelter but when they ran out of space we went somewhere else.

COMMISSIONER CAMPOS: I think it makes sense.

CHAIRMAN DURAN: So do I.

MR. KOPELMAN: Also, Mr. Chairman, the ultimate decision on leasing is a Commission decision.

COMMISSIONER CAMPOS: And if we lease then Sheriff is bound by our decision to have his people out there?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, that's correct.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Corky, what does our facility master plan that we just completed say about this? Where did you envision they go? We just completed a building and facility master plan?

MR. OJINAGA: The space analysis?

COMMISSIONER SULLIVAN: The space analysis. What did that conclude animal control should be located?

MR. OJINAGA: I don't believe there was any discussion in regards to a location of animal control. Only because at that time the Sheriff elected to lease out his facility for office space. But I don't believe it was even included in any of the space analysis that we did.

COMMISSIONER SULLIVAN: Okay.

CHAIRMAN DURAN: I think our space analysis was specific to this building I thought. This building and—

COMMISSIONER SULLIVAN: And the one over by Salvador Perez.

MR. OJINAGA: It was other County facilities. We talked about the First Judicial Court, the Anacon Building, the law enforcement complex, the administration, but I don't believe it was included in the Sheriff's.

CHAIRMAN DURAN: Okay. Are you okay with the direction? Okay, great.

Thanks.

XII. E. Utilities Department

1. Request Approval of Reimbursement Agreement Between Santa Fe County and the City of Santa Fe for Costs Incurred Under the City's Contract with CDM for the Santa Fe Water Supply Plan Including Alternatives Analysis for Utilization of San Juan - Chama Water

MR. KOPELMAN: Mr. Chairman, members of the Commission, I apologize for getting this agreement to you so late and I also apologize for this not appearing on the agenda until I believe it was Friday. But the reason that we're moving this forward with such haste is we're going to need to finalize and wrap up a grant from HUD that includes provisions for water recharge, regional water planning and the like. The City and the County have had numerous discussions about the County picking up a portion of the CDM contract. The contract is directly with the City, but CDM, which is a large engineering firm, is doing a lot of work on the Buckman project and that's what this amount is for. So the idea here is this is not a comprehensive agreement on the Buckman project, on operations or cost-sharing. That will be coming forward at a later time, but the idea here is at least to take advantage before we close out the grant and to have an agreement that would memorialize the County's obligation to pay, it would be a little over \$119,000 for this CDM work that has been done already on the regional water supply on the Buckman location.

This same agreement is also on the agenda for the City Council for tomorrow and again, this is by no means a comprehensive agreement, looking at all of the issues. This is merely a cost reimbursement agreement and the reason that it's coming so late again is to see if we can have this finalized before the close-out of the grant so we can use, hopefully use federal funds to be able to pay this amount.

CHAIRMAN DURAN: Steve, is this money from that \$600,000-odd grant that we got that we had allocated to different water—it's specific for water programs, water issues.

MR. KOPELMAN: Mr. Chairman, that's correct. And again, there's no guarantee that the reimbursement will come but we hope that it would. There's also money set aside in the Utilities Capital fund that could pay this amount but we have been talking with the City about some kind of arrangement to share some of the costs. Since the work that CDM is doing with respect to the Buckman project would benefit the County as well as the City.

CHAIRMAN DURAN: I'm a little concerned that we are running into this issue

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at such a late date. The fact that we might lose this grant because we didn't act on it timely is of some concern to me. Where was the management of this grant? Who was managing this grant?

MR. KOPELMAN: Mr. Chairman, members of the Commission, I think that's one of the problems. I think that somehow the management of this grant had fallen through the cracks is my understanding. And it's one of those situations where we're developing a system to ensure that this would never happen again. But I don't believe that this grant went through the normal channels, which would be through Finance and Legal. This was a grant that was applied for, I believe it came out of the Manger's Office several years ago.

CHAIRMAN DURAN: Right. I remember that.

MR. KOPELMAN: And again, I don't have any good answer to your concern. It was a problem. It appears that it somehow got overlooked and we're just scurrying around at the end to try to salvage what we can.

CHAIRMAN DURAN: Do you think that we could convey to Estevan and maybe get with Katherine on how it doesn't fall through the cracks. I guess my concern is that we should have a central clearing house for all these grants and a system of checks and balances to make sure that there's a central department that's watching them and making sure that they don't expire or that we lose them.

MR. KOPELMAN: Mr. Chairman, members of the Commission, we've already begun those discussions but that's something that absolutely has to be done.

CHAIRMAN DURAN: Any other questions of staff?

COMMISSIONER TRUJILLO: One question. Will this \$119,000 or so deplete the balance of those \$600,000, or are there some left over that we're going to lose?

MR. KOPELMAN: Mr. Chairman, Commissioner Trujillo, it's really hard to say whether we're going to lose any. Hopefully, we're not but at this point, this would be a portion of that \$600,000.

COMMISSIONER TRUJILLO: So this saves the balance? Because there's some left over, right? That are in jeopardy of going away?

MR. KOPELMAN: Mr. Chairman, Commissioner, that's a possibility. I know that several departments are working on putting the close-out together and I think hopefully we're not going to lose any of that money, but I couldn't tell you for sure at this point.

COMMISSIONER TRUJILLO: So how much money is left over then, after the \$119,000?

MR. KOPELMAN: Mr. Chairman, Commissioner Trujillo, I know that there's some question about whether some of the items on the Valle Vista can be put in for reimbursement. That comes out to about \$300,000 but there was some concern that the money was paid out in prior fiscal years and it may not be possible to open the books. But we are going to be probably putting in over \$600,000 and hoping that HUD agrees with us that at least \$600,000 would fall under the scope of the grant.

COMMISSIONER TRUJILLO: So we'll be using—

MR. KOPELMAN: We're hoping that we don't lose any of it, but we'll see.

CHAIRMAN DURAN: What Estevan told me was that he checked with the

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HUD people and if we followed the procedures that we're considering adopting today that we wouldn't lose it. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, question for Mr. Kopelman. Are we getting information from CDM? Do we have access to all their information as far as what they're doing for the City?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, we do have access to all the information with regard to the Buckman project, which is a large portion of the CDM contract with the City. We're not involved at this point in bringing the new wells on line, but as far as the Buckman project, yes we are involved and we do meet with them and we have access to the data. That's my understanding. Yes.

COMMISSIONER CAMPOS: Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think it would be appropriate to approve this but contingent on HUD reimbursement. Because I don't know that if we are taking this money right out of our own pocket, \$119,629.96, I think I'd want to have some greater discussion on the issues. My understanding is that in some instances, CDM has actually worked against the County in negotiations and has in fact not been a neutral party in the City/County negotiations on the water issues. So if we're paying part of their fee that seems to be an anathema. I think we want to use this HUD money and this is a good place to use it. Certainly I have no problem with assisting the City and reimbursing them, but is there any problem making the motion a motion contingent on HUD reimbursement?

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, the discussions that we've had with the City on cost reimbursement in general have centered around the fact that we would divide the cost up based on our capacity to take from that system, from the Buckman system. The City would be paying roughly 75 percent of the share; the County's share would be approximately 25 percent. So, and again, a lot of work still needs to be done in developing the agreements and how this would come together. But the City has spent over \$700,000 to date. Some of that has been from federal money. A considerable portion of that has been out of pocket. It is my understanding that the City has paid for the Buckman portion of the CDM work over \$400,000 so I think that it would not be inequitable to agree to pay that money regardless of whether we got the grant, but again, that would be a decision that this Commission would need to make, remembering again that this agreement is coming before the Council tomorrow night. They have a copy of this draft and it's possible that if that were put in there, if the Council didn't approve it then we would not be able to pay the money to the City and put in for the reimbursement. But again, it's a decision that needs to be made by this Commission.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Another question for Mr. Kopelman.

Essentially, we are reimbursing the City for CDM. CDM is not representing us. We have no

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right to direct them as to what to do, how to do it. Is that right?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, it's my understanding that while we don't have a direct contractual relationship, that the County was fairly integrally involved in putting together the original RFP and in working on the scope of work and also in dealing with CDM to some extent. So we don't have the formal contractual relationship though.

COMMISSIONER CAMPOS: No control, but the RFP you feel will deliver a product that we want and need.

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, that is my understanding and that's the direction that we've been moving. The work on the Buckman project, the City and the County are working together. It's going to be one diversion project and then at some point our lines will go one way and the City's will go another. But the engineering work and the feasibility work really benefit both the City and the County without question.

CHAIRMAN DURAN: Steve, does this \$119,000 represent 25 percent of the \$701,000?

MR. KOPELMAN: Mr. Chairman, no it doesn't. It's far less than 25 percent.

CHAIRMAN DURAN: Does this payment support their claim that—if it's tied into the Buckman, you know there's a difference of opinion on how much water we get from the San Juan/Chama. Does this somehow support their claim, this payment somehow support their claim as to how much water they think that we're entitled to?

MR. KOPELMAN: Mr. Chairman, members of the Commission, I don't believe so at all. This is a very discrete issue.

CHAIRMAN DURAN: How did you arrive at the \$119,000?

MR. KOPELMAN: The \$119,000 is an amount that was last billed that hasn't been paid that the City's about to pay.

CHAIRMAN DURAN: Who billed us? Oh, CDM billed us. Oh, okay.

MR. KOPELMAN: CDM billed. And the City is actually gotten out of that \$700,000, it's my understanding that less than half of that came from a direct federal grant from the BOR. But the issue of the percentage, the capacity issue has been resolved. We brought that to the Commission many months ago and the Commission agreed that 1700 acre-feet would be what we would need from that system over the next ten to twenty years.

CHAIRMAN DURAN: From the San Juan/Chama?

MR. KOPELMAN: Not from San Juan/Chama. From the Buckman diversion project.

CHAIRMAN DURAN: So we're still going to have that San Juan/Chama discussion?

MR. KOPELMAN: Absolutely. The issue of where the water rights are from has been left to another day.

CHAIRMAN DURAN: Okay. So I just have another question. My understanding is that this \$119,000 payment is basically so that we can secure the balance of the

grant and if that's the case, why can't we pay \$120,000 towards—and if the grant is specific for water related issues, why can't we use that \$119,000, \$120,000 to just buy down the Top of the World water rights. Wouldn't that serve the same purpose? If what we're trying to do is protect the grant.

MR. KOPELMAN: Mr. Chairman, members of the Commission, I reviewed the grant application which again was put together back three years ago and it is not written as broadly as I think we all would have liked it to have been written. And I think it's arguable that based on the scope of it it would not go that far. It would not, it was not anticipated that this money would pay for water rights. I think we're going to make an attempt to try and get some reimbursement for payment for water rights, since it involves regional water issues but I don't know that we'll actually get it or not based on the application that was put in three years ago.

CHAIRMAN DURAN: So then this could be even considered, if we don't get reimbursed, just a good faith payment to the City for the work that CDM has done relative to the San Juan/Chama diversion project.

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

COMMISSIONER TRUJILLO: Do you anticipate, Steve, that this will send a message so that the City now needs to conduct some positive reciprocity regarding water rights and partnering on the diversion point at the Rio Grande, anything like that?

MR. KOPELMAN: Mr. Chairman, Commissioner Trujillo, we can only hope.

CHAIRMAN DURAN: Spoken like a—

COMMISSIONER TRUJILLO: Spoken like a champ.

CHAIRMAN DURAN: Like a true diplomat.

COMMISSIONER TRUJILLO: Like a true mediator.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any further discussion?

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

CHAIRMAN DURAN: Nothing from the County Manager. Nothing from the County Attorney. Can we table this 4:00 meeting?

MR. OJINAGA: Mr. Chairman, Commissioners, this is following the process that we have to follow through the Department of Finance. There's a timetable with this ICIP plan. I don't believe we can table this.

CHAIRMAN DURAN: How about we do it at 5:00?

COMMISSIONER CAMPOS: We noticed it for 4:00 though. That's the issue.

MR. OJINAGA: We have noticed it for 4:00.

COMMISSIONER CAMPOS: And maybe there are members of the public who

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are relying on that notice. That's the only sticking point.

CHAIRMAN DURAN: Okay, well we'll recess until 4:00.

[The Commission recessed from 12:50 to 4:10.]

XII. H. Public Hearing

1. Project and Facilities Management Department

A. Presentation and Second Public Hearing on the Proposed Santa Fe County FY03-07 Infrastructure Capital Improvement Plan and Approval of Resolution No. 2002-131. A Resolution Authorizing and Supporting the Plan

CHAIRMAN DURAN: Let the record show Commissioner Trujillo is not with us this afternoon.

MR. FLORES: Mr. Chairman, members of the Commission, thank you. Back in July we brought forward on July 30 the proposed implementation schedule for this year's infrastructure capital improvement plan project. You directed staff to proceed with holding the external community input meetings which we've completed close to 20 of them as of today. I have passed out a yellow sheet which is the revised priority list. [Exhibit 3] That is not the actual list that will go into the packet. It will to the degree that the numbers are the same. The packet information for the plan will actually show in what categories each of those monies will be expended or proposed to be expended. I apologize for not having that in the packet. We still were completing Commission meetings late last week to be able to get that plan revised.

At this time, what I would request is that we open it up for any comments from the floor since this is a public hearing and then I will make my closing remarks and answer any questions after that time.

CHAIRMAN DURAN: Okay. Thank you, Tony. Is there any questions of Tony by the Commission?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Varela.

COMMISSIONER VARELA: Tony, I was wondering, the way we have these things prioritized here, do we actually have any way to move the funds as priorities change or is that a problem?

MR. FLORES: Mr. Chairman, Commissioner Varela, the Department of Finance and Administration requires that the projects be prioritized and that's the way that they will go into the packet. What tends to happen though is just because we have recommended a priority level to you and then you subsequently adopt the plan and the priorities, the legislative body can adjust priorities as they deem necessary. But we have to remember that this is a project by project plan. For instance, if we got \$100,000 and we really wanted to do it for another project, the appropriation will come in project specific. So it will come in for that project. If we get \$100,000 for the Eldorado Senior Center, that is where the money has to be used for.

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COMMISSIONER VARELA: Okay, because I was worried, down in my area, we have funds over here that would hope to receive basically for redrilling the Hagerman well and I would suppose some infrastructure that goes along with that, some pretty decent amounts of capital that would be expended. As far as from what I know and what's happened in the past is in our area I don't think anybody's going to want any diversion off of the Hagerman well. Always in the past we stated that we wanted a different diversion point and we don't want it to be pumped out of there, especially given the amount of residences that have popped up in the area since the last time the Hagerman well was used. So that's why I was wondering, if we had these funds, if they would have to be expended right there at the Hagerman well or if we could have actually moved them to something else that we thought was a higher priority for water, etc.

MR. FLORES: Mr. Chairman, Commissioner Varela, they are project by project specific. So if the legislature identifies and gives us funding for any project it is used for that project solely.

COMMISSIONER VARELA: Thank you.

CHAIRMAN DURAN: How close are we to making a decision relative to what we're going to do with the Hagerman well?

MR. FLORES: I'd have to defer to Mr. Roybal to address that. I don't have that answer for you at this time.

CHAIRMAN DURAN: The other part of my question is when will this money be available to us to expend on whatever?
[audio difficulties]

MR. KOPELMAN: Mr. Chairman, Commissioners at some point the matter will come back to the Commission to make a decision on what the Commission wants to do with it. We have a right of first refusal on purchases. We have—75 percent of the water rights would belong to the County, 25 percent to the horse park. If the horse park is able to acquire a long-term effluent contract of 25 years or more then the County has the right to all of the water and at some point down the road the County will make a decision on what to do with it. But that's not going to happen for at least another year or two I would think.

CHAIRMAN DURAN: Commissioner, where did you see we had some money allocated towards the—

COMMISSIONER VARELA: At the very last page, number 7.

CHAIRMAN DURAN: Oh, okay. Do you know how put this on the project list?

MR. FLORES: Mr. Chairman, this was from each department. It came from the departments individually.

CHAIRMAN DURAN: So this came from you, Gary?

MR. FLORES: Actually, I believe it was Gary's deputy, Doug Sayre.

CHAIRMAN DURAN: Oh, Doug. Okay. Another update on that Hagerman well. You know the City is interested in working something out with us to acquire that other 25 percent from Charlie Kokesh. I talked to Carol Lopez about this and she's hopeful that the City

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would see the benefit of owning that 25 percent of the Hagerman well and trying to work a deal out with Charlie Kokesh for long-term use of effluent. I'm sure most of the Commission if not all of us are familiar with the problems about using that Hagerman well. So I don't know. So for next year, you're only asking for \$6,500?

GARY ROYBAL (Utilities Director): Mr. Chairman, that's correct.

CHAIRMAN DURAN: And that is actually to redrill the well?

MR. ROYBAL: Mr. Chairman, I'm not sure exactly how Doug came up with that number. Doug, our deputy director was that one that generated this information for this list. But there is some work being done on that well right now that Mr. Kokesh is actually funding at this point. And I believe that that's why it's such a small amount at this point because I don't think we would be expending much funds in the next fiscal year.

CHAIRMAN DURAN: So if they approve, the legislature approves our ICIP list for 2003, how does this \$616,000 factor into the equation, which would be the funding you would ask for in the year 2004?

MR. FLORES: Mr. Chairman, I apologize for not explaining this plan. This plan is to be developed over five years and as a planning tool for project development over those five years. The only part that the legislature would look at this year would be under the column of 2003. The 2003, 2004, 2005, 2006 and 2007 is purely for planning purposes to know what anticipated requests would be made in the future, not only for the ICIP but potentially other grant sources or the general fund. The legislature is looking purely at the 2003 column and it would be up to their discretion and our lobbying efforts to find out which projects they would actually fund. I am confident to say today I don't believe we will get every item that's on this list. It totals over \$13 million.

CHAIRMAN DURAN: What did we get last year?

MR. FLORES: A little under \$700,000. And nothing in Utilities. Nothing under the water utility program. But again, this is a tool. It's not—people look at this as a wish list to the legislature and partly that is the reason for this but this is also what you as the Commission and us as staff to be able to develop a planning tool for projects over a period of time and to look for other sources. We can't always rely on what the legislature would provide to us; we have to use this in its true purpose for a planning tool.

CHAIRMAN DURAN: What has the legislature historically given more weight to in the request column?

MR. FLORES: Mr. Chairman, what we have seen over the past three years that I've gone through and audited them are typically road projects, community facilities, those are the bulk of the items.

CHAIRMAN DURAN: Okay. Any other questions? This is a public hearing. Is there anyone out there that would like to address the Commission concerning this issue? If you would like to speak, please come to the podium. State your name for the record. Do they need to be sworn in? Just state your name and address for the record.

DON USNER: My name is Don Usner, P.O. Box 544 in Chimayo. I'm representing the Greater Chimayo Mutual Domestic Water Consumers Association.

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CHAIRMAN DURAN: Are you also a race car driver?

MR. USNER: No, I just drive like that.

CHAIRMAN DURAN: I was going to ask you for lessons.

MR. USNER: I'd have to charge you. Anyway, I haven't seen what's in front of you but I gather that we're one of the priorities on the list and we just showed up, myself and another board member and our counsel—

CHAIRMAN DURAN: Which is the one—what are you? Which one are you here for?

MR. FLORES: Mr. Chairman, they're here to speak on behalf of the Greater Chimayo water system improvements under the Utility Department request.

MR. USNER: I just wanted to let you know that we have been organized for a year and a half now. We have a very well demonstrated need, a great urgency for water improvements in the community. You've heard from others in the county. We have also developed a plan. We have a preliminary engineering report. We have, we're actively pursuing other sources of funding, including the Rural Utility Service, the state which funded us. The New Mexico Finance Authority has given us initial seed money and we've identified an area of the most critical need in the community.

Over half of the people facing that need are in Santa Fe County. Most of our work to date has been on the Rio Arriba County side. There's some people, especially in the Potrero area in the Santa Fe County side who are without water and have been for years and it's really quite difficult for us, being in a position of facing these people periodically with such urgent needs without being able to respond with enough funding to get much done. So we're really pleased to be on this list. We hope the legislature is a little more generous this year and we hope that you'll remember us from that part of the county. Are there any questions?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Usner, how successful have you been in the last year or so in getting money for your projects?

MR. USNER: Well, I'd say we were very successful initially with the Finance Authority. We have a \$400,000 grant we still have not expended. We spent a lot of time planning and organizing, identifying the well site and so right now we're in the midst of drilling our first well, which will be on the Rio Arriba County side. Perhaps an even greater measure of our success is the fact we have over 200 members who are still optimistic. However, we're anxious to deliver some water to maintain that optimism because the community support is critical and we've been very impressed with the turn-out on that level. We also have applications planning with RUS and other sources for the coming year.

COMMISSIONER CAMPOS: As I understand it, your first priority is clean water. What about wastewater treatment? Collection, treatment, things like that? Are you looking at that down the road of is that—

MR. USNER: Yes. We have a program in place. It doesn't have the urgency of the drinking water just because that's a more critical issue but part of our organization is

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program.

MR. ROYBAL: The STAG grant?

COMMISSIONER SULLIVAN: Yes.

MR. ROYBAL: I'm hopeful that we will, because I think it was a very good program that we had this year where we were able to assist two communities and I think there are other communities, for instance Chimayo and Cañoncito and others that do need assistance of that type. So I think that would be a program that we need to pursue.

COMMISSIONER SULLIVAN: Yes. Because I think that just getting the names on the New Mexico Finance Authority is only half the battle, because when they go through their financial calculations then they come back to the communities and they say we want you to borrow a great deal of money from us. And very often when you divide that among the number of members in the mutual domestic, it's an exorbitant sum. So the projects stall out and spiral in. Where the County can be a real help is as they did in this case, of providing some leverage to the Finance Authority funding, because they have a number of projects that just backed up because of these self-imposed regulations. We've talked about this before, so I certainly want to encourage you to go after that again and we can look at using that money as match money or to assist these communities to leverage these regulations that the Finance Authority has come up with that really are pricing a lot of the smaller mutual domestics out of the process. But if we can come in and provide that 50 percent match or that 25 percent match that they're requiring we can get projects, these water projects moving. So that's I think a big—I hope we can put some more emphasis on that this year and that was a real coup to get that money last year.

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, we'll pursue that.

CHAIRMAN DURAN: Tony, it's \$16 million that we're asking them for?

MR. FLORES: Mr. Chairman, it's \$13.6 million. But let me go back to my first statement. This is a planning tool. This is what we as County departments have prioritized and the community has prioritized for projects. This is just not, people view this as our wish list and in some sense it is but it also forces us to look at what the community has asked us for, what the Commission has directed us to do, and to find funding sources for it. So this plan is to be used, yes, to assist the legislature in putting together their capital package, but the purpose of this is to set forth a tool to allow us to look for funding. And Virginia reminded me, \$700,000 was received for facilities, \$3.5 million or almost \$3.6 million was received for roads. So there's a total of \$4.2 million in total. Last year, with the lion's share of that being road projects.

But again, I don't know how to stress any more that this is a tool to plan for the next five years. Next year we will be back before you reprioritizing things that weren't funded and to give you a status of things that were funded.

CHAIRMAN DURAN: I'm just a little perplexed over the process. We got \$750,00 last year out of a request for how much?

MR. FLORES: Last year's request was close to \$12 million.

CHAIRMAN DURAN: \$12 million. And the fact of the matter is we really

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have some problems with the Chimayo water system improvements, the Eldorado area, La Cienega, and then our diversion project. So my concern is we're going to go in for \$13 million here and more than likely we're going to get \$750,000 for a few roads. What happens with the effort then of trying to find money to fund the other 85 percent, 90 percent of the projects that are on this list? So I'm wondering if—how do we find funding sources for those issues.

MR. FLORES: Mr. Chairman, it's incumbent upon us as staff to go out and look for grant programs, as Commissioner Sullivan has indicated, the STAG programs for the small community water programs. It's up to us to go out and look for grants to be able to fund other projects for capital program dollars. It is up to us to go and find these funding sources outside the legislature and outside the impact of the general fund.

CHAIRMAN DURAN: I was actually trying to make a point here and that point is that it seems to me another tool that maybe we should explore are special assessment districts. And I know that we're talking about the one in Rancho Viejo that has been somewhat problematic in that it seems like the money for that special assessment district is only going to go to provide infrastructure for the development. And in my mind, a special assessment district might be a tool that we can use to provide another mechanism for these communities to find the funding for their problems, like the Greater Chimayo.

I don't think it's the entire answer but it might be a way of putting a big dent into the total amount needed. I just think as we discuss all these problems we should consider that kind of funding source to deal with the issues because we're never going to come up with all of the money to do any of these things and the problem is just going to persist and get worse and we're not going to do anything about it.

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

MR. FLORES: Mr. Chairman, if I may. Are we going to reprioritize the Chimayo under the Utilities Department?

CHAIRMAN DURAN: I think there were two things. We want to delete the Hagerman?

COMMISSIONER VARELA: Yes, I would ask if we could, if we could get the Chimayo project, give it a number two priority rank, and if we could relegate the Hagerman to number 11. I understand where we're going with the Hagerman well now as far as trying to prove how much water we have, etc. but I think we should look at looking for a different diversion because the situation is totally different than it was in the seventies in that area. And being that we're at the edge of the aquifer, it's going to exacerbate the problems that we're already having.

CHAIRMAN DURAN: So it would be Cañoncito would be one, Chimayo would be two, and then Buckman would be three and then it would go all the way down and we'd replace Hagerman, we'd put Hagerman at number 11?

COMMISSIONER VARELA: Right, Mr. Chairman.

COMMISSIONER CAMPOS: Mr. Chairman, I would suggest that Buckman be one and the Chimayo and Cañoncito be two and three and then the Santa Fe County water system projects thereafter. I think clearly Buckman is our number one regional priority as far as

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water. But then we have Cañoncito and Chimayo who have very special needs and they are in crisis so I would move them up.

CHAIRMAN DURAN: So one would be Buckman, two would be—

COMMISSIONER CAMPOS: Cañoncito or Chimayo. That would be two and three, and then we'd follow with all the County projects.

CHAIRMAN DURAN: And then Hagerman being last?

COMMISSIONER CAMPOS: Is Hagerman not—oh, that's right. Hagerman is on this list. Hagerman would be number seven.

CHAIRMAN DURAN: We're trying to move it to number eleven.

COMMISSIONER CAMPOS: That's fine.

CHAIRMAN DURAN: I would go with that.

COMMISSIONER VARELA: Mr. Chairman, correct me if I'm wrong. Don't we have other funding available for basically the Buckman diversion? The reason that I wanted Cañoncito and Chimayo to be one and two is because of the smaller amounts of money that would need to be funded to actually bring their—to make their system viable. And it was my understanding that we had other funding available through, what was it? Tax—

CHAIRMAN DURAN: Gross receipts. You're absolutely right.

COMMISSIONER VARELA: And since it's a larger amount that we're going to need for Buckman I don't think we're relegating it actually to third priority as a factual matter because we also have other funding. I just thought that since we do get such a small amount of money from the legislature that maybe we could make those two, Cañoncito and Chimayo systems viable.

COMMISSIONER CAMPOS: My only concern is that the diversion is going to be like a \$60 to \$100 million project. That's just what I would respond by.

CHAIRMAN DURAN: Well, it is, but we're only going to be responsible for 13 percent of that? Nineteen percent of it? And our GRT, based on our projections, is going to produce \$7 million of revenue, which I think we can only use \$5 million of for bonding, which would be plenty.

COMMISSIONER CAMPOS: Okay. Is there a motion then?

COMMISSIONER SULLIVAN: Mr. Chairman, I've got a question. I think in terms of the County projects, the only one that I'd like to see moved up is the Eldorado water system and that's only \$7500. And we're not ready to make any improvements to the Eldorado water system or anything but I believe that that money was to simply do an engineering analysis to apply for state or federal grant funding for that connection, the ultimate connection, which would take several years to process. So I think that's a small amount and I don't think it's as critical, certainly as Buckman and I don't think it's as critical as the problems in Chimayo. But I think it's—because it's the next step in the process that they need out there and the potential buy-out of that water system by the local people. That study may be quite useful to them to eventually tie into the County system and get rid of the seven-year moratorium out there.

CHAIRMAN DURAN: Are they doing a special assessment district to buy the water utility?

COMMISSIONER SULLIVAN: Yes.

CHAIRMAN DURAN: Oh, they are.

COMMISSIONER SULLIVAN: Yes. Maybe. It's not been finally approved yet, but they're holding an election to do that. They've had a preliminary survey completed and they're now holding an election and then I believe they still have to go back to the Public Regulation Commission because the matter of the sale of that is still under their jurisdiction.

CHAIRMAN DURAN: What about the right-of-way and the cost of a pipeline to hook Eldorado up to the County water system?

COMMISSIONER SULLIVAN: Well, that's been studied before. Gary, do you have a handle on that? There's been some preliminary figures. It's about a three-mile line, isn't it?

CHAIRMAN DURAN: And would it go through Rancho Viejo?

MR. ROYBAL: Mr. Chairman, Commissioner Sullivan, we do have a storage tank located so that we can just extend a transmission line to Eldorado. I think as the crow flies it's somewhere around two to three miles. Maybe a little over three miles.

CHAIRMAN DURAN: As the crow flies.

MR. ROYBAL: As the crow flies.

CHAIRMAN DURAN: Who owns the property that the crow is going to fly over?

MR. ROYBAL: I don't think we've gone through that full assessment as to the property and how that line would be, the alignment of the actual line would take place. In fact we were at an LFC meeting last night and Senator Griego asked us or asked me to look at how much it would cost to run a line from the storage tank almost all the way to Cañoncito to see. So I think part of that, we will do some type of preliminary estimate as to what, how much linear footage we'll need of line to at least get to Eldorado and from there to Cañoncito.

CHAIRMAN DURAN: Maybe you can negotiate an easement agreement with Rancho Viejo.

COMMISSIONER SULLIVAN: I would be glad to. I think that's the shortest route between the two points.

CHAIRMAN DURAN: Yes, and we wouldn't have to buy easements.

COMMISSIONER SULLIVAN: However we got there, either that or we go through existing rights-of-way, interstate rights-of-way. This is just the first step. I guess I don't know where I would put it but I would suggest that you go in after La Cienega and just before the penitentiary system.

CHAIRMAN DURAN: So how about if we did number one would be Chimayo, two La Cienega, three Eldorado, and then the rest of it would follow, except that we would remove Buckman to ten and Hagerman to eleven.

MR. FLORES: Mr. Chairman, Cañoncito, is falling in? I didn't here it.

COMMISSIONER CAMPOS: It was dropped. Cañoncito and Chimayo, the decision was, or the suggestion was that they be given the top priority, one and two, Cañoncito and Chimayo.

CHAIRMAN DURAN: Oh, yes. I'm sorry. I was wrong.

COMMISSIONER CAMPOS: Buckman would be three, and then Hagerman would drop to the bottom of the requests and Eldorado, there's a suggestion that Eldorado be moved up. That's the discussion so far.

CHAIRMAN DURAN: So one would be Cañoncito, two would be Chimayo, three would be La Cienega, four would be Eldorado.

COMMISSIONER CAMPOS: No, three would be Buckman, wouldn't it?

CHAIRMAN DURAN: Well, no we're using gross receipts tax to fund Buckman.

COMMISSIONER CAMPOS: We're using whatever we can get to fund Buckman.

COMMISSIONER SULLIVAN: Mr. Chairman, the thing, Buckman is so much money. It's a million dollars this year and a million and a half next year and then \$31 million in 2005 and \$30 million in 2006 and so on. It almost sits in a different category all by itself. I don't think we have any expectation that the state legislature is going to give us \$990,000.

CHAIRMAN DURAN: Right. They'll never give that to us.

COMMISSIONER SULLIVAN: So I don't know whether we're—if we were to put Buckman first, saying that that is our most important project, I don't think it would really affect any of these others. See what I'm saying? It's just a totally different bird. It's the main part or thrust of our water planning for the next 20 years and I think the legislature would expect that it would be up there but realistically, they're going to go to the projects that benefit the constituency in their districts. And so they're going to step down and start picking out the mutual domestics and the roads and so forth. So I wouldn't see any problem putting Buckman first. I think putting it last kind of sends a bad message. And then prioritizing them just the way you've indicated.

CHAIRMAN DURAN: But then if they funded—then they would fund Buckman. We're not even ready for Buckman. Buckman is still 2007. So we're asking for money that we're not going to even be able to use for three years.

COMMISSIONER SULLIVAN: I guess the concern would be what if they did what we asked them?

CHAIRMAN DURAN: Then we've shortchanged all the communities that really need it.

COMMISSIONER SULLIVAN: That would be a first. It's just a thought. Maybe we take it out completely. I think that rather than putting it at the bottom of a priority list—

CHAIRMAN DURAN: Just take it out.

COMMISSIONER SULLIVAN: We're not taking it out of our own planning. And I understand this is a tool for our own planning as well as for sending to the legislature. That makes sense. But it's just a bird of a different feather, that's all.

CHAIRMAN DURAN: Well, what does last do to you? What kind of message

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does that send?

COMMISSIONER SULLIVAN: It just tells me it's our last priority, and it's not my last priority.

CHAIRMAN DURAN: It's our last priority because we have earmarked other funding sources.

COMMISSIONER SULLIVAN: Well, then, if we've earmarked other funding sources, we shouldn't be putting it in our ICIP at all. It shouldn't go to the legislature.

MR. FLORES: Mr. Chairman, this plan is to show all funding sources, not just the request from the legislature. That's why I prefaced all my remarks as a planning tool to show all funding sources that we would potentially have for a project. That's truly what this is a tool for. If we have for instance on the Buckman project, I have to show other funding sources or potential other funding sources as a requirement of DFA for each of the projects that we have, whether it be CDBG funds, grant funds, general funds, match—each of those funds has to be identified for each of the projects that we implement into the plan.

MS. VIGIL: Mr. Chairman, members of the Commission, just a suggestion here with regard to how the legislature views our ICIP plan, I would just suggest that you err on the side of inclusion rather than exclusion. Technically, the governor can veto any capital outlay project if in fact it is not part of a local government's ICIP plan. Last year for the Buckman San Juan/Chama diversion, the City did make a request from Senator Roman Maes and he did actually allocate \$50,000 to them with regard to that, and I think if you exclude a project that a legislator intends to fund, technically you might be providing the opportunity for a governor to override a capital outlay project if it isn't on the ICIP plan. The premise of the draft for the ICIP plan, first of all is a requirement from DFA, but second of all is used as sort of a structural guideline for projects brought forth by local government divisions to the legislature. So my suggestion is even if it isn't something that we specifically request, if it's part of our ICIP plan, its chances of getting funding one way or another would be more likely.

COMMISSIONER CAMPOS: I think it would be a big mistake to not have Buckman as the top priority, really. It is the top priority. It is going to be the most expensive.

CHAIRMAN DURAN: I didn't hear her say that.

COMMISSIONER CAMPOS: No, I'm suggesting. I suggested earlier that Buckman should be our number one priority.

CHAIRMAN DURAN: Okay.

COMMISSIONER CAMPOS: It's the most expensive. It's going to be the most challenging. And then—do you want a motion?

CHAIRMAN DURAN: Yes, I'd love one.

COMMISSIONER CAMPOS: Okay, I'll make a motion on the FY03-07 Infrastructure Capital Improvement Plan. I would move that Buckman be the number one priority, Cañoncito two, Greater Chimayo three, that Hagerman be moved to the bottom of the list and that Eldorado water systems be moved to position below North La Cienega

CHAIRMAN DURAN: Is there a second?

COMMISSIONER SULLIVAN: Second.

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CHAIRMAN DURAN: Any further discussion?

The motion to approve the prioritization of the ICIP passed by majority [3-1] voice vote with Chairman Duran casting the nay vote.

COMMISSIONER SULLIVAN: You're opposed?

CHAIRMAN DURAN: Yes, I don't think—I think having Hagerman on top is a mistake. I think it should be at the bottom.

COMMISSIONER CAMPOS: Hagerman is not at the top. Hagerman's moved to the bottom.

CHAIRMAN DURAN: I don't mean Hagerman. I mean Buckman.

COMMISSIONER CAMPOS: Okay.

CHAIRMAN DURAN: Buckman takes up all the—if they fund it.

COMMISSIONER CAMPOS: They're not going to fund all of it.

CHAIRMAN DURAN: Well, if they fund that, they're going to—we've shortchanged La Cienega, Chimayo, Eldorado. Because all the money is going to go to that. And we're three years away from even doing anything on that. It should be a priority, I agree, but why have it number one when we can't even get to it for three years.

COMMISSIONER CAMPOS: Well, maybe a question for Mr. Flores. Buckman diversion for 03, you're asking for near a million dollars. Why are you asking for near a million dollars? Do we not need that money, Mr. Flores?

MR. FLORES: Mr. Chairman, Commissioner Campos, I'd have to defer to Gary.

COMMISSIONER CAMPOS: Mr. Roybal.

CHAIRMAN DURAN: If they give it to us next year, what are we going to do with it?

MR. ROYBAL: Mr. Chairman, Commissioner Campos, right now we're going through the NEPA process and that's expending funds right now. The other process is once the NEPA is done then we go into a design phase, which I believe the estimate for designing the project itself is somewhere around \$10 million. Then from that point we go into a construction phase. So actually, I just talked to Tony and I was looking at this. I think maybe a million dollars may be overstating what we might need for next year. I would probably say, based on the information I have today, it might be closer to half a million dollars.

Also, as we go on to 2005, I believe the numbers shown for 2005 and 2006, 2007, reflect probably total project costs and we're only 20 percent of that participant, so we could actually reduce those down to maybe for 2005, reduce that down to approximately \$6 million, \$6.2 million. For 2006, we could reduce that down to approximately \$6 million and for 2007, down to \$1.6 million and make it a little bit more realistic and practical as to what the County's actual participating amount would be in this project. But I certainly believe that at least half a million cost to the County is a reasonable expectation for next year.

COMMISSIONER CAMPOS: For 03?

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MR. ROYBAL: Yes.

COMMISSIONER CAMPOS: 04 is \$1.6, is that about right?

MR. ROYBAL: That's correct.

COMMISSIONER CAMPOS: That's for design?

MR. ROYBAL: I believe that that's when we'll be going into a design phase and more surveying and more detail work into the project if it's approved and it passes the NEPA analysis.

COMMISSIONER CAMPOS: And 05, 06, six million for each year for construction?

MR. ROYBAL: Yes.

COMMISSIONER CAMPOS: And then \$1.6 for 07.

MR. ROYBAL: Yes.

COMMISSIONER CAMPOS: Did that motion pass, by the way?

CHAIRMAN DURAN: Unless my vote counts as three.

COMMISSIONER CAMPOS: I didn't quite hear it. I don't think it does.

Would you like to amend the request as suggested by Mr. Roybal, for the Buckman, as far as dollars?

COMMISSIONER CAMPOS: If you would accept that as an amendment.

COMMISSIONER CAMPOS: I wish it had been done here as opposed to giving us these higher numbers but Mr. Flores, are you comfortable with the reduction that Mr. Roybal has suggested.

MR. FLORES: Mr. Chairman, this request comes from their department so I would defer to Gary and if Gary's comfortable with those numbers today then I don't have a problem reducing these numbers down.

COMMISSIONER CAMPOS: I'd like to make a motion to amend our prior decision as far as Buckman diversion. The numbers for 03 would be \$500,000; 04, \$1.575 million—

CHAIRMAN DURAN: That would still stay the same? That's not a reduction?

COMMISSIONER CAMPOS: That's right. That would stay the same. 05 would be \$6 million; 06, \$6 million; 07, \$1.6 million.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER VARELA: So Commissioner Campos, you would still have Buckman as first priority?

COMMISSIONER CAMPOS: Yes, the only changes are the numbers and the years for this amendment.

The motion to approve amending the Buckman figures tied by a 2-2 voice vote, with Commissioners Sullivan and Campos voting in favor, and Chairman Duran and

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Commissioner Varela voting against. [See below.]

CHAIRMAN DURAN: Hang on a second. I guess my vote no on the amended changes doesn't really change the position of Buckman at all, right?

COMMISSIONER CAMPOS: No. Not the priority. We already passed that.

CHAIRMAN DURAN: Would you reconsider? I'd agree to your numbers if you moved it down the list.

COMMISSIONER CAMPOS: I really think Buckman should be number one.

CHAIRMAN DURAN: Okay, I'm going to go with you today. I vote yes.

Upon reconsideration, Chairman Duran changed his vote and the motion to amend passed 3-2.

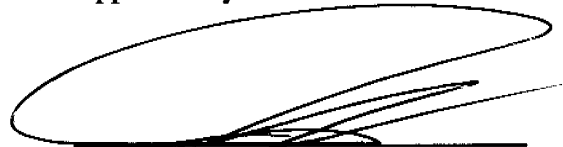
COMMISSIONER CAMPOS: On the numbers?

CHAIRMAN DURAN: On the numbers. Okay, motion passes. Thank you all.

ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 4:55 p.m.

Approved by:




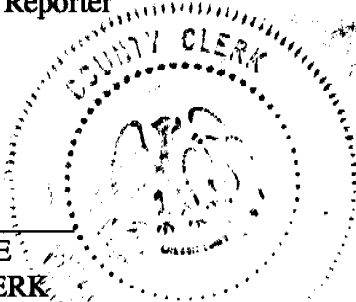
Board of County Commissioners
Paul Duran, Chairman

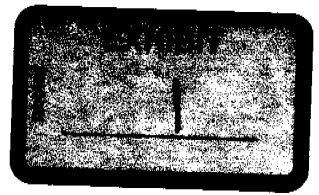
Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK





MEMORANDUM

TO: Santa Fe Board of County Commissioners

FROM: Katherine Yuhas, County Hydrologist *KY*

RE: Santa Fe Public School Wells RG-50836 and RG-50836-S, Turquoise Trail Elementary School

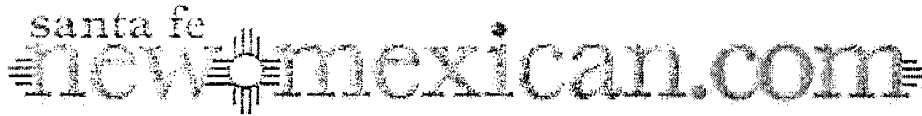
DATE: September 23, 2002

2230688

On August 20, 2002 the Santa Fe Public Schools were given authorization to publish their request for a change of the purpose and place of use of one acre-foot of water diverted from RG-50386 from domestic, sanitary and school related purposes as permitted at Turquoise Trail Elementary School to construction of the Ramirez Thomas Elementary School located in Aqua Fria. The requested period of change is for one year.

Santa Fe Public Schools have sixty days from August 20th in which to publish their request for a change. They must publish their request once a week for three weeks. After the last publication, any opponents of the transfer request have 10 days in which to register their protest.

Legal notice was published to request this change on September 17, 2002 (copy attached). The second and third notices should be published on September 24, and October 1, 2002. This would make the deadline for protest of the transfer October 11, 2002.



2230689

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Legal Notices - All

Search 50 miles from Santa Fe, NM
Ads having the keyword: RG-50386

Notice is hereby given that on July 25 2002 Santa Fe Public Schools 610 Alta Vista Santa Fe NM filed Application No. RG-50386 and RG-50386-S with the Office of the State Engineer for Temporary Permit to Change Place and Purpose of Use of Underground Waters. The applicant seeks permit to change the place and purpose of use for 1.0 acre-foot of water diverted from will RG-50386 located within the NE 1/4 NW 1/4 NW 1/4 of Section 13 Township 15 North Range 8 East NMPM from domestic sanitary irrigation and school related purposes as permitted in Turquoise Trail Elementary School located within he NW 1/4 NW 1/4 of said Section 13 and the NE 1/4 NE 1/4 of Section 14 Township 15 North Range 8 East to construction of a pubic facility at the new Ramirez Thomas Elementary School located on 11.73 acres within the NW 1/4 SW 1/4 of Section 6 Township 16 North Range 9 East. The requested period of change is one year. The Turquoise Trail Elementary School and well are commonly described as along Highway 14 approximately 2.5 miles south of the State Penitentiary. The Ramirez Thomas school site is located at 3200 Calle Po Ae Pi Santa Fe New Mexico. Weil RG-50836 and all places of use described in the application are within Santa Fe County.

Any person firm or corporation or other entity objecting that the granting of the

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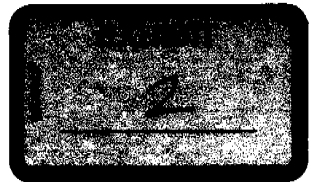
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application will be detrimental to the objector's water right shall have standing to file objection or protest. Any person firm or corporation or other entity objecting that the granting of the application will be contrary to the conservation of water within the state or detrimental to the public welfare of the state and showing the objector will substantially and specifically be affected by the granting of the application shall have standing to file objection or protest. Provided however that the State of New Mexico or any of its branches agencies departments boards instrumentalities or institutions and all political subdivisions or the state and their agencies instrumentalities and institutions shall have standing to file objection or protest. The protest or objection shall be in writing and shall set forth all of the protestant's or objector's reasons why the application should not be approved and must be filed in triplicate with Thomas c. Turney State Engineer Bataan Memorial building Room 102 P.O. Box 25102 Santa Fe New Mexico 87504-5102 within ten (10) days after the date of the last publication of this Notice. If no valid protest is filed the State Engineer will evaluate the application based on its potential for impairment to existing waters rights public welfare and conservation of water within the state.

Legal #72159
Pub. Sept. 17 24; Oct. 1 2002

2230690

Santa Fe New Mexican
Location:Santa Fe NM **Area Code:**505



HEALTH POLICY & PLANNING COMMISSION

Jaime Estremera-Fitzgerald, Chairperson,
District 4,
Executive Committee Member

Donna Lockridge, R.N. Vice Chair,
District 5,
Executive Committee Member

Dr. Cleveland Pardue, Vice Chair,
Medical Society
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Valery Henderson,
Nutritionist, Dept. Health

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Presbyterian Medical Services

Kevin Henson, Chief
Santa Fe County
Emergency Medical Services

Gary Buff,
St. Vincent's Hospital
STAFF:

Robert Anaya,
Community Development Dept.
Steve Shepherd,
Health Dept.

Virginia Vigil,
Legal Counsel

September 23, 2002

2230691

Santa Fe Board of County Commission
103 Grant Ave.
Santa Fe, New Mexico 87501

RE: Dr. Mario Pacheco

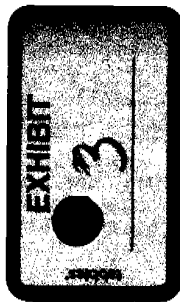
Dear Commissioners:

It is my pleasure to advise you that the Santa Fe Health Policy & Planning Commission unanimously endorses Dr. Mario Pacheco's appointment to our Commission. Many of us have worked with Dr. Pacheco and recognize the benefit he will bring.

I am pleased that another doctor will be a part of our process. As a highly skilled physician and Director of the Northern New Mexico Family Practice Residency Program, Dr. Pacheco has established a well-respected and admirable professional reputation. His experience in administration and policy far exceeds many of his colleagues. The Health Policy & Planning Commissioners highly recommend this appointment and we welcome Dr. Pacheco with his most recent experience as a health legislative assistant in Washington on the Senate Finance and Senate Health, Education, Labor, and Pensions Committee.

Sincerely,

Jaime Estremera-Fitzgerald
Chairperson



FY 03'-07'
Infrastructure Capital Improvement Plan (ICIP)

Department: Community & Health Development Department
Director: Robert Anaya

Priority Rank	Project Title	2003	2004	2005	2006	2007
1	Santa Fe County Coordinated Health Complex	\$700,000.00	\$150,000.00	\$125,000.00		
2	Valle Vista Community Center Improvements	\$100,000.00	\$35,000.00			
3	Abedon Lopez Senior Center Improvements	\$65,000.00				
4	Santa Fe County Senior Housing Project	\$190,000.00	\$225,000.00	\$115,000.00	\$100,000.00	\$100,000.00
5	Santa Fe County Public Housing Sites Improvements	\$200,000.00	\$150,000.00	\$150,000.00		
TOTAL		\$1,255,000.00	\$560,000.00	\$390,000.00	\$100,000.00	\$100,000.00

FY 03'-07'

Infrastructure Capital Improvement Plan (ICIP)

**Department: Project & Facilities Management
Director: Vincent "Corky" Ojinaga**

Priority Rank	Project Title	2003	2004	2005	2006	2007
1	Youth Shelters Ph II	\$165,000.00	\$125,000.00			
2	El Dorado Senior Center	\$229,000.00	\$150,000.00	\$150,000.00		
3	Teen Center Ph IIA/III	\$125,000.00	\$185,000.00	\$150,000.00		
4	Big Brothers/Big Sisters Facility	\$130,000.00				
5	La Cienega Community Park	\$150,000.00	\$125,000.00	\$82,500.00		
6	La Puebla Park	\$55,000.00	\$35,000.00	\$140,000.00		
7	Agua Fria Park Improvements	\$405,000.00				
8	Santa Fe County Fair Grounds Improvements	\$310,000.00	\$125,000.00	\$150,000.00		
9	Edgewood Senior Center Improvements	\$270,000.00	\$125,000.00	\$50,000.00		
10	Agua Fria Community Center	\$150,000.00	\$125,000.00	\$125,000.00		
11	County Administration/Judicial Complex Improvements	\$250,000.00				
12	La Cienega Community Center	\$285,000.00	\$100,000.00			
13	Bennie J. Chavez Senior Center Improvements	\$50,000.00				
14	Stanley Comm Center - Fair Grounds Complex	\$135,000.00	\$112,500.00	\$125,000.00		
15	Arroyo Seco Community Center	\$170,000.00	\$125,000.00	\$165,000.00		
16	Catherine Center	\$400,000.00	\$400,000.00			
17	Joint City/County Downtown Parking Structure	\$1,100,000.00				
18	Telecommunication/Data Upgrades of County Facilities	\$250,000.00	\$125,000.00			
19	Aerial Photography Project	\$100,000.00	\$100,000.00	\$100,000.00		
20	Video Arraignment/Hearing	\$75,000.00	\$50,000.00			
21	New Community College Dist./NM14 Comm. Center	\$75,000.00				
22	New South Airport Road Community Center	\$75,000.00				
23	New Vehicles - Operations Division	\$75,000.00				
24	New Backhoe - Operations Division	\$25,000.00				
25	New Vehicle - Fair Grounds	\$40,000.00				
	TOTAL	\$5,094,000.00	\$2,007,500.00	\$1,237,500.00		

FY 03'-07'

Infrastructure Capital Improvement Plan (ICIP)

**Department: Public Works
 Director: James Lujan
 Deputy Director: Robert Martinez**

2230695

Priority Rank	Project Title	2003	2004	2005	2006	2007
1	Sign Manufacturer Equipment - (Traffic Engineering)	\$10,000.00				
2	Pionjar Replacement (Traffic Engineering)	\$5,000.00	\$5,000.00	\$5,000.00		
3	Radar Speed Trailer (Traffic Engineering)		\$6,500.00	\$6,500.00	\$6,500.00	
4	Articulating Aerial Lift Truck (Traffic Engineering)			\$35,000.00	\$35,000.00	
5	Traffic Control Message Board (Traffic Engineering)				\$15,000.00	\$15,000.00
1	18,000 lb Mobil Column (Maintenance)	\$35,000.00				
2	10,000 lb Rotary Lift (Maintenance)	\$12,000.00				
3	Heavy Equipment Diagnostic (Maintenance)	\$5,000.00				
4	Wheel Dolly Jack (Maintenance)	\$5,000.00				
5	Computerize Maintenance Shop (Maintenance)	\$6,000.00				
6	New Mechanics Stall (Maintenance)	\$50,000.00				
7	New Welding Truck (Maintenance)			\$30,000.00		
8	New Parts Truck (Maintenance)				\$23,000.00	
9	New Welding Truck (Maintenance)					\$60,000.00
1	Compacting Equipment (Solid Waste)	\$49,500.00	\$49,500.00			
2	Const. Of N. SF County Transfer Station (Solid Waste)		\$900,000.00			
3	San Marcos T.S. Improvements (Solid Waste)		\$140,000.00			
4	Roll-off Trucks (Solid Waste)	\$95,000.00		\$95,000.00		
5	Walking Floor Trailers (Solid Waste)		\$100,000.00		\$50,000.00	\$50,000.00
6	Open Top Containers (Solid Waste)	\$35,000.00			\$35,000.00	
7	Tractor - 5th Wheel (Solid Waste)				\$95,000.00	
	TOTAL	\$307,500.00	\$1,201,000.00	\$171,500.00	\$259,500.00	\$125,000.00

FY03'-07'

Infrastructure Capital Improvement Plan (ICIP)

Department: Public Works (Road Maintenance)

Director: James Lujan

Deputy Director: Robert Martinez

Priority Rank	Project Title	2003	2004	2005	2006	2007
1	Frost Road (CR16) 3.0 Miles Repaving	\$135,000.00				
2	County Road 55A Low Water Crossing/Basecourse	\$150,000.00				
3	Dinkle Road (CR 8) 6.0 Miles Paving/Drainage	\$320,000.00	\$320,000.00	\$320,000.00		
4	County Road 42 Paving/Drainage	\$325,000.00	\$325,000.00	\$325,000.00		
5	County Road 74 Low Water Crossing Paving/Drainage	\$350,000.00	\$300,000.00			
6	Arroyo Seco Circle (CR86) Paving/Drainage	\$80,000.00				
7	La Barberia (CR67F) 1.4 miles BC/Paving/Drainage	\$135,000.00				
8	Monte Alto Road 2.1 miles Intersection Improvements	\$275,000.00	\$250,000.00			
9	Nine Mile Road (CR60) 1.5 miles Repaving Improvements	\$100,000.00				
10	Calle Enrique 0.8 miles Drainage/Paving Improvements	\$75,000.00				
11	El Sitio Road (CR88A) Low Water Crossing	\$20,000.00				
12	Gold Mine Road (CR55) 4.2 miles Drainage/Paving Imp.	\$315,000.00				
13	Agua Fria Ph III Water/Sewer/Drainage/Paving	\$1,000,000.00				
14	Arroyo Alamo West - Grade Control Structure	\$50,000.00				
15	La Puebla Road (CR88) 3.0 miles Repaving	\$400,000.00				
16	Cam. Carlos Rael Low Water Crossing	\$50,000.00				
17	La Puebla Drainage Basin	\$235,000.00				
18	County Road 44 A-B Basecourse and Stab. Improvement	\$56,000.00				
19	County Road 88B .55 miles Paving/Drainage	\$121,000.00				
20	County Road 113 S .47 miles Drainage/Paving	\$103,400.00				
21	County Road 84E .48 miles Drainage/Paving	\$110,000.00				
22	County Road 48A Camino Bajo Paving/Drainage	\$176,000.00				
23	Valle Vista Blvd. .52 miles Milling/Repaving	\$80,000.00				
24	New Chip Spreader (Equipment)	\$100,000.00				
25	New Vector Truck (Equipment)	\$200,000.00				
26	New Water/Tandem Snow Plow 2X (Equipment)	\$220,000.00				
	TOTAL	\$5,181,400.00	\$1,195,000.00	\$645,000.00		

FY 03'-07'

Infrastructure Capital Improvement Plan (ICIP)

**Department: Sheriff
 Sheriff Ray Sisneros
 Undersheriff Benji Montano**

Priority Rank	Project Title	2003	2004	2005	2006	2007
1	Mobile Command Post	\$200,000.00				
2	New 4WD Vehicles (3X)	\$75,000.00				
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25		\$275,000.00				

