

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

SFC CLERK RECORDING 08/16/2004

REGULAR MEETING

(Administrative Items)

September 25, 2001 - 10:00 a.m.

*Amended Agenda*

-2002924

I. Call to Order

H. Roll Call

III. Pledge of Allegiance

*approved* IV. Approval of Agenda

A. Amendments

B. Tabled or Withdrawn Items

*approved* V. Approval of Minutes - August 28, 2001

VI. Consent Calendar: 142

*approved* A. Resolution No. 2001-141 A Resolution Requesting an Increase to the Property Valuation Fund (203) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Assessor's Office)

*approved* B. Resolution No. 2001-143 A Resolution Requesting an Increase to the Regional Planning Authority Fund (501) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (Land Use Department)

*approved* C. Resolution No. 2001-144 A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) to Budget Sales Revenue Related to the Acquisition of the Valle Vista Water System for Expenditure in Fiscal Year 2002 (Land Use Department)

*approved* D. Resolution No. 2001-145 A Resolution Requesting an Increase to the Emergency Medical Services Fund (206) to Realign the Fiscal Year 2002 Budget with the Final EMS Allotment Received from the New Mexico Department of Health for Expenditure in Fiscal Year 2002 (Fire Department)

*approved* E. Resolution No. 2001-146 A Resolution Requesting a Budget Decrease to the Road Construction Fund (311) to Budget a Reduction in Grant Revenue from the New Mexico Highway and Transportation Department for Expenditure in Fiscal Year 2002 (Public Works Department)

*approved* F. Resolution No. 2001-147 A Resolution Requesting a Decrease to the General Fund (101)/CRAFT Grant Fiscal Year 2001 to Budget a Reduction in Grant Revenue from the US Department of Health and Human Services for Expenditure in Fiscal Year 2002 (Community, Health and Economic Development Department)

*approved* G. Resolution No. 2001-148 A Resolution Requesting an Increase to the Corrections Fee Fund (201) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Manager's Office)

- approved* - H. Resolution No. 2001-<sup>149</sup>/~~1~~A Resolution Requesting a Decrease to the Open Space GOB Series 1999 Fund (385) to Realign the Fiscal Year 2002 Budget with the Fiscal Year 2001 Cash Balance Available for Expenditure in Fiscal Year 2002 (Finance Department)
- approved* - I. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-03, for Roll-Off Containers (Public Works Department)
- approved* - J. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Transport Tractor with Winch, Transfer Tractor Trailer with a Cat Engine and a Roll-Off Truck with a Cat Engine (Public Works Department)
- approved* - K. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Steel Wheel Roller (Public Works Department)
- approved* - L. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Street Sweeper (Public Works Department)

**VII. Presentations and Awards:**

- (A) Presentation by the Black Tar Steering Committee on the Black Tar Heroin Prevention Effort
- (B) Presentation by Randall Rasmussen, Program Manager, with the National Parks Conservation Association Regarding "Economic Benefits to Restoring the Glorieta National Battlefield"

**VIII. Administrative Items:**

- (A) Committee Expirations/Resignations/Vacancies:
  1. Santa Fe Maternal Child Health Planning Council
- (B) Committee Appointments:
  1. Santa Fe Maternal Child Health Planning Council

**IX. Staff Report**

- (A) Report by the County Attorney's Office

**X. Staff and Elected Officials' Items:**

**A. Community, Health and Economic Development Department**

- approved* - 1. Resolution No. 2001-<sup>150</sup>/~~1~~A Resolution Adopting a Citizen Participation Plan
- approved* - 2. Resolution No. 2001-<sup>151</sup>/~~1~~A Resolution Adopting an Antidisplacement Plan
- Tabled* - 3. Resolution No. 2001-~~1~~A Resolution Authorizing and Supporting an Infrastructure Capital Improvements Plan for Santa Fe County - *out meeting*
- approved* - 4. Request Authorization to Enter into Amendment Number One to the Contract, #21-0145-CHED, with Life Link, Inc. for the Second Year of the SAMHSA/CSAT Grant for Treatment Services
- approved* - 5. Request Authorization to Enter into Amendment Number Two to the Contract, #21-0126-CHED, with Community and Family Services, Inc. for the Second Year of the SAMHSA/CSAT Grant for Process and Evaluation Services
- approved* - 6. Request Authorization to Enter into Amendment Number One to the Contract, 21-141-CHED, with Behavior Therapy Associates for the Second Year of the SAMHSA/CSAT Grant for Training and Outcome Services

*Approved* - 7. Request Authorization to Enter into a Professional Services Agreement with the City of Santa Fe for Emergency Medical and Ambulance Services to Indigent Santa Fe County Residents

**B. Finance Department**

*Approved* - 1. Request Authorization to Enter into Amendment Number Three to the Professional Service Agreement, #20-0091-GS, with Design Collaborative Southwest for the Public Safety Complex (Community, Health and Economic Development Department)

*Approved* - 2. Request Authorization to Enter into a Professional Service Agreement, #22-0082-CM, for Financial Advisor Services Related to the County's Issuance of Phase II of the Open Space Bond (County Manager's Office)

*Approved* 3. Resolution No. 2001-<sup>152</sup> A Resolution Providing for Publication of Notice of Bond Sale of Santa Fe County, New Mexico General Obligation Bonds, Series 2001A (County Manager's Office)

**C. Land Use Department**

*Approved* - 1. Request Authorization to Enter into Amendment Number One to the Agreement between San Ildefonso Pueblo, City of Santa Fe and Santa Fe County for the Development, Installation and Testing of a Pilot Collector Well at San Ildefonso

*Approved* <sup>with amendments</sup> 2. Request Adoption of Findings of Fact and Conclusions of Law for Land Use Case CDRC CASE #Z 01-5130 - The Village at Eldorado (Approved) <sub>1 No. Sullivan</sub>

**D. Public Works Department**

*Approved* - 1. Request Authorization to Enter into the 2001 Co-Op Program Funding Agreements with the New Mexico State Highway and Transportation Department (NMSHTD) for the County Road 73 Road Improvements Project

**E. Resource Development Department** <sup>153</sup>

*Approved* - 1. Resolution No. 2001- A Resolution Officially Changing the Road Name of Dancing Buffalo to Camino Cerrado in the Vicinity of the Community of Pojoaque

**F. Sheriff's Office**

*Approved* - 1. Request Authorization to Enter into a Lease Agreement for Rental of Office Space for a Region 3 Satellite Office in Espanola

**G. Matters from the County Manager, Samuel O. Montoya**

*Approved* 1. Resolution No. 2001- A Resolution Supporting Legislation to Transfer Certain Public Domain Lands to the Pueblos of Santa Clara and San Ildefonso

*Approved* - 2. Request Approval of Proposed Management Structure Reorganization for Various County Departments - <sup>6 MO</sup> <sub>1 No. Comm. Changes</sub>

*Tabled* 3. Request Adoption of Employee Bonus Program - <sub>the out money</sub>

**H. Matters of Public Concern - NON-ACTION ITEMS**

*Tabled* - **I. Matters from the Commission**

1. Resolution No. 2001 - A Resolution to Promote Understanding and Support Towards Arab and Muslim Americans

*Table* — 2. Resolution No. 2001- A Resolution Establishing a Joint City/County Capital Improvements Advisory Committee and Adopting Rules of Procedure for the Joint City/County Capital Improvements Advisory Committee

J. Matters from the County Attorney, Steven Kopelman 2002027

1. Executive Session

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

XI. Public Hearing:

*Appropriated* - A. Request Selection of an Applicant for the Community Development Block Grant (CDBG) Application (Second Public Hearing) - \$400,000 - 0 + 0

XII. Staff and Elected Officials' Items:

*Appropriated* A. Community, Health and Economic Development Department 154

- 1. Resolution No. 2001- / A Resolution Authorizing and Supporting a Community Development Block Grant (CDBG) Application for Fiscal Year 2002

XIII. ADJOURNMENT

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

2002928

SANTA FE  
BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
SEPTEMBER 25, 2001

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



1179 076  
COUNTY OF SANTA FE } 85  
STATE OF NEW MEXICO  
I hereby certify that this instrument was filed  
for record on the 1 day of NOV A.D.  
20 01 at 12:06 o'clock P.m  
and was duly recorded in book 2002/2003  
page 924-037 of the records of  
Santa Fe County

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

2002929

**SANTA FE COUNTY**  
**REGULAR MEETING**  
**BOARD OF COUNTY COMMISSIONERS**

**September 25, 2001**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:50 p.m. by Chairman Paul Duran, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll Call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

**Members Present:**

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

**Members Absent:**

None

**IV. APPROVAL OF THE AGENDA**

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

SAMUEL MONTOYA (County Manager): Mr. Chairman, there are two amendments, Mr. Chairman, on page 3 and 4 of the agenda. On item X. I 1. and 2, under Matters from the County Commission, item I. 1 is a resolution to promote understanding and support towards Arab or Muslim Americans. And item 2 is a resolution establishing a joint City/County capital improvements advisory committee. Mr. Chairman, those are the only amendments for today.

We do ask the Board to consider moving item X. C. 1, which is an issue relative to San Idefonso. It's an amendment to an existing agreement with Santa Fe County, City of Santa Fe for the development, installation and testing of a pilot collector and San I. The second item, Mr. Chairman, since we do have the Honorable Governor Martinez here and some of his staff

2002930

SFC CLERK RECORDING 08/16/2004

members and contract attorneys, also is item X. G. 1, which is a matter under the County Manager's items, which goes specifically towards supporting a land transfer between the Bureau of Land Management and the tribes indicated here, San Ildefonso and Santa Clara Pueblo.

Mr. Chairman, if we could move those up on the agenda and I understand Governor Perry Martinez has other commitments today and if the Board would be so kind as to move those two items I would appreciate it, Mr. Chairman.

CHAIRMAN DURAN: So, Sam, correct me if I'm wrong. It's X. C. 1, and are you sure it's X. G. 1.

CHAIRMAN DURAN: Oh, I'm sorry. I'm order here. I got it. Okay. Any other amendments or changes to the agenda?

COMMISSIONER TRUJILLO: Mr. Chairman, move for approval of the agenda as amended.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this action.]

**V. APPROVAL OF MINUTES: August 28, 2001**

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I have a couple of minor editorial changes and with the Commission's permission I'll just give them to the recorder to enter into the record.

CHAIRMAN DURAN: Is that acceptable?

COMMISSIONER TRUJILLO: That's fine.

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

COMMISSIONER TRUJILLO: Move for approval.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this action.]

2002931

X. C. Land Use Department

1. **Request Authorization to Enter into Amendment Number One to the Agreement between San Ildefonso Pueblo, City of Santa Fe and Santa Fe County for the Development, Installation and Testing of a Pilot Collector Well at San Ildefonso**

ESTEVAN LOPEZ (Land Use Administrator): Good morning, Mr. Chairman, Commissioners. I've just handed out a letter that we received from the Governor of San Ildefonso after the packet was prepared, but it goes to the item that's being discussed at this point. [Exhibit 1]

Basically, what is being requested at this point, as you know, we have since December of 1997 had an agreement with the Pueblo and the City of Santa Fe to develop a pilot collector well at San Ildefonso. That collector well has now been constructed and is in the first stages of testing. To date, the indications are quite good, but until we actually get some chemical test data and quality test data we don't really know what's going to happen. But the Pueblo has requested, under the agreement that we had, the City and the County had agreed as part of the consideration for this project that \$20,000 would be made available to put water that produced during testing to use for irrigation by the Pueblo. An additional \$20,000 was to be made available to the Pueblo for them to develop a comprehensive water plan that addresses their needs.

As you will see in the letter I just handed out to you, the Pueblo has requested that their planning needs really supercede the need for putting water to use for irrigation, and they've requested that we combine the two \$20,000 amounts and make that money available for their comprehensive water plan. So the overall amount that would have to be expended by the City and the County would not change but they would, this would allow that the entire \$40,000 would be available for the Pueblo's planning needs. I stand ready for questions.

CHAIRMAN DURAN: Any questions of Estevan?

COMMISSIONER TRUJILLO: Mr. Chairman, I can see the rationale behind moving \$20,000 from irrigation to a water system in the Pueblo, so I stand in support of that request. I made a motion to approve that request, for discussion.

CHAIRMAN DURAN: I'll second it for discussion. Anyone else have any questions?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I attended the meeting last week, last Tuesday, along with Estevan when the presentation was made by the County and the City to the Pueblo and this matter was discussed. My understanding is that the fee that they have negotiated for this planning study is \$43,000 and that this change in the use of monies is revenue-neutral. We're just moving it from one to the other. Is that correct, Estevan?

MR. LOPEZ: That's correct.



2002932

COMMISSIONER SULLIVAN: So it will not be necessary next irrigation season, next summer, to construct a pipeline to do irrigation work?

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, that's correct. We've amended the agreement all together to delete references to irrigation works.

COMMISSIONER SULLIVAN: Right. So just—the only two things, clarifications that I would like to see in the agreement are, one, is that the Pueblo would absorb whatever costs were in excess of the \$40,000 for their study, which, I believe, they indicated last week that they intended to do, which would only be \$3,000. And secondly, since we're all working cooperatively on this water study, that that document be made available to the County and to the City as well. Now, I notice in the master agreement there is a provision that study documents be made available to all parties and so I would assume that that would control here as well but it seems like it might be good, since now the scope of that study has doubled, to just reaffirm that we'd like to be able to see that document as well.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, you are correct. The original agreement contains a provision that they will make the planning study available to the City and the County and that continues to hold. We actually spoke about that provision as we were negotiating this amendment and so it's the understanding of the parties that that will be made available to the City and the County. I just checked with Governor Martinez and he is of the understanding that they would pick up the cost in excess of \$40,000. So the amendment itself only obligates the City and the County to fund up to \$40,000. If need be, we can add a provision to specify that any excess will be covered by the Pueblo.

COMMISSIONER SULLIVAN: If both of those points are clear, both the Santa Fe County and to the Pueblo, I don't think we need to modify the agreement. I just want to be sure that they're clear to all the parties.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, Governor Martinez has nodded agreement to me.

CHAIRMAN DURAN: Okay, any other questions of Estevan? If not, those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

- X. G. 1. Matters from the County Manager  
1. Resolution No. 2001-141 A Resolution Supporting Legislation to Transfer Certain Public Domain Lands to the Pueblos of Santa Clara and San Ildefonso

MR. MONTOYA: Mr. Chairman, we have before you today the Honorable Governor Perry Martinez from San Ildefonso, and the Honorable Danny Gutierrez, who is also the Governor of Santa Clara. They're also represented by counsel, Mr. Hughes, and Mr. Chestnut. Mr. Chairman, the issue before you today is a request from both of these

2002933

SFC CLERK RECORDING 08/16/2004

tribal governments seeking to have the Board of County Commissioners support a land transfer that they are requesting from the Bureau of Land Management.

Mr. Chairman, there is approximately 4,484 acres in this land exchange, currently sitting partially in Santa Fe County and partially in Rio Arriba County. Back in 1988, the Bureau of Land Management took action to basically set aside this parcel of land for disposal and the two tribal governments that are before you today have come to BLM and asked that these lands be transferred back to the tribes. There is an agreement between Santa Clara and San Ildefonso to split the parcel. They have already had these discussions and have come to an agreement as to how to divide the properties.

They have also gone to the BCC in Rio Arriba County and asked for their support in the form of a resolution on this land transfer. They will then be going to the congressional delegation representing New Mexico and asking that the appropriate legislation be introduced to have this land officially transferred from BLM to the tribes through the Department of Interior. Mr. Chairman, I would defer now to the Honorable Governor Martinez to embellish any of the points made and also to answer any questions that the Board might have and I would stand for any questions you might have as well. Thank you, Mr. Chairman.

CHAIRMAN DURAN: Any questions of the Governor? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Did we want the Governor or the attorney to make a brief presentation first or do we want to just jump into questions?

CHAIRMAN DURAN: Did you have a presentation, Governor?

GOVERNOR PERRY MARTINEZ: Yes, I did.

CHAIRMAN DURAN: Okay, please.

GOVERNOR MARTINEZ: Good morning, Commissioners, chair, County Manager, guests. My name is Perry Martinez. I'm the Governor for the Pueblo for the Pueblo of San Ildefonso and to my left I have Governor Gutierrez from the Pueblo of Santa Clara. We are here jointly to seek your support in a resolution transferring approximately 4,484 acres of land that currently is under the jurisdiction of BLM. This land has been identified for disposal. The two Pueblos, like Mr. Montoya said, have reached an agreement. Currently the lands are surrounded on three sides by the Pueblo of San Ildefonso and Pueblo Santa Clara. There is limited access.

The land is basically non-improved piñon-juniper grasslands containing no significant resources. These are aboriginal lands that fall within both our aboriginal claims. We did approach the County of Rio Arriba and on August 30<sup>th</sup> they did adopt a resolution supporting the transfer of the two lands into the Pueblo of San Ildefonso and Santa Clara. We did approach our delegation earlier on during the year and their recommendation was to come back and meet with our neighbors and gain their support and if we do gain your support here today we plan on making a trip back to Washington and meeting with the delegation and hopefully transferring these lands back into the Pueblo of San Ildefonso and Santa Clara.

2002934

Currently, the Bureau of Land Management is on record as supporting this land transfer as well. I will defer to Governor Gutierrez. I don't know if he has any additional words that he's like to say here today. Thank you very much.

CHAIRMAN DURAN: Thank you, Governor.

GOVERNOR GUTIERREZ: Good morning. Just came before you this morning to see if we could get some support from the County of Santa Fe. Part of this piece of land that we're trying to acquire falls within Santa Fe County. I think a fourth of it. We've been trying to get this piece of property for quite some time and as Governor Martinez stated, has been in our land claims for quite a few years. It's a piece of property that's sparse grassland and some piñon, juniper type trees in that area and mostly arroyo type properties. It's entirely inaccessible to anybody else. It's on the north, surrounded by Santa Clara properties and on the east and south, by San Ildefonso and on the west, to a certain extent by Santa Clara also, and the Forest Service. It's important to the two Pueblos.

For any other usage, it's very minimal for anything else, except for maybe some limited grazing. It's very important to us in a sense for cultural purposes that we need that property. That's very important to us, and coming before you, we wanted to request that maybe if you can, support this effort. We did go before the County of Rio Arriba Commissioners to get their support also and they supported the efforts with a resolution from them in addressing this issue, supporting the efforts of Santa Clara Pueblo. In talking to our congressional delegation, they support the efforts also.

At this time, what we're asking is through this resolution type document that you can also do the same in this manner. I don't know if you have any other questions that we may be able to answer at this time. It's a straightforward effort that we're trying to do and the acreage that Governor Martinez stated is approximately 4,400 acres. Both the Pueblos have agreed to how to split this property and everything is put into place in that manner. So if you have any questions, feel free to ask.

CHAIRMAN DURAN: Any questions of the Governor?

COMMISSIONER TRUJILLO: Mr. Chairman, I had the privilege of doing the site visit with Governor Martinez of the area, of some of the 4,400 acres, and what they're saying about that it's land-locked and it's contiguous to both the San Ildefonso Reservation and the Santa Clara Reservation with the only access being through San Ildefonso property or Santa Clara property is right, is true.

I stand in support of the transfer. I think it's congruent with the traditional cultural aspects of both communities and it serves to preserve that land as open space in perpetuity. So with that, I would like to make a motion to approve the transfer of 4,400 acres of land to Santa Clara and San Ildefonso Pueblos. For discussion.

COMMISSIONER GONZALES: Second.

CHAIRMAN DURAN: Okay, for discussion, there's a motion and a second. Any other questions?

COMMISSIONER SULLIVAN: Mr. Chairman.

2002935

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just two questions, and this may be for staff rather than the Governors. And the first is, are any of these two parcels or this one parcel split in two, would they be involved at all in any of the San Ildefonso water delivery system?

GOVERNOR MARTINEZ: No, sir.

COMMISSIONER SULLIVAN: No. So we wouldn't get into duplicate discussions and negotiations over that, because we want to continue to work cooperatively, obviously, in that venue and I didn't want this to confuse that. And the second was, in some documents that we received a couple months ago, it talked about the BLM land being transferred but a possibility for provisions that the land, if access were developed, would still remain open to the public, subject to Pueblo feast days and other tribal days when it would be closed. I don't have a copy of that document with me but I recall that was at least a possibility. Is that currently being considered or not?

GOVERNOR MARTINEZ: Mr. Sullivan, I'm not too clear on what specifically you are talking about because once this land transfer occurs, it would come into the Pueblo of San Ildefonso and Santa Clara. It may be another issue that you may be raising here. I'm not too clear. I know on the Raney well there are provisions on there during certain activities that we would request that no activity be done, but we would work with the County on that. So I'm not too clear if you're referring to this current land transfer issue or another issue.

COMMISSIONER SULLIVAN: I understand about the Raney well, that it's necessary from time to time to stop those operations if there are religious ceremonies being conducted on the Pueblo. But this pertained to these parcels and I think it was answering the question that the public might have. If this were BLM land and other than the fact that it currently has no access, it would be accessible to the public for grazing, for recreation, for whatever purpose. Of course you indicated that it's not the highest level of land either. It's not high timber or alpine mountains or anything like that, obviously. So what I interpreted that to mean was that was there some possibility that were access to be developed, that the public would then have access to this? And I'm presupposing that the answer to that is no, that the control would remain under both Pueblos, access control.

GOVERNOR MARTINEZ: Yes.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN DURAN: Any other questions?

GOVERNOR GUTIERREZ: If I may, before you take your vote. This piece of property is, and I guess it goes to somewhat Commissioner Sullivan's question, like I stated briefly is that it's more or less scrub lands and it's not fit for any recreational use at all. Maybe we should have brought you some photos of this piece of property that in looking at it, maybe it's not feasible for recreational uses or for grazing either. As I stated, it's very minimal to be used for that purpose also.

COMMISSIONER SULLIVAN: Could we use it for a cell tower? You

2002936

don't have to answer that.

GOVERNOR GUTIERREZ: I didn't mention that BLM is supporting this effort also. It's disposed properties. Thank you.

COMMISSIONER GONZALES: Mr. Chairman, just one final question. Just to begin, I thank the Honorable Governors for being here and very much for your commitment to work with Santa Fe County on a multitude of issues. Is your reason for being here is because the BLM has asked you to get support from both counties? Is it part of the transfer process or is it something that you think is important to show support to the BLM in their consideration of the transfer?

GOVERNOR MARTINEZ: Commissioner Gonzales, like I indicated earlier, we did approach our delegation earlier on in the year and their request was come and seek the support of your neighbors. So that's why we're here today, based on the recommendation of our congressional delegation in DC.

COMMISSIONER GONZALES: Are you also working with the City of Española to get support or is it just the Rio Arriba County?

GOVERNOR MARTINEZ: Rio Arriba County, which encompasses Española has gone on record in support and adopted a resolution in support of this.

COMMISSIONER GONZALES: Thank you. Thank you again for being here.

GOVERNOR GUTIERREZ: One other thing. If you'd like to see copies of the resolution that the County or Rio Arriba have approved, I've got some copies if you would want to look at them.

CHAIRMAN DURAN: I'm not sure that's necessary. Does any of the Commissioners require that?

COMMISSIONER GONZALES: Call for the question.

CHAIRMAN DURAN: Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

Good luck out there. Thank you.

I was wondering if the Commission would allow me to make one more amendment to the agenda. Representative Patsy Trujillo-Knauer is here for an issue that I'd like to bring forward at this time so that they can get moving if that's okay.

## **VI. PRESENTATIONS AND AWARDS**

### **A. Presentation by the Black Tar Steering Committee on the Black Tar Heroin prevention effort**

REPRESENTATIVE PATSY TRUJILLO-KNAUER: Good morning everyone. I'd like to start off by saying that I want to give our thanks to Robert Anaya, David Sims and to Rudy Garcia who have been so helpful in our initiative on the Black Tar Initiative. I know this is our second time before you. I know that you've been, that you

2002937

SFC CLERK RECORDING 08/16/2004

know \$690,000 was appropriated to the efforts of Senator Pete Domenici as funding for the Black Tar Heroin prevention initiative.

This is the first time that Rio Arriba, Eight Northern Pueblos and Santa Fe County is working together and it's the best of collaboration from everybody through the churches, through the schools, through government entities, through the cities, through the counties and for myself, it's the first time that we'll be able to ask for bigger monies throughout the state and federal funding to help us out in all the three different counties. So I wanted to let you know that we're having a walk on October 6<sup>th</sup>. It's called the Walk for Life. We have posters here. We have sign-up sheets to get you and your family members in the community signed up. It doesn't cost any money.

Santa Fe will be meeting at Camel Rock, and then Española will be meeting at Española Plaza, and then we'll all meet at Pojoaque Pueblo. This will be the efforts and the hard work for all of our families who are in a crisis today with drugs and alcohol. I think it's time that all of us start talking about it and start embracing our family members and our community members who are entrenched in this on a daily basis. So from there I'll hand it over to David Sims.

COMMISSIONER GONZALES: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER GONZALES: Representative Trujillo, just a quick question to your last comment in terms of bringing about awareness of the presence of so much substance abuse in our families and in our children. And I don't think that we hear about it enough. I think that generally, as a community it's easier to not pay attention to it than to pay attention to it and to confront the issue, and I know that's something that you've dedicated your life to daily. Very briefly, can you give me a state of what the community is in terms of substance abuse? Are we winning this war? Are we making a difference? Or is there still a long way to go in our effort to try and bring families away from this type of substance abuse that has been plaguing really generations of families, especially in the northern part of the county?

REP. TRUJILLO-KNAUER: Commissioner Gonzales and members, eleven years ago, the Santa Fe Community Partnership along with Harry Montoya, we got some monies from the federal government. And what happened is they were tired of telling communities what to do around drugs and alcohol. And what they decided it was better for us to tell them what we needed to do. For years and years and years we have swept it under the carpet. We have hidden our family members. We have not wanted to talk about what is happening to our brothers and sisters and our moms and dads and our children. We don't want to talk about it.

It's happening in our schools. Kids are dealing schools. Kids are selling drugs at schools. And a lot of children are going home to parents who are using. We have a lot of mothers today who are using crack cocaine on a daily basis and their kids are not going to school because they're out on the streets. Nobody's taking care of them. We don't want to take those kids away from those parents. We want to give them help. We need more

2002938

SFC CLERK RECORDING 08/16/2004

money in parenting classes. Remember that when we buy a new refrigerator, when we buy a stove, when we buy a car, we get all these wonderful instructions. When we have a child, we don't. We don't have any instructions.

All we have is what we learned from our parents before us and sometimes that wasn't the best. So we need to address parenting classes and let everybody be a part of it. I've gone to some of them; they're great instructions and also raises support from other parents, how to work out things that we're going through with our own children. We're afraid to talk about that. We're talking about going into the schools and talking about good prevention programs that are talking about drugs and alcohol. We're not talking about going to them at seventh and eighth grade. We're talking about going to see them in third, fourth and fifth grade.

We're talking about following kids for three years by the time they're in seventh grade. They've got all the great skills to know what it is to go in the battle around drugs and alcohol. So are we winning the war? We're winning in little pieces in our community. Right now we've got the best. Right now the churches are coming in. They have not been a part of it for a long time. So now with the archbishop, the archdiocese coming into the fold around drugs and alcohol and addressing it. We've got the schools, we've got counselors.

We go on a basis to at the legislature. Seven years ago when I was elected, I started talking about this issue and nobody wanted to pay attention. Everybody had a deaf ear and said, We'll talk about it. It's not in my community. It's not in my backyard. Well, you know what? It's in your family. You don't want to talk about it. And it's in your backyard and it's in our schools and it's with your kids. And I think especially today with the black tar heroin and the crack cocaine and the marijuana and the alcohol, which we sometimes don't want to look at as a drug, is that what a great opportunity for Santa Fe or Rio Arriba and Eight Northern Pueblos to come together to address this. I want all of you to be very proud about what is going on in your communities.

COMMISSIONER GONZALES: Is the level of commitment and funding that you have in place enough? Is it an issue of commitment? Is it an issue of money? Both?

REP. TRUJILLO-KNAUER: We need money. You have to understand, when we write a grant for \$100,000, that money goes into your rent, your phones. You're talking about salaries. You're talking about like tonight, we're going to do a training on parenting classes, preparing for the drug-free years. It's free. And what happens is you'll go through this training and you'll be able to go out in the community and do parenting classes. Maybe if you want to charge what you can. If you don't, it's fine, but people have that opportunity. So it's money.

We forget that when we get a big chunk of money it has to go to salaries. It has to go to rent. Who's going to pay for that? It has to go for travel. Sometimes we have to go to Washington, DC, come back. We have to let them know what we're doing. We have to let them know what our observations and our goals and objectives. We also have to pay

2002939

now today for evaluation. People want to know our evaluators. What's their role in it right now. Is it working is it not working? What isn't working and what is the best way for us to approach different areas in our community. Evaluators cost money too.

We forget that piece of every grant. They want a good evaluator. They want to know it's a science-based prevention program. They don't want something that you just decided to do in your head. They want to know that it's a good program. That there's studies on it. That you'll be able to follow it and make sure that it's working and if it's not, try something else.

A lot of our programs that we get through the federal government and state government, they're not culturally appropriate for our communities. So that means we've got to get this curriculum and then adapt it to our own community, whether it's Native American, whether it's Latino/Hispanic, whether it's African-American. We all have to adapt it. So that takes a little bit of time also.

COMMISSIONER GONZALES: Thank you.

CHAIRMAN DURAN: Any other questions?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Thank you, Representative Knauer for your continued assistance in this. Everyone knows that you are pretty much the leader of this initiative. And I wonder if there's some way, and I know there's a broad public awareness part of the scope that we're dealing with here, and then we have a more refined element of community forums and family-oriented community events and things of that sort.

Is there any way at this point that we can estimate how many persons we've impacted or you've impacted, or how many—I don't want to just say souls saved, because it's more than that. It's people who can pass along the word and know how to deal with the problem. Is there any way to quantify what results we're achieving so far?

REP. TRUJILLO-KNAUER: Commissioner Sullivan, I have today all the colleagues that I work with on a daily basis, and they will have different presentations, whether it's the mentoring project, how many children we're working with in different communities also, and also the forums we're designing right now, and also the media campaign to build awareness. The events and also the faith community being a part of it and also policies that we will be able to bring about in the County, the City and also the legislature and hopefully, up to the feeds also. You could ask them.

COMMISSIONER SULLIVAN: But you feel from your experience, your more than eight years, both professionally and as a representative in this area, is this the right way to go? Are we going in the right—is this the way to handle the problem? Are you encouraged?

REP. TRUJILLO-KNAUER: I'm very encouraged because the community knows what to do. It worked for a long time the federal government telling us what to do. We know the families. We know the faith community. We know the children that are



2002940

being affected. We know the City Council members, our County Commissioners. We know who needs to be a part of it and each person, what piece they can have to help us get it together and to look forward in bringing more monies and also getting more help to families.

COMMISSIONER SULLIVAN: Thank you.

DAVID SIMS (DWI Coordinator): Commissioner Gonzales, you had asked about how serious the problem is, are we making any progress? I'm not sure of the track record, but just for some information, one of the things that I've read from some Department of Health reports is that in Rio Arriba County, they have the highest per capita death rate, mortality rate, from drug overdoses of any county in the state of New Mexico. And if I'm recalling the numbers correctly, this is not percentage wise but just numbers wise, that St. Vincent Hospital in Santa Fe County has the highest numbers of admissions into the hospital of any county in the state of New Mexico with drug overdoses.

So these are definitely some very serious problems that have impact on our families, on our society, on even just in a dollars and sense situation, in how many admissions come into our hospital that our Indigent Fund ends up helping to pay for because many of these people are also very low in the socio-economic status in our society. So it's a very complex problem.

It's been my pleasure to work with the steering committee for the black tar heroin prevention effort for the last several months, and it is a coordinated effort of Rio Arriba County, Santa Fe County and Eight Northern Pueblos and each of these entities has had very solid representation in all of the meetings and participation and cooperation. We also have several partners in this effort, including the Santa Fe Community Partnership, Hands Across Culture, the City of Santa Fe, the RAFCAN group, St. Vincent Hospital and the New Mexico National Guard. There's just a whole lot of entities that are involved in this coordinated effort that is a regional effort.

As Patsy mentioned, we are having a very public, very visible event on October 6<sup>th</sup>, Saturday, October 6<sup>th</sup> and we'll have representatives there from each of the entities, the counties and the Pueblos. They're working together to have this event. I think you've been provided with materials so I won't spend any time today in the meeting to go over some of the details, but a lot of this is a symbolic event that we are coming together from north and south, from the Pueblos, from the counties, all together, realizing that we do have a common problem that is very serious and needs to be addressed.

I'm going to turn it over now to Michael Coop, who is helping us coordinate this effort as well.

MICHAEL COOP: Thank you, Commissioners. It's an honor to be here. My name is Michael Coop and I work with Shening and Associates, a consulting firm here in town and under contract to the state in helping to coordinate the steering committee. I just want to kind of give you the big view of the project. I know that when we came before you before, we talked a little bit about this. The goal of this project is to really, across the two-county area, because there is no really county line in the drug use problem

2002941

here, to create a real increase in capacity and awareness to do effective drug and alcohol prevention programs, and to really reduce the number of families that suffer from these problems with very effective programming.

So to that end, this project is implementing programs that are consistent and that are similar across the entire region. We have three mentoring projects implementing the same mentoring model that is based on the latest research on what works in mentoring. We have three family-based projects that are implementing programs to the highest risk families in our communities in both counties and at Eight Northern that are really on the edge of the drug trade and the drug traffic.

These are the families that fall between the cracks. They're not in treatment programs. They're way past the ability of your average prevention program to make a difference with them. They may have a parent already in prison. They may have already dropped out of school. They may already be experimenting with heroin. They may come from a family with multiple generations of heroin use. So they're way beyond the typical families that we might encounter. They have very high risks and we're trying to implement the programs that we believe really will make a difference with these families.

So in a moment I'll ask Harry Montoya to talk about the program that he's implementing in the north of Santa Fe County. But that's the whole aim of this project is to implement the best possible programs for these highest risk families and youth in our broad community. Because there aren't any boundaries around this problem.

And then the community domain efforts, the purpose of the walk, the purpose of the community forums, is to increase awareness and why? To involve more people. To involve more adults in the solution to the problem. We can all help. We can all contribute. We can all make a difference. And this effort to really increase the awareness of the problem and how you as an adult or as a teenager can make a contribution to the solution, that's the entire goal of this project.

So you're going to see over the next year many, many activities throughout the two-county area and at Eight Northern that will be helping people understand how they can take an active role, how they can volunteer, how they can help clean up a particular neighborhood that may be suffering from drug dealing, how they can work with the police department and the sheriff's department to help really focus and kind of as a neighborhood, take control of their lives again.

So that's the emphasis of this project and we hope to really engage you in conversations as this year goes on, because I'm sure there are a lot of roles for our governing body to play that are more assertive than you're already doing and that can really improve the health of our communities and reduce drug use and help our families who need this help so much. So with that, I'm going to ask Mr. Montoya to come up.

COMMISSIONER GONZALES: Can I ask you a question. What role is the— is the Health Planning Commission playing any role in this effort of trying to bring about greater collaboration with non-profits to try and address this need? Has this risen to a priority for them or where are they in this whole issue?

2002942

MR. COOP: We have met with the Health Planning Commission and presented this initiative. Most of its members are connected on the periphery at least, if not in the center of this initiative, and we hope as we begin to roll out the community forums to involve the Health Planning Commission in a great way and I don't know what that may look like but it is certainly our intent to pull them into the middle of this project. Absolutely.

COMMISSIONER GONZALES: Thank you.

CHAIRMAN DURAN: Thank you, Michael.

HARRY MONTOYA: Thank you, Michael. Good morning, Mr. Chairman, members of the Commission. I'm Harry Montoya and I work with Hands Across Cultures. Part of the project that we're involved with in terms of the black tar heroin specifically is the mentoring piece of the whole project. We're at the point now where we're recruiting both mentors and mentees and the mentees, which are the young children and young adults that we'll be working with are ages from about 13 to 18, 19. It's not strictly for the individuals that are in school, but also the ones that are out of school that still fall within the category of being considered at risk for use and abuse of substances.

So we have hired a coordinator that's working diligently in terms of the recruitment of these individuals so that we'll be able to get things kicked off here by October 1, that's the target date that we have set.

Just, I think in answer to a couple of questions of Commissioner Sullivan regarding some of the research that we've done specifically in Hands Across Cultures with one of the programs that we worked at the middle school specifically in Española. We had some outcomes that were significant in terms of statistical research that showed that the program that we implemented last year, during the last school year, we actually had differences where the young seventh and eighth graders said that they were bonded more to school. That was a significant increase in terms of where they were from the beginning of the school year to the end of the school year based on the program that we implemented.

Of course this is not clean research so there may be other variables that were involved in their feeling more attached and more bonded to school. But that in itself was a significant finding that we had, as well as their perception that use of substances is dangerous to them. That's always an indicator that we look at in terms of making sure that the programs that we're implementing are effective. Are they having an impact on the attitude, knowledge and beliefs that the kids have that substances are something that are dangerous to themselves as well as to others.

The quantifiable research that we do do, and I know that Patsy at the partnership has that data available and I'd welcome the opportunity to share that with you because that is something that is showing, in answer to your question, Commissioner Gonzales, that although we're making a dent, at least we're beginning to make some sort of an impact on this war that we're fighting here. The things that we're doing is going to take a whole effort in terms of the community. I know that people have invited you and I'd like to ask

2002943

each one of you if you could participate on October 6<sup>th</sup> with us on that walk. That would be great to see your support and have you all out there as well.

COMMISSIONER GONZALES: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER GONZALES: Just one question. And I'll ask Representative Trujillo and this is going to be to send you guys out on a limb, but I just read about this in the paper and seen it on TV and this is the Governor's proposal on the issue of legalizing drugs. And I'm sure you've done an assessment based on what you see out in the community. Just real briefly, is he on target? Is he off target? Is there a discussion to be had here on its impact in the northern part of the county if in fact he's successful in passing legislation that would legalize certain forms of drugs?

MR. MONTOYA: Personally, the work that we've been doing at Hands Across Cultures, in my opinion there should be no discussion. We shouldn't even be talking about legalizing or decriminalizing any substances. All we have to look at are the substances that are already legal for people of certain ages, tobacco and alcohol, and just take a look at what the statistics are regarding just those two substances.

I've been involved not only at this level, at the local level, but at the national level also in terms of it's a huge movement that's happening nationally and New Mexico has been targeting. I think what the Governor is doing and what he's talking about is wrong. I think it sends out the wrong message to our kids. It's definitely something that if these substances that are now illegal become legal, is going to be another battle that we're going to have to fight.

As it is now, it's an uphill battle and adding heroin, crack, marijuana, any other illegal substance to the mix, is just going to increase the problem that we already have. As I mentioned, that's evident right now just with alcohol and tobacco. So in my opinion we shouldn't even be having this discussion. We should be concentrating and focusing on our efforts to keep our kids, our families, our communities, clean and healthy.

REP. TRUJILLO-KNAUER: Commissioner Gonzales and County Commissioners, he is not on target. We've had a lot of discussion about it on a national level and at the legislature. I was willing to carry three bills for the Governor on his drug package. One was the NARCON bill, the syringe exchange, and also treatment and prevention services. When we talked to the Governor when he was first elected, we have wanted him to come meet with families, we invited him to come to our meetings. We invited him to go to treatment centers. We wanted him to talk to some family members who have lost their children to drugs and alcohol and he has never come. And he doesn't want to. I think there is another agenda with him in a different light of hiding it again.

If anybody, if anybody in the state, our Governor should be up there pounding the doors of Congress, asking them for more money to help our families here in Santa Fe, northern New Mexico. It doesn't happen. For the few of here today, who wants to talk about it? You want to talk about burying children, come to our meetings. We'll tell you how many children we've buried. You want to talk to us about our children calling us and

2002944

saying My dad's using tonight. What do I do?

These are very life issues that all of us are facing. All of us. And it just is embarrassing for me when we talk about what the Governor has done. I'm embarrassed when I go to a national conference as Harry does at SAMHSA or CSAT and the director comes and tells me, Oh, did you hear the Governor this morning? I'm embarrassed, because people are dying. It's nothing to just not talk about or to do. But I guess for myself, I guess you know where I stand. It's just, like I said, for this state, we should have a Governor, we should have a Mayor, we should have our legislators who are going on a national level and pounding the doors of Congress for more monies for our families here.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: I have a question for the representative.

Where do we get the more money?

REP. TRUJILLO-KNAUER: We have to look at the private sector, we have to look at the public sector. We have to spend time—like for Harry and I and the different partnerships or City or County, we need to go up to Washington, spend a week up there talking to people at CSAT, and SAMHSA, trying to find where there are more monies, where there are hidden monies. Talking to our congressmen to see if they can help us get more monies. When we look at money from Children, Youth and Families, or the Department of Health, for you, \$100,000 may sound a lot, but it's not. It's not when you're talking about everything that you have to pay for your evaluator and your salaries and for your rent and then to go do programs in the schools. And then food. All of us have to go to the food depot to get food donated to us to feed kids also.

I was getting tortillas and refried pinto beans to get microwaved to feed kids because they loved it. It's a great snack. But it costs money. We have to look at the McCune Foundation. We have to look at different entities around town. We've tried writing to Oprah Winfrey. We've tried looking at, Ali McGraw has tried to help us in one way or another. But it's just, we all have to come together and just get on one page and say we're going to start doing this for our families because we're going to wake up one day and we're going to look at our family member and they're the one's going to be in treatment.

We have nowhere to send kids today for treatment in northern New Mexico.

COMMISSIONER CAMPOS: It seems to me that the Governor is saying is that the war on drugs has failed and we're wasting a lot of money on interdiction instead of rehabilitation and education. And there's billions of dollars being spent on interdiction and that we should spend these billions of dollars in rehab and education and improving the conditions, the social conditions. If you're not willing to engage in that argument, I'm skeptical of what you're saying. We have limited resources and we have them. We just have to reset the priorities.

REP. TRUJILLO-KNAUER: Well, we have resources, Commissioner

2002945

SFC CLERK RECORDING 08/16/2004

Campos, but what happens is if you have been following the legislature from eight, seven years ago when we had afterschool programs and prevention programs in the schools, that he vetoed over hundreds and thousands of dollars.

COMMISSIONER CAMPOS: I'm not talking about the Governor, I'm talking about the idea. We have more drugs coming into this country, more powerful drugs coming in, more addicts. More deaths than ever before. So how can we be even making a dent. Maybe we need the resources, but I think we need resources in large quantities so I think we have to have a debate on how is the most effective way of dealing with this problem and getting the resources that are being spent on interdiction and are not working, resulting in corruption, in blood.

How many people die in the drug business in Mexico and Colombia? How many governments have we corrupted through the drug trade? It's huge. Colombia is having a civil war. A few years ago, Mexico's top general was part of the problem and he was part of the interdiction. There's so much money out there and so much corruption, I think we have to look at this in a different light. That's all I'm suggesting.

REP. TRUJILLO-KNAUER: You're right. And I think the debate that we wanted with the Governor was not just about legalizing drugs, it was about the continuum of care. It's prevention, it's treatment, it's after-care. It's everything coming in together. It's not just one thing, because we have to address everything together. And you're right, if one thing isn't working, then what do we need to do? But I think for the different—Colombia and South America and Mexico, they're still coming into New Mexico. I think that's another place, another time to talk about. But you're right, the debate has to be more broad. It just can't be about one thing.

COMMISSIONER CAMPOS: I agree.

CHAIRMAN DURAN: Well, thank you, Representative. It may at times appear that we're shoveling sand against the tide but I think every little bit helps and whatever I think this Commission can do to help you in your effort, please feel free to let us know what we can do. Thank you very much.

**VI. CONSENT CALENDAR:**

- A. **Resolution No. 2001-142. A Resolution Requesting an Increase to the Property Valuation Fund (203) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Assessor's Office)**
- B. **Resolution No. 2001-143. A Resolution Requesting an Increase to the Regional Planning Authority Fund (501) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (Land Use Department)**
- C. **Resolution No. 2001-144. A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) to Budget Sales Revenue Related to the Acquisition of the Valle Vista Water System for Expenditure in Fiscal Year 2002 (Land Use Department)**

2002946

SFC CLERK RECORDING 08/16/2004

- D. Resolution No. 2001-145. A Resolution Requesting an Increase to the Emergency Medical Services Fund (206) to Realign the Fiscal Year 2002 Budget with the Final EMS Allotment Received from the New Mexico Department of Health for Expenditure in Fiscal Year 2002 (Fire Department)
- E. Resolution No. 2001-146. A Resolution Requesting a Budget Decrease to the Road Construction Fund (311) to Budget a Reduction in Grant Revenue from the New Mexico Highway and Transportation Department for Expenditure in Fiscal Year 2002 (Public Works Department)
- F. Resolution No. 2001-147. A Resolution Requesting a Decrease to the General Fund (101)/CRAFT Grant Fiscal Year 2001 to Budget a Reduction in Grant Revenue from the US Department of Health and Human Services for Expenditure in Fiscal Year 2002 (Community, Health and Economic Development Department)
- G. Resolution No. 2001-148 A Resolution Requesting an Increase to the Corrections Fee Fund (201) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Manager's Office)
- H. Resolution No. 2001-149. A Resolution Requesting a Decrease to the Open Space GOB Series 1999 Fund (385) to Realign the Fiscal Year 2002 Budget with the Fiscal Year 2001 Cash Balance Available for Expenditure in Fiscal Year 2002 (Finance Department)
- I. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-03, for Roll-Off Containers (Public Works Department)
- J. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Transport Tractor with Winch, Transfer Tractor Trailer with a Cat Engine and a Roll-Off Truck with a Cat Engine (Public Works Department)
- K. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Steel Wheel Roller (Public Works Department)
- L. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Street Sweeper (Public Works Department)

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I'd like to get a little discussion on the items I, J, K and L, just on the general idea of the indefinite quantity price for roll-off

2002947

SFC CLERK RECORDING 08/16/2004

containers, machinery—just so I understand what's going on.

CHAIRMAN DURAN: That's fine. Commissioner Sullivan, do you have any items you would like to isolate?

COMMISSIONER SULLIVAN: Yes. A, C, E, G, and I believe Commissioner Campos already said I.

CHAIRMAN DURAN: Okay, so for items B, D, F, and H, the chair will entertain a motion to approve.

COMMISSIONER CAMPOS: Move to approve.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Okay, there's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this action.]

**VI. A. Resolution No. 2001-142. A Resolution Requesting an Increase to the Property Valuation Fund (203) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Assessor's Office)**

MS. MILLER: Mr. Chairman, Commissioners, the property valuation fund is a one percent fee that we receive for administering property tax collection. Last year we had additional revenue than was budgeted and we've worked with the Assessor to budget that revenue this year, that cash balance, bringing it forward into fiscal year 2002 and budgeting it. One of the things we had during the budget cycle, the Assessor's, based on revenues, we wanted to cover that service on that \$250,000 for orthophotography. The Assessor agreed to do that, but when the budget year ended and we found we had more cash balance, we can use that for that payment of the tax loan, the one from Tax and Rev. and free up this money that we had currently budgeted to allow the Assessor to hire a position that he had agreed to leave vacant, and also some temporary positions that he would like to fill.

So that's the gist of this budget adjustment, is to bring that cash balance forward into this year for those items.

CHAIRMAN DURAN: Any questions of Katherine?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: So Katherine, let me understand.

Originally, the plan was that the Assessor who needed this photography to assist in his assessment was going to hold back on some positions in order to contribute, I think it was a third or a quarter or something of the funding of it. So what you're saying now is that's not necessary, or was he, did he have to hold back for some period of time or just it's not necessary at all?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, when we were



2002948

formulating the budget, we estimated what cash balance would be available, and until we finish the year and the tax collection, especially the second payments of property tax, we make an estimate and we estimated conservatively. We did receive more property tax than budgeted, which directly affects what goes into the valuation fund. So we did have excess revenues there and we had the money to let him fill his position and use those excess revenues to pay the debt service.

**VI. C. Resolution No. 2001-144. A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) to Budget Sales Revenue Related to the Acquisition of the Valle Vista Water System for Expenditure in Fiscal Year 2002 (Land Use Department)**

DOUG SAYRE (Water Utility Director): Thank you, Mr. Chairman, Commissioners. Basically, what's before you is a budget resolution requesting an increase in the water enterprise fund to account for additional revenue and expenditures.

CHAIRMAN DURAN: Excuse me, Doug. Why don't we just let the Commissioners ask you the questions rather than go through some lengthy discussion or explanation of it. So Commissioner Sullivan, did you have questions on this?

COMMISSIONER SULLIVAN: Thank you, Mr. Chairman. I didn't understand the budget adjustment form. I saw we have an increase in expenditures of \$139,000 and it looks like an increase in revenue of \$79,000. So it sounds like we're buying a pig in the poke here, or we already have. But maybe it's not that bad. If somebody could walk me through those numbers there.

MR. SAYRE: Let me provide something for you.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, the form, as you know, we only have so much space on each sheet for revenues and expenditures. If you take the top section, budgeted revenues, on the first page, and budgeted revenues on the second page, and look at that total of budgeted revenues on the second page, top square, it's \$139,000 of revenues. If you look at the fund code, then department division, activity. That activity, that 300 is revenue sites. So it's a total revenue adjustment upward of \$139,000.

And then if you go to the fourth page of the budget adjustment form and look at the increase to the 400 account, the activity, sub-activity, that's 400, that's expenditure side, and that total is \$139,000. So it's actually \$139,000 on both sides.

COMMISSIONER SULLIVAN: So our estimate then, and this is only as a result of the acquisition of the water system, is that we'll have exactly \$139,418 in additional revenues to the water enterprise fund and we'll have exactly \$139,418 in expenditures.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, when we do the budget, we have to balance the revenue, so if we want to recognize that we will have that

2002949

SFC CLERK RECORDING 08/16/2004

revenue, we will have to have a corresponding expenditure. It doesn't mean we'll spend it. But that's what we estimate the revenue will be and estimate the expenditure. If we receive revenues over and above that \$139,000, they will just go to cash and at some time in the future, we'd have to come forward and ask you to budget that cash.

COMMISSIONER SULLIVAN: Okay, but there's some line items in here that don't pertain to the Valle Vista water system. There's one that pertains to Rancho Viejo wastewater treatment plant for \$6500.

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, that was because that amount was incorrectly figured in the previous budget and we thought we better go ahead and put it in this and it accounts for additional testing that was requested and put in the contract that was approved. So we basically put that in here at this time too to adjust that portion of the budget. So it was actually a budget adjustment for the Rancho Viejo contract but it has to do with that testing allocation to do with Rancho Viejo.

COMMISSIONER SULLIVAN: But overall, you think that you're going to be able to operate the Valle Vista water system at a profit or at break-even?

MR. SAYRE: Both ways. I believe it will be a profit and I think that we've probably added in some expenses here that we don't—we're probably being more liberal with our expenses and we don't expect, we just want to make sure that we're covering all the things that we could expect there, but we feel like, yes, we will operate it at a profit.

COMMISSIONER SULLIVAN: Is there, in these expenditures or somewhere else, any reserves for replacement?

MR. SAYRE: There is. We left some money in there to make repairs and also for various parts of the system and we did do that, yes.

COMMISSIONER SULLIVAN: But that's somewhere else. I don't see that here. That's somewhere else in your department budget.

MR. SAYRE: Maybe what I can do is, let me give you a little more detailed projection here. I apologize that this was not given to you. We thought it was part of the package. But it more or less—

COMMISSIONER SULLIVAN: Oh, yes. This clears it up completely.

CHAIRMAN DURAN: Does it?

COMMISSIONER SULLIVAN: No. Not at all.

MR. SAYRE: We currently, by the way, have \$200,000 in the capital expenditure fund.

COMMISSIONER SULLIVAN: I understand this is just correcting for income and expenses personal to the purchase of the Valle Vista water system. My only concern is—and this is your overall operating budget, is that right? That you just handed out?

MR. SAYRE: Well, what we have to show is how we're adjusting the budget based on what we're doing overall.

COMMISSIONER SULLIVAN: I just want to be—that system is not too

2002950

new. That system is kind of old. My concern about that system is we're going to have replacement issues to deal with, both water and sewer. Is that budgeted somewhere?

MR. SAYRE: Yes, that is budgeted in here.

COMMISSIONER SULLIVAN: In what you just handed out?

MR. SAYRE : In what we just handed out. There's some numbers in here. Millie, maybe you can help me. Mainly in maintenance, if you go to page 1 under the water section, we have maintenance, grounds and roadways, and we've budgeted approximately \$11,000 for possible repair and replacement of items related to water. If you look down at that item.

Also under professional services, well, not under the water system but in the sewer system we did.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, I think I can answer the question that you're specifically asking. First of all, the Water Utilities Division has \$200,000 currently budgeted in a reserve for capital replacement. They also put in this budget adjustment, an additional \$10,000. There's an increase for \$10,000. They also estimated revenues that each household would use about 6,300 gallons per month and that's based upon history with Valle Vista. But we budgeted revenues based on 6,000 and budgeted expenditures based on 6,300. So that revenue off of the extra 300 gallons per household would go to cash thereby having a cash balance for capital replacement if needed.

COMMISSIONER SULLIVAN: So overall in your department budget for the year then, you've got about \$200,000-plus budgeted for unanticipated replacement, for pumps, lines, valves, things that you can't really predict when they're going to fail.

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, that's correct. Plus in addition, we have some capital infrastructure funds that we've put in reserve that could be used for some major repairs if they come about with the system or some interconnections that we may want to make to make this system more integral with our County water system.

COMMISSIONER SULLIVAN: Thank you

CHAIRMAN DURAN: Thank you, Doug. We're going to, from now on, with the consent of the Commission, have ten minutes to discuss the Consent Calendar. We have a target date here. We have a bunch of people coming at the end of the meeting for the CDBG grant money and I don't want this meeting to be tabled to another day. So with the consent of the Commission I would like to limit the Consent Calendar discussion from here on out to ten minutes and if there are items that you, any Commissioner has concern about, I would suggest that you get with that department prior to the meeting so that we don't have to table those items that we don't address in the ten minute allocation so that we can move these meetings along. Commissioner Gonzales, I need you out here to support me in this. Thank you.

So with the consent of the Commission, I would like for that to be the direction that is given for this meeting and for other meetings. So we'll discuss the Consent Calendar for

2002951

another ten minutes and then from here on out, at every other meeting, we will have ten minutes for the Consent Calendar items that need to be isolated and see how that pans out. Do I have concurrence on that from the Commission?

COMMISSIONER CAMPOS: Mr. Chairman, I think you're right that we need to curtail the discussion and there's better ways of dealing with this issue, for example meeting with staff if there are some serious issues. I think setting ten minutes is—

CHAIRMAN DURAN: Well, if you can come up with another idea then please bring it forward.

COMMISSIONER CAMPOS: I agree with you, but I don't think setting a ten minute limit—

CHAIRMAN DURAN: Well, we're going to do ten minutes now until someone can come up with a better idea. Is that acceptable to the rest of you?

COMMISSIONER TRUJILLO: That's fine, Mr. Chairman.

COMMISSIONER GONZALES: That's acceptable.

COMMISSIONER CAMPOS: No.

CHAIRMAN DURAN: Commissioner Campos is opposed to that. Please let the record show.

COMMISSIONER SULLIVAN: And so is Commissioner Sullivan.

CHAIRMAN DURAN: Okay. Good. So we're going to take ten minutes from now to finish what we have on the Consent Calendar and those items that we can't get to in those ten minutes are going to be tabled to the next meeting. So I have a question for the County Manager. Are there any items in here that really need to be addressed today? Could you look at that for the next two minutes and let us know what should be the next item on this Consent Calendar that we're going to discuss?

MR. MONTOYA: Mr. Chairman, I believe that items I through L are very important because they're time-sensitive to the loan that we're seeking from NMFA and we need to submit these bids back to that institution to more that process. So I would say, Mr. Chairman, if we need to look at anything in terms of priority, I would say I through L and I believe we're ready to discuss those, Mr. Chairman.

CHAIRMAN DURAN: We're going to take a break at 12:30, so if we're not through discussing I through L by 12:30 then I'm going to ask the Commission to vote on these and then the rest of them will be tabled.

- VI. I. **Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-03, for Roll-Off Containers (Public Works Department)**
- J. **Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Transport Tractor with Winch, Transfer Tractor Trailer with a Cat Engine and a Roll-Off Truck with a Cat Engine (Public Works**

2002952

SFC CLERK RECORDING 08/16/2004

- Department)
- K. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Steel Wheel Roller (Public Works Department)**
  - L. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement to the Lowest Responsive Bidder, IFB #22-04, for a Street Sweeper (Public Works Department)**

COMMISSIONER CAMPOS: Mr. Chairman, question. Ms. Miller, I, J, K, and L—are they related?

MS. MILLER: Yes, they are. Except for I is separate. J, K, and L, all three of those were bid under one bid and those are related to the NMFA equipment loan. And then I was bid on its own, but all four of them are under the same procurement procedure.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN DURAN: Is there a Commissioner here who would like to have some discussion about this item?

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

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: And this again would apply to I as well as the others in those indefinite quantity contracts. The first question on I was that the bids were about \$4,000 for a 30-yard container and \$3,000 for a 40-yard container. So less is more, as it were. Is there a reason for that?

MS. MILLER: Yes, Mr. Chairman, Commissioner Sullivan. It's because the smaller ones have lids, metal lids.

COMMISSIONER SULLIVAN: Okay, so the lids cost \$1,000. Okay.

MS. MILLER: Yes.

COMMISSIONER SULLIVAN: The other and more substantive concern I had is that it appears that the bids are written around one particular piece of equipment, even down to the width of the wheels and the diameter of the casters and the rollers and so forth, and then there's a form where we say, Do you meet that or do you deviate from that, and if you deviate from it, explain why. Is this how we're doing it or am I reading this bid form wrong.

JAMES LUJAN (Public Works Director): Mr. Chairman, members of the Commission, what it is is most our trucks are equipped for that type of bin, our older trucks, so we have to get those bins that will work on our older model units also. The rollers and the type of spec, standard on the—

COMMISSIONER SULLIVAN: So when you physically write it, do you have one piece of equipment in mind and you use the manufacturer's specs for that piece of equipment and then you ask if others can match that?

TONY FLORES (Procurement Director): Mr. Chairman, Commissioner

2002953

Sullivan, we do not allow the specifications to be written one manufacturer or one responsive bidder. In the case of the roll-off containers, had we received the two other bids in the fashion or the time and date requirements of the solicitation we would have had potentially three potential bidders on it. The specifications are written to match the current equipment but not to preclude anybody from having an ability to offer a bid for that item.

COMMISSIONER SULLIVAN: So then—if a bidder deviates from that. He checks the column deviation, then is his bid disqualified?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, no. That would be evaluated to see if the minimum intent or the minimum specifications can be met. A deviation could be less than or more than the minimum specifications that the using department has identified for that particular type of equipment. So, no.

COMMISSIONER SULLIVAN: Okay. So you would evaluate each deviation. Because you're down to the diameter of the rollers and the width and so forth, so if I came up with a larger roller for my container, which would seem to be a better rolling container, you would evaluate and say that's acceptable and my bid would be okay for that.

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

COMMISSIONER SULLIVAN: Okay. Thank you.

COMMISSIONER CAMPOS: Mr. Chairman, I have a quick question. On item J, Mr. Flores, you asked for an indefinite quantity price agreement for a transport tractor with winch, transfer tractor trailer with a Cat engine and a roll-off truck with a Cat engine. Are these pretty pricey items?

MR. FLORES: If I may address the first part, Mr. Chairman, Commissioner Campos, the indefinite quantity price agreements are set up. We know what budget the County has but indefinite quantity price agreements are a mechanism to allow other agencies to be able to purchase items that have been formally solicited off a price agreement.

COMMISSIONER CAMPOS: I understand.

MR. FLORES: To answer the second question, based upon the evaluations of the bid, I believe that the increase in cost was under \$2,000 per option. So in terms of the overall bid, I wouldn't consider them pricey.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN DURAN: Are there any questions about items I, J, K, and L?

COMMISSIONER CAMPOS: I have no other questions, Mr. Chairman.

CHAIRMAN DURAN: So the chair would entertain a motion to approve the balance of the Consent Calendar, which would be items A, C, E, G, I, J, K, and L.

COMMISSIONER SULLIVAN: Mr. Chairman, I don't believe we discussed E or G. We discussed A and C and then we went to I through L.

CHAIRMAN DURAN: How'd that happen?

COMMISSIONER SULLIVAN: That's just the way it went.

CHAIRMAN DURAN: Then let's go back to E.

2002954

SFC CLERK RECORDING 08/16/2004

**VI. E. Resolution No. 2001-146. A Resolution Requesting a Budget Decrease to the Road Construction Fund (311) to Budget a Reduction in Grant Revenue from the New Mexico Highway and Transportation Department for Expenditure in Fiscal Year 2002 (Public Works Department)**

CHAIRMAN DURAN: Are there any questions of Katherine on this item?

COMMISSIONER SULLIVAN: Mr. Chairman, Katherine, this I understand was to aggregate a number of grants into the paving of County Road 73 in Tesuque. Is that correct?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, it actually has several purposes but mostly for road projects from fund 311. One of the grants that are under the agenda later under Public Works for County Road 73, the amounts are different than what we budgeted, slightly, so there's a reduction in those by about, oh gosh, maybe \$15,000, \$20,000 in total for County Road 73. But then all of the others are, because we have not received the grants from the legislature from 2001, we budgeted them in anticipation that it would actually come through. They haven't, so we need to take the revenue and the expenditure out of the budget so that we don't spend money we don't have.

COMMISSIONER SULLIVAN: Okay, and is that the same on the second page, you have \$500,000 decrease listed for Richards Avenue. Could you explain what that is?

MS. MILLER: The one for Richards, I believe there was money in the legislative appropriation for Richards that we did not receive.

COMMISSIONER SULLIVAN: So originally, Richards Avenue was about a million dollar project and we were going to get substantial state legislative support and you're saying now we didn't get any?

MS. MILLER: No, Mr. Chairman, Commissioner Sullivan, the Richards Avenue, the paving project that we're currently doing, that's all intact. We have the revenue for that and that contract. This is in addition.

COMMISSIONER SULLIVAN: Oh, this was for the potential widening that we had made a request to the legislature, you had budgeted it, thinking that it would be approved and it wasn't.

MS. MILLER: Correct.

COMMISSIONER SULLIVAN: So it's being pulled out.

MS. MILLER: Pulled out. Yes.

COMMISSIONER SULLIVAN: It has nothing to do with the existing Richards Avenue project.

MS. MILLER: That's correct.

2002955

COMMISSIONER SULLIVAN: Okay. Thank you. That's the only question I had on that, Mr. Chairman.

**VI. G. Resolution No. 2001-148 A Resolution Requesting an Increase to the Corrections Fee Fund (201) to Budget Fiscal Year 2001 Cash Balance for Expenditure in Fiscal Year 2002 (County Manager's Office)**

CHAIRMAN DURAN: Any questions of Sam?

COMMISSIONER SULLIVAN: I had a question, Mr. Chairman. I have to find it first. Okay, my question on this was, we just finished negotiating an agreement with providers for both facilities, and we're now budgeting an additional expenditure of \$30,000 for care of prisoners which I assume is for transportation by the Sheriff's Department. Is that what this is for?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, what this is for is quite often we can't put inmates in our own facility. Judges will require us to put them at another facility for their safety, and specifically, one that we've had an expenditure on is one that we've been required to put down in Los Lunas. That's at \$72 a day from the Department of Corrections, plus when he's in a medical facility, it's \$300 and some dollars a day. The County doesn't have a say in where that inmate is kept.

We budget about \$10,000 to \$15,000 a year to cover inmate care outside of our own facility. We have already expended the current budget. But the money that we get from the Department of Justice from the state, through the administrative office of the courts, is this corrections fee. It's specifically for inmate care. We received about \$70,000 more last year than budgeted. We normally receive about \$125,000 and last year we received almost \$200,000. So we're requesting to take that cash balance and use it for the purpose of which those funds come to us.

COMMISSIONER SULLIVAN: Oh, I see. So we actually had a surplus last year and we're moving it forward to this year. And we can do that under that grant?

MS. MILLER: Yes.

COMMISSIONER SULLIVAN: Okay. Great. No further questions, Mr. Chairman.

CHAIRMAN DURAN: Okay, that concludes the discussion under the Consent Calendar, so the chair would entertain a motion to approve items A, C, E, G, I, J, K and L.

COMMISSIONER SULLIVAN: So moved.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: There's a motion by Commissioner Sullivan, seconded by Commissioner Trujillo. Those in favor signify by saying "aye."  
[Unanimous] Opposed? Motion carries.



2002956

**VII. B. Presentation by Randall Rasmussen, Program Manager with the National Parks Conservation Association regarding economic benefits to restoring the Glorieta National Battlefield**

CHAIRMAN DURAN: Welcome.

RANDY RASMUSSEN: Thank you, Mr. Chairman, members of the Commission. Dwayne Alire, superintendent of Pecos National Historical Park, will speak first.

DWAYNE ALIRE: Mr. Chairman and Commissioners, it's a pleasure for me to be here. My name is Dwayne Alire. I'm the park superintendent at Pecos National Historical Park. The park is a park out in San Miguel County and Santa Fe County that preserves and protects about 12,000 years of human history, including the Civil War battlefield site at Glorieta Pass. Today I'd like to be here to answer questions if you have them after Randy's presentation.

Several years ago, we established a relationship with NPCA, the National Parks Conservation Association to form a citizens group to step forward and again to work with us to find a way to restore the Civil War battlefield site at Glorieta, two units of which are in Santa Fe County. So with that I'll turn it over to Randy and after his presentation I'm available to answer questions for you.

CHAIRMAN DURAN: Thank you.

MR. RASMUSSEN: Thank you, Dwayne. Mr. Chairman, members of the Commission, I'm here today to give you a brief summary of events to date that my organization, the National Parks Conservation Association, in conjunction with the National Park Service and others have accomplished towards the objective of restoring Glorieta National Battlefield. As Dwayne mentioned, the both units of Glorieta National Battlefield lie within Santa Fe County and we have recently prepared some materials to further raise public awareness and support for protection of the battlefield. Currently, the battlefield is not open to general public visitation because of the presence of New Mexico Road 50, which essentially bisects the battlefield and makes the battlefield unsafe for visitors. Cars go by there in excess of 45 miles an hour and there are no pull-outs or turn-outs, so we are supportive of the Park Service's restricting access for the safety reasons, but unfortunately the current alignment of the road does hamper public visitation of what we consider very deeply hallowed ground.

My organization and others have embarked on a campaign, as I mentioned, and in you packet you'll see both a brochure on restoring Glorieta Battlefield and an economic study that we commissioned with a professor from New Mexico State University, a Dr. Frank Ward from the Agriculture and Economics Department. In essence, we were tiering that study on economic benefits from the park's own general management plan that calls for restoring Glorieta Battlefield if and when a segment of New Mexico Road 50 were rerouted around the battlefield and that area restored with parking areas, a visitor contact

station, trails and other interpretive displays for visitors to the park.

2002957

What we've uncovered that if indeed that vision of a restored battlefield were met, in essence it would result in a doubling of the visitation to Pecos National Historical Park. Currently, there's about 40,000 visitors each year to the park. Only a handful of which, about 600, actually get to see the battlefield for the reasons I described. The study commissioned by Dr. Ward estimates that the visitation would increase to over 60,000 additional visitors on top of the 40,000 that already visit the park, within ten years.

Tied to that then is then the economic benefits of what that tourism would mean to Santa Fe and San Miguel Counties. We looked at a two-county unit and in a nutshell it basically tells us that within ten years we would see revenues generated from tourism for just those new visitors to the battlefield in excess of \$3 million a year to the two-county area. And this is a very conservative estimate.

Dr. Ward is also able in his in-plan modeling to determine the number of new jobs that would be generated from that type of spending in the two-county area and he's estimated those number of jobs by year ten to be about 182 additional jobs, primarily in the service sectors throughout the two-county area but in addition, we anticipate further jobs from just the quality of life enhancements that could occur to the Glorieta area.

So I just wanted to quickly, the purpose, the reason I'm here is to ask the Commission's support for a resolution asking for a study of alternative road alignments to New Mexico Road 50. Back in 1996, or the early nineties, the state and Federal Highway Administration embarked on a study of just that. But unfortunately, in 1996, abandoned that study claiming lack of funds, primarily, to not move forward. So we still have the current situation where we have a battlefield that is not visited by the public. The very building that served as a field hospital for both sides, the Confederate Army and the Union Volunteers, still is there right next to the road and is literally crumbling from the vehicles that pass within one meter of that adobe building at Pigeon's Ranch.

So my organization, the National Parks Conservation Association, and others have formed the Glorieta Battlefield Coalition. We have a one-page hand-out on who the coalition entails but it also includes 1000 Friends of New Mexico, the New Mexico Heritage Preservation Alliance, Friends of Pecos National Historical Park, New Mexico Historical Society and others. In fact, Edward Archuleta from 1000 Friends of New Mexico here in Santa Fe has a great-great-great grandfather who fought at Glorieta. And this is a story that we think is quite wide spread, given the New Mexico Volunteers headed up Lt. Col. Manuel Chavez played a role in the Union victory at Glorieta.

We want to see this site honored and we think the state, the Park Service and the Federal Highway Administration need to reinitiate the study that they ceased in 1996 to look at alternatives that restore the integrity of the battlefield and the Santa Fe Trail on which New Mexico Road 50 currently lies, and we'd love to see those areas restored. So with that, I'm also available to answer any questions. I have drafted some potential resolution language if you are interested to look at this, but again, we are seeking support to encourage both these agencies to work together and to seek funding for such a study and

2002958

SFC CLERK RECORDING 08/16/2004

ultimately maybe a potential reroute for a segment of New Mexico Road 50.

The funding that would come from federal dollars, above and beyond the state's existing allocation of federal highway funds. We know the state is hurting with respect to federal highway funds. We do not want to dip into their funds to accomplish this so we would want to seek other funds, either Park Service or other federal highway monies that the state currently doesn't have access to to move this forward.

With that I'm free to answer any questions or offer potential resolution language and perhaps maybe come at another time where such a resolution could be discussed in detail. But I appreciate your attention.

COMMISSIONER GONZALES: Mr. Chairman, I just lend my support to bringing forward a resolution if you could try to work with our staff. I'll be happy to introduce it at a future meeting.

MR. RASMUSSEN: Wonderful Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman, I would add that we do have a real resource here and history of a lot of individuals who have no idea that the Civil War was fought in New Mexico, or as was reported in an article just recently in the newspaper that the South occupied Santa Fe at one time. So whatever we can do to facilitate that study, and I've read in the articles that a road relocation would be quite expensive so I think probably what you're looking at is more than just facilitating a study but dealing with the people which right now at least, that happens to be District Five in that area, which is my district, who would be concerned about relocation issues and others who would be concerned just simply on the state level of the cost of such a major relocation.

But one bite at a time. Look at this as one step at a time and we certainly offer our support for that.

MR. RASMUSSEN: Thank you, Commissioner Sullivan, yes. There is no doubt that looking at alternatives for a road realignment could involve controversy. We fully expect that to occur. But we do want a public planning process, in the form of an environmental impact statement or some other type to take us to that next level, to see if there are indeed feasible alternatives that will fully restore the Santa Fe Trail and the Civil War battlefield.

MR. ALIRE: Thank you very much.

COMMISSIONER TRUJILLO: Thank you. Do you want to do the committee appointments and then break for lunch?

2002959

**VII. ADMINISTRATIVE ITEMS**

- A. Committee expirations/resignations/vacancies**
  - 1. Santa Fe Maternal Child Health Planning Council**
- B. Committee appointments**
  - 1. Santa Fe Maternal Child Health Planning Council**

**EDIE POWERS:** Mr. Chairman and Commissioners, I'm Edie Powers. I'm coordinator for Santa Fe County Maternal Child Health Planning Council. I'm here representing our newly elected chair, Arian Mohammed Ghazi and she's not able to be here today. But our council is nominating three new members to our council and presenting them to you for appointment. And additionally asking for the one individual to be, I guess, dis-appointed because she is no longer here and she did not resign.

So the three new members that we're proposing are Sherri Chavez, who is a nurse director at St. Vincent Hospital and director of women's services and pediatrics. Patricia Garcia is a former executive director of Santa Fe Community Foundation. She's now acting director at Esperanza shelter for battered families, and Jane Prince-Smith, who was the contractor in Pojoaque schools doing our contract for health education coordination and is no longer working there but is working for the Academy of Technology and Classics as a social worker. She has been very actively involved in a committee of the council looking at adolescent health in Santa Fe County.

So those are the nominations we're proposing and Cindy Lewis is no longer living in Santa Fe and she did not resign before she left. So that's the other piece that we're asking for.

**COMMISSIONER GONZALES:** Mr. Chairman.

**COMMISSIONER TRUJILLO:** Commissioner Gonzales.

**COMMISSIONER GONZALES:** I'd move to accept the resignation or to support the resignation, or rescind the appointment, I guess would be the proper—to rescind the appointment of Cindy Lewis and to appoint the three members as proposed by the Maternal Child Health Planning Council, Ms. Sherri Chavez, Ms. Patricia Garcia and Ms. Jane Prince-Smith.

**COMMISSIONER CAMPOS:** Second.

**COMMISSIONER TRUJILLO:** Got a motion and a second. All those in favor? [Unanimous] Opposed? The ayes have it. [Chairman Duran was not present for this action.]

[The Commission recessed from 12:25 to 1:45.]

2002960

## **VIII. STAFF REPORT**

### **A. Report by the County Attorney's Office**

MR. KOPELMAN: Mr. Chairman, members of the Commission, I'm here to give a very brief overview about what our department does and I'll introduce the members of my department then I thought we could do something a little different, which is I'd like to tell you some little known facts about some members of the County Attorney's Office. I'll start with the macro and go to the micro.

The County Attorney's Office, as you all know really is a very, very integral part of the County team. We work virtually with every single department from the County Commission on down to members of staff and members of the public. We work on as about a broad a spectrum of issues as anybody does in the County. We represent for example, the Board of County Commissioners at meetings, the EZA, CDRC, EZC, the local development review committees, the RPA and SWMA. So we attend those meetings. We provide legal counsel at those meetings.

In addition, we work very, very closely as you know with the County Manager on virtually all major County matters. It's interesting because most of the departments have a discrete area that they work in, for example, Public Works works on roads and bridges and the like. The County Attorney's Office is really more akin to the Manager in a sense because we work on virtually any project of any magnitude that has any legal significance or legal issues, which is virtually almost everything that comes through here. So we're really the right hand of the County Manager as well as being an integral part of the County team in general.

I just thought I'd give you a very quick overview, just to give you some idea of the work that we do with other departments that we've done recently. For example, with Land Use, our office was integrally involved in working on the TDR program. We were very, very involved in drafting the Community College District Ordinance. Our office also took a major role in drafting the Telecommunications Ordinance amendments. We also work integrally on the COLTPAC matters and also on the MSRD, the Mountain Special Review District amendments and the litigation there.

In the Manager's Office, just a few of the major things we've worked on, we're working now on the redistricting. We worked on the jail negotiations, from soup to nuts, from the evaluation team to negotiating the contracts, both for the adult facility and the juvenile facility. We work very closely with the Utilities Division of Land Use. We work on the diversion projects, on the acquisition of the Hagerman well, the acquisition of the Valle Vista water and sewer utility. We work closely with Finance on bond issues and on purchasing issues that come up constantly.

Also to give you an idea of the volume, I'd say every year we review probably close to 1000 contracts that come in. Every single contract that has the County's signature, whether it's the Commission or the County Manager, has the approval of Legal. We

2002961

review every single contract. In addition, we review all of the resolutions that come forward. I think we're on about 150 now is it. So we have our signature on every single one of those resolutions. In addition, we work on all of the ordinances and those, we draft a lot of them. We work very closely as a team with the different departments. And then we sign off on all the ordinances to make sure that they are legally sufficient.

Some of the other departments real quickly. We work with the Sheriff's Department on personnel issues. We work on forfeiture cases. We work with them on their SOPs. We work with Resource Development, again on personnel issues. We're integrally involved in virtually any personnel action and we meet every week actually, with Corky and with Helen to just kind of review what's on the plate, what's been going on.

In addition, with Public Works, we work closely on contracts. We're working with them now on the Public Works Facility. With the Assessor, we work on all the tax protests. We get involved in a lot of different issues. We have an interesting issue now that Sally Malavé has been working on, on a school boundary issue that has major ramifications in terms of which school district individuals are actually in. The Clerk's Office, we work on election and voting issues. With CHEDD, we're working with them on the Public Safety Facility now. We're integrally involved working on indigent issues, affordable housing and the County Housing Division issues.

With the Fire, with Stan and the Fire Department, we're integrally involved working on the regional dispatch, the JPA with the City, that I understand was approved by the City Council. I don't see Stan here but I understand the City Council actually approved that JPA yesterday I was told. Also, we have a major hearing coming up tonight on the Urban Wildland Interface Code, which has been thoroughly redrafted and Sally Malavé of our office has worked on that.

I wanted to introduce you to the people in our department, and I'll just start from my right here. Chris Graeser is the Deputy County Attorney. Chris has been working here for approximately three years. Assistant County Attorney Anne Lovely. Anne had worked at the Highway Department for approximately ten years and we're fortunate to have her on board. Next is Sally Malavé who is also an assistant County Attorney. Sally worked for about seven years I think, seven years with the Attorney General's Office and we're very, very fortunate to have her working with us now.

Antoinette Armijo is our administrative assistant and Antoinette pretty much helps run the office, everything from dealing with scheduling and purchasing issues, and making sure that the attorneys are at the right place at the right time. Jeff Trujillo is our risk manager and we can talk a little about that but generally, Jeff is involved in all of the County claims. Works on everything from Workers Compensation to investigating claims and accidents. Kathleen Padilla is our para-legal and Kathleen works on virtually all of the litigation cases with the attorneys. She helps in terms of putting together pleadings and the like and responding to discovery. And then on the outside is Felice Sandoval, who's our receptionist and also along with Antoinette, really kind of helps the office run.

So that's generally, real quickly the folks in our office. And I thought that rather

2002962

SFC CLERK RECORDING 08/16/2004

than go into more detail about what we do, and I'm certainly at any point happy to take any questions you may have. I thought I'd tell you about some of the little known facts about our department and the people in our department. It's a very, very diverse group of people and I think that really enhances our ability to work together and to work with other people in the County. Like I say, I think we're an integral part of the County team in general and we work very closely with all the departments, the committees and the Commission, but we also together, it's kind of like a small law office and we brainstorm issues all the time and there really is a very good feeling of camaraderie and I think that really helps us in terms of being able to produce a lot of work because we have a huge volume, and also to generally enjoy what we do most of the time.

But I guess I could do this one of several ways, but I'll just kind of run through the little known facts about some of the people in our office. I don't know if you realize that we have somebody in our office who played football for two years and baseball for two years at Highland University. That's Jeff Trujillo. Also Jeff is a football coach now for the Pojoaque Pueblo Chiefs, which are little six and seven and eight-year olds. Just to give you a little flavor about what Jeff does in his spare time and what he's done in the past.

Sally Malavé, for example, has taught school. She was a teacher in Puerto Rico for three years and she taught, I believe it was English to what? third graders. First, second and third graders, among other things. Sally also happens to be a great cook. And I take her at her word but we're going to have to put that to the test pretty soon. I bet you didn't know we have somebody in our office who's a member of the National Guard, the 720<sup>th</sup> transportation unit in Las Vegas and this person also will be enlisting in officer school in the spring. Anybody have any idea who that is?

CHAIRMAN DURAN: Antoinette, I knew that.

MR. KOPELMAN: That's right. Antoinette. She's our resident truck driver. So if we ever have an emergency you know who we can call on to drive those big rigs. We also have someone in our office, and I'll kind of run through this, because this is kind of an interesting and somewhat checkered past. This person was actually born on a horse farm in western Massachusetts and was one of the first people to actually contract Lyme disease, which as you know is a somewhat rare, it's not common here but back on the east coast it's a disease you get from being bitten by a particular type of tick. This person was elected class clown in law school of all places. Was a salesclerk where he actually sold a television to Peter Jennings. Also was a bartender and actually really enjoys sailboat racing and has a—or so he tells me, has a perpetual trophy for winning the 50-mile race on Elephant Butte. And that's Chris Graeser.

We also have someone in our office who came very close to being a professional tennis player and everything was going according to plan and there was no question this person was going to make it big and when she was 13-years old on her way to a tennis tournament, she tripped over the curb on St. Francis. She fell. All the balls rolled all over the street and she was never the same since. She lost the tournament, and that's Kathleen Padilla. Also, Kathleen, you may not know this, had a very high powered job at

2002963

SFC CLERK RECORDING 08/16/2004

Mountain Bell where it was her position to disconnect phones for late-paying customers. And so if we have late paying vendors we can always get Kathleen on them.

Also, Felice Sandoval, she may seem quiet to you and somewhat self-contained but you probably didn't know she was a DJ at 91.1 KEDP radio station. In addition, she's quite a fisher and she lists as one of her interests salmon snagging. And I wonder how many here are actually good salmon snaggers. Just Estevan probably.

Then we actually have also in our office somebody who's an avid birdwatcher and hiker. Somebody who worked in the DA's office in Milwaukee, Wisconsin many years ago and her specialty was actually going after deadbeat dads. So another real tough person and actually is a practicing Buddhist and that's Anne Lovely.

And I guess I should probably say a few things about my sordid past also. I actually was the one, the first and the only assistant postal chess director for the United State Chess Federation, back in the mid 1970s. That was my first job out of law school when the United States was going through the chess craze with Bobby Fischer. And we actually had probably 20,000 people playing chess by mail. And so I was an administrator at that time. Also, what you didn't know was I used to box when I was younger also, so be careful.

And so that's really kind of a very quick overview of our department and the people in our department and I really, I feel very, very strongly that we have an extremely coherent, smart group of people who pull together as a team and really, we're there to serve every department, every board and commission and the residents of the county. And I really speak very honestly and forthright when I say it's a very, very strong group of people and I'm very proud of them and feel very proud to be working for the County. So I appreciate your time. I stand for any questions.

CHAIRMAN DURAN: Thank you, Steve. Any questions of Steve? Thank you very much.

**X. STAFF AND ELECTED OFFICIALS' ITEMS**

**A. Community, Health & Economic Development Department**

**1. Resolution No. 2001-150. A resolution adopting a citizen participation plan**

ROBERT ANAYA (CHEDD Director): Mr. Chairman, Commissioners, the first item before you is a standard item that we must have adopted annually for submittal for our Community Development Block Grant program. And I would stand for any particular questions on that plan. We have advertised these hearings that we've been having for the CDBG process and on an ongoing basis we're talking with various different leaders and groups throughout the course of the year. I would stand for any questions, Mr. Chairman.

CHAIRMAN DURAN: Any questions of Robert?



2002964

SFC CLERK RECORDING 08/16/2004

COMMISSIONER TRUJILLO: If not, Mr. Chairman, move for approval of Resolution No. 2001-150.

CHAIRMAN DURAN: Second for discussion. Is there any discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this action.]

**X. A. 2. Resolution No. 2001-151. A resolution adopting an anti-displacement plan**

MR. ANAYA: Mr. Chairman, Commissioners, this is also a requirement for submittal for CDBG applications. Its basic essence is that we will not construct a facility or demolish a facility and displace people in the process and there's a particular process that we would have to follow if we were going to displace anybody. We've never run across this. This is just a requirement. I would stand for any questions, Mr. Chairman.

CHAIRMAN DURAN: Any questions of Robert?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Robert, does this apply to our sale home program?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, this particular plan does not apply specifically to our home sales program, but there is displacement provisions that we have to be very mindful of as far as our home ownership plan. And we currently do not displace any families for sale. If they want to stay in the house and they're a rental tenant then they're allowed to stay in the unit.

COMMISSIONER SULLIVAN: Okay, so the way I read it is we tear down some public housing we've got to build it back up again within three years. My concern was for that sale housing where we're converting the rental housings into sale housing, do we have to replace that rental housing?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, we do not have to replace the rental housing. There used to be a one-for-one replacement requirement that the federal government mandated. However, they used to have to fund the replacement of those housing units and obviously, they don't have the budget to be able to do that. We don't have to replace them. We are trying to replace them with rental assistance vouchers though.

COMMISSIONER SULLIVAN: Thank you.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, of Resolution No. 2001-151.

2002965

SFC CLERK RECORDING 08/16/2004

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this action.]

**X. A. 3. Resolution No. 2001-\_\_ . A resolution authorizing and supporting an infrastructure capital improvements plan for Santa Fe County**

MR. ANAYA: Mr. Chairman, Commissioners, I would request that I just give a brief discussion on this item and that we defer the approval of this particular item to next month's meeting. The infrastructure capital improvements plan is our annual plan of proposed projects that the County would like to pursue and it's also some sort of a wish list, if you will, that we have for communities that have projects. Because of some of the issues that we've been working with with the Manager in relation to some reorganization issues and also because the Commission hasn't had an opportunity to go back through the old plan, I suggest to you that I be allowed to pass out last year's plan. There hasn't been any additional amendments to that, give the Commissioners an opportunity to go through that over the course of this month and then bring that back for approval at the end of October.

CHAIRMAN DURAN: That sounds fine. Robert, would you do me a favor and make it a point to meet with each Commissioner individually to see if there's anything that they might want to add to that list.

MR. ANAYA: Mr. Chairman, Commissioners, I'd be happy to get with Mr. Montoya and do that with the Commissioners to make sure we get those on there.

CHAIRMAN DURAN: I'm not sure you need to—just make sure you get with the Commissioners. It's hard to coordinate everybody's schedule here so in the next 30 days at least make sure that you get with the Commissioners and find out how they would like to deal with that and then you can communicate their concerns or issues that they bring up to the County Manager if he can't make it to those meetings. But I think it's important that we all have some time to sit with you to go over it and get a detailed explanation of it.

CHAIRMAN DURAN: Commissioner Trujillo.

COMMISSIONER TRUJILLO: Yes, sir. Robert, when you talk about last year's plan, what do you mean? Because I understand that we have something like \$4.3 million that are at a standstill or in limbo because of the Governor's veto, veto threat. He hasn't signed any of the capital improvement legislation. Is that what you mean by last year's?

MR. ANAYA: Mr. Chairman, Commissioner Trujillo, partly. What the state of New Mexico would like each local government to do is any project that they're in support of—they being yourselves, the County Commission—the state wants you to put

2002966

SFC CLERK RECORDING 08/16/2004

those priorities in our infrastructure capital improvements plan. That doesn't necessarily mean though that the state legislature will follow that plan. The state wants us to put those proposed project in the ICIP plan but many times the state legislature sends projects to us that aren't in the ICIP plan.

Most of the projects that are at bay right now, the \$4.2 million that the legislature has that the Governor didn't sign are in the ICIP plan but not necessarily all of them. So what this document that I just passed out to is is our wish list as a County that we send to DFA and say this is our guide, if you will, for projects that we want to accomplish over the next five years. Ideally, it's supposed to be a five-year plan and I think that Mr. Montoya and myself are trying to push this plan in that direction so we use it more as that tool. Historically, it's been a place where we have a lot of projects that have been compiled over several years. So I think it's a good idea for us to go through it with a fine tooth comb and make sure that clearly all those projects that are in there should be in there and add those that you would like added in.

COMMISSIONER TRUJILLO: Thank you, Robert.

CHAIRMAN DURAN: Robert, I have one question. The County Business Park intersection, wasn't that funded?

MR. ANAYA: Mr. Chairman, we did seek funding and part of the \$4.1 or \$4.2 million that Commissioner Trujillo referenced, we did have some money that was tagged but until that money is released or signed off from the Governor and released by the legislature, approved by the Governor, we don't have any to speak of right now for any improvements.

CHAIRMAN DURAN: So we didn't find any money anywhere for any of these items, right?

MR. ANAYA: Mr. Chairman, some of those items in that ICIP plan are funded. Many road projects that you see in there are funded and there are second and third year allocations that we're going back in for to get the roads, the projects completed, and with like our library project as an example, the Vista Grande Library, that has been a project that has received multiple years of funding that has been under construction. The teen center project is another project that has CDBG funding and several years of state appropriation.

CHAIRMAN DURAN: So this list needs to be updated?

MR. ANAYA: Mr. Chairman, yes, it does.

CHAIRMAN DURAN: Okay, I guess we need a motion to table.

COMMISSIONER SULLIVAN: Move to table to the October administrative BCC meeting.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Okay, there's a second. Sam, you had something you wanted to add to it? Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioner Gonzales was not present for this

2002967

action.]

So when do you think you might get us an updated—

MR. ANAYA: Mr. Chairman, I'm sorry. I misunderstood your question. The projects in there is the most current plan that we currently have on the books. If you would like to know exactly where each project is within the phasing process I'll provide that additional information to you so that you know that we're in phase two of the Vista Grande Library.

CHAIRMAN DURAN: Each one of us might have different concerns so why don't we address that when we meet with you. Thank you.

MR. ANAYA: Thank you, Mr. Chairman.

- X. A. 4. **Request authorization to enter into amendment number one to the contract, #21-0145-CHED, with Life Link, Inc. for the second year of the SAMHSA/CSAT grant for treatment services**

CHAIRMAN DURAN: Could you tell me what that is?

LINDA DUTCHER: If I may, Mr. Chairman, I'll tell you what that is. Of course, I'm Linda Dutcher. I'm the director of the CRAFT project. As you know, we are entering into the second year of our federal grant to do the community reinforcement and family training project, and these amendments extend our contractors who are working in the first year to go ahead and work in the second year.

And SAMHSA is the Substance Abuse and Mental Health Services Administration. It's a division of the federal government, and CSAT is a subdivision of that. It's the Center for Substance Abuse Treatment, and they're the folks that actually gave us money.

CHAIRMAN DURAN: Are there any questions of Linda?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Two questions, Linda. One on the recommendations you're recommending approval of \$272,685 for amendment number one, and in the contract on page 3, the contract says that amendment number one shall not exceed \$402,767.12. Could you explain the difference there?

MS. DUTCHER: Yes, Mr. Chairman, Commissioner Sullivan. They make us add them together for that total shall not exceed. So the contract in the first year was such and such amount and by the time you add the second year on, then it shall not exceed that total amount. So that's two years rolled together.

COMMISSIONER SULLIVAN: Okay. And the other question was how many clients would you estimate we've served in this project to date?

MS. DUTCHER: I'm glad you asked. Our project proposal to the federal government was that we would serve 50 families per year and since we began seeing families in April, we're now six months into that. At this point we have 24 families who have enrolled and either are in process or have completed their CRAFT training and we

2002968

SFC CLERK RECORDING 08/16/2004

have two more to come in this week, so that will be 26. So that's one more than 25, so we're slightly ahead of target on that.

In terms of the outcomes, you can expect the identified patients, as they're called, the persons having trouble with substance abuse, to come in to treatment themselves after their family members have had six or seven hours of training. So since some of these 24 people currently enrolled have not completed six hours of training I looked to see how many had. At this time, today, we have 12 families who have completed at least six sessions of training. And we have eight identified patients or persons in trouble with substance already enrolled and four more to be enrolled this week. So that will be 12. So we're running 12 on 12 and we only had expected about a seven out of ten or 70 percent hit rate. So I'm very pleased about that.

In addition, above and beyond that, there are four community members who themselves identified themselves as having trouble with drinking or drinking and drugs that called up our CRAFT project because they were already ready to go into treatment. They don't count in these numbers so there are four more persons who have been entered into treatment on top of these 12 that the CRAFT project is responsible for even though they don't exactly count in our proposal. So thanks for asking.

COMMISSIONER SULLIVAN: Do you find this takes a shorter period of time or is any more effective, for example, than the AA 12-step program, or is it a variation of it or is it a new approach to it?

MS. DUTCHER: It's a different population that you're approaching. Persons who are in AA are already receiving help for their difficulties. We're trying to find a way to enroll people into help who otherwise are saying, Heck no. I won't go. And the help that they get could conceivably be AA or it could be coming into treatment through the CRAFT project or going to RAP or HOY or all kinds of things. But we begin not with the folks themselves who are having trouble with the drinking, but the folks who are having family members or loved ones and they're worried about those other guys' trouble.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: I have a scenario here that maybe you could walk through it with me. If I had a child that had a substance abuse problem and I tried to find some facility here in the community that would help me with that problem, I wouldn't find one because St. Vincent's doesn't have an adolescent health care facility. I forget what the private one was that left. So there's no place to go here locally. So I go to Albuquerque and I have my child enrolled in a treatment program there. How can you help me?

MS. DUTCHER: Okay, are you talking about residential treatment programs? The child staying somewhere?

CHAIRMAN DURAN: Well, both ways. Staying some place and even helping me after they come back home.

MS. DUTCHER: The CRAFT project itself was not written to work with people under the age of 18. We deliberately chose not to do that for this particular federal

2002969

grant. But if you were a family member and called up because you saw our number and you thought, Oh, my gosh, there's some kind of help maybe here and you called, then we would certainly work with you to try to find some place that you could get some help for your child.

CHAIRMAN DURAN: And how does the community, those people over 18, know that your service is available?

MS. DUTCHER: Well, a number of ways. The most direct way are the little fliers that we put out and our personnel department here at the County has put fliers into every County paycheck for the last two times and will—

CHAIRMAN DURAN: Is this program just specifically just for County employees?

MS. DUTCHER: No, it's for anybody who can get themselves into Santa Fe to access it. I've been on the radio, on KSVE for example. We had the City Health Fair a couple of weekends ago. We had an informational table there. We just had an article in the Santa Maria de la Paz Parish newsletter. The archdiocese this morning agreed to put articles in their parish newsletter. We run advertisements in the *New Mexican* and the *Reporter* and what not. And the TV Guide. If you ever look in the New Mexican TV Guide, you'll see our advertisement in there. So just about everything we can think of. I'll go pretty much anywhere and talk to anybody, and if you have some organizations that you'd like me to make a presentation to, please, call.

CHAIRMAN DURAN: It would be nice to have the *New Mexican* assistance in that somehow.

MS. DUTCHER: I would love to see a human interest article or whatever you call those.

CHAIRMAN DURAN: Because that probably gets into more homes than anything. The local newspapers.

MS. DUTCHER: We figured the TV Guide was a good place and indeed we do, we have gotten some response from that.

CHAIRMAN DURAN: The TV Guide that's in the newspaper.

MS. DUTCHER: In the *New Mexican* there's a little pull-out thing. Yes. It's on page 3, I think. Upper right hand.

CHAIRMAN DURAN: Okay.

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: How far does this project, program, extend? Is it within the immediate metropolitan area of Santa Fe or does it extend out into the Pojoaque Valley or Eldorado and Galisteo and places like that?

MS. DUTCHER: Mr. Chairman, Commissioner Trujillo, the geographic area that we described in our proposal to the feds was Santa Fe County, Los Alamos County and Rio Arriba County in particular. We've begun our heaviest recruitment in Santa Fe County because it was easiest to start where we're at. I will be over making a

2002970

SFC CLERK RECORDING 08/16/2004

presentation in Rio Arriba County and we did run an ad in the *Rio Grande Sun* but the practical limitation is that people have to be able somehow to get in here to our service provider, which is in Santa Fe. So if they lived up in the far reaches of Rio Arriba, that would be—we'd be glad to see them if they could do it but in a practical sense, transportation is an issue here in the north.

COMMISSIONER TRUJILLO: So there is a distinction between this program and the black tar heroin program and this program is rehabilitation and black tar heroin is preventative.

MS. DUTCHER: This program focuses on persons giving into treatment, persons who otherwise wouldn't go get any treatment, and they might have trouble with other drugs than alcohol. We wrote it particularly around alcohol as the main focus because that's sort of your garden variety problem and we figured we'd have plenty of people to serve that way. But they certainly, the grant specifically states that we would work with what's currently called poly-substance abusers, people who have trouble with more than one thing at a time. So it is for persons who are already in difficulty, rather than say children who might not have started experimenting or something like that. Does that answer your question?

COMMISSIONER TRUJILLO: Yes, it does.

CHAIRMAN DURAN: Do you think it would be possible to get some information to our local, the private health care practitioners that this is available to people out in the community? Or maybe you already have some kind of outreach, you're outreaching to them already.

MS. DUTCHER: Well, I guess if you mean by private practitioners like independent family practice doctors and the like?

CHAIRMAN DURAN: Well, if I again, if my child had a problem, I really understand that this program doesn't deal with that. Let's say I had a problem and I went to go talk to a therapist or something.

MS. DUTCHER: Like a doctor or something.

CHAIRMAN DURAN: Would they know that this program is available out there? Could they direct me to it?

MS. DUTCHER: I have not been able to find an easy, quick way to let all these say medical doctors and general practitioners know. In Bernalillo County there is a society for general practitioners. We don't have one here. So it's been a little bit more dispersed. Through St. Vincent's Hospital I've been able to let some of them know because they go in and out of there, or otherwise. La Familia, for example, is aware of that, but they're not private.

CHAIRMAN DURAN: I'm not sure if I went to—if I had a drug related problem or a substance abuse problem that I would go see my doctor. I'd probably seek the help of someone else and for me that might be somebody like a therapist or something like that. So I'm just wondering is there any way that you can get this information distributed to those people that actually might be dealing with it. Because 50 percent of

2002971

SFC CLERK RECORDING 08/16/2004

your—you have a capacity to take care of 50 people and you're hitting on 25, 50 percent of it. So I'm just trying to find out how we can really maximize this program to its fullest.

MR. ANAYA: Mr. Chairman, I would say that your question is a good one, as was Commissioner Trujillo's. One thing that I'd like to make very clear is that each of the substance abuse prevention and direct treatment programs that we have, not just limited to CRAFT, black tar heroin, programs under the MOA, programs under the DWI program, are now linked together as far as us as a department making sure that we're starting to make those linkages in the community. So the answer directly to your question is yes, we will continue to broaden that scope to whatever providers and other individuals that we can get to in the community so that the most people understand what's going on.

I can tell you that David Sims and Linda Dutcher and Maryanne Shaning that's working on the black tar heroin initiative, and Harry Montoya up north, and RAFCAN, Rio Arriba Family Care Network and the Health Planning Commission, all these people as it relates to substance abuse are finally getting to the point where we're all in the same rooms together. So we're able to share and disperse information to get it to the majority of the public out there in need. So we'll continue to do that and whatever ideas that come across from the Commission and anybody else, we'll make sure that we get that information into those people's hands to do that. But we've come a long ways and we just need to continue to grow to make sure that we do get that information out like you're asking.

CHAIRMAN DURAN: Well, will you take my idea to them at your next meeting and see if you might be able to do something with it. I'd appreciate it.

MR. ANAYA: Absolutely, Mr. Chairman.

CHAIRMAN DURAN: Thank you

MS. DUTCHER: Thank you very much, Robert, for that clarification. I may have not spoken clearly enough. Yes, we have or will by the end of this week have 26 people enrolled, but as of this date, we only expected to have 25, because 50 was the total over the course of a year of recruitment. And we didn't begin recruiting until April.

CHAIRMAN DURAN: Okay. And how long is the program?

MS. DUTCHER: The federal grants come to you one year at a time, but we're just entering in October our second year.

CHAIRMAN DURAN: How long is the individual program?

MS. DUTCHER: Twelve training sessions, spread out over up to six months.

CHAIRMAN DURAN: Great. Sounds good. Thank you very much. Any other questions. Thank you, Linda. Thank you, Robert. Is this an action item?

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: And that's to enter into the amendment number one to the contract with Life Link?

MS. DUTCHER: Yes.



2002972

SFC CLERK RECORDING 08/16/2004

CHAIRMAN DURAN: Those in favor signify by saying "aye."  
[Unanimous] Opposed? Motion carries. [Commissioners Campos and Gonzales were not present for this action.]

- X. A. 5. **Request authorization to enter into amendment number two to the contract, #21-0126-CHED, with Community and Family Services, Inc. for the second year of the SAMHSA/CSAT grant for process and evaluation services**

MS. DUTCHER: Mr. Chairman, Commissioners, everything I said above, except this is a different contractor. We have three contractors that are up for renewal at this time. So this is the second year for this contractor, which evaluates the process.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Second, with a ditto on all the other concerns we had on the previous one.

COMMISSIONER SULLIVAN: I have a question, Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: As I understand it, this is an individual whose purpose in this contract for \$25,500 is to evaluate the program.

MS. DUTCHER: To evaluate the process part of the program, and let me give you a distinction. The outcome evaluation, which is the next one down, number six, is were we successful in getting otherwise reluctant persons to go into treatment. That would be an outcome. The process is what are we doing and are we doing it in the way in which we said to the feds we would do it, and whether we're learning from the process. Because part of our activities revolve around changing this CRAFT project to make it fit our community and to make it fit our different groups here. So process focuses on that. Does that help?

COMMISSIONER SULLIVAN: Thank you, yes. That helps. Have we seen the first year's report?

MS. DUTCHER: You don't have a first year's report yet, because the end of the fiscal year is the 30<sup>th</sup> of this month with the feds. So from their point of view we haven't—

COMMISSIONER SULLIVAN: It's coming in five days?

MS. DUTCHER: Well, no. It's due to them by the end of October.

COMMISSIONER SULLIVAN: I see. And that will come to the Commission?

MS. DUTCHER: Yes, certainly.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Linda, who are the principles of Community and Family Services, Inc.?

2002973

SFC CLERK RECORDING 08/16/2004

MS. DUTCHER: Our particular evaluator from there is Mara Moore. She was here earlier to answer questions but she had to go to another meeting. For whatever reason, she had to go to another meeting.

CHAIRMAN DURAN: She's been here for a while, right?

MS. DUTCHER: Yes. She was our evaluator in the first year of the project as well.

CHAIRMAN DURAN: I've talked to her before. Okay, any other questions? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries. [Commissioners Campos and Gonzales were not present for this action.]

**X. A. 6. Request authorization to enter into amendment number one to the contract, #21-141-CHEd, with Behavior Therapy Associates for the second year of the SAMHSA/CSAT grant for training and outcome services**

MS. DUTCHER: Mr. Chairman, Commissioners, this is all of the above, only it's the outcome evaluation part of it, with Behavior Therapy Associates as the contractor.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, for discussion.

CHAIRMAN DURAN: Second. Any discussion?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: As in the other one, I assume on this one there will be an assessment at the end of the federal fiscal year, which is September 30<sup>th</sup>, right?

MS. DUTCHER: Yes, Commissioner.

COMMISSIONER SULLIVAN: Are there not also interim assessments in these contracts?

MS. DUTCHER: This particular contractor is involved also in the training of the therapists who do the CRAFT procedure and as part of that training, for example, they listen to therapy tapes that the therapists are doing with the clients and they continue the training, so there's that kind of an assessment as it's ongoing. It's very much like a teaching situation, as if you were teaching, say, students in a graduate school or something.

COMMISSIONER SULLIVAN: This is the current one that you're talking about that does this?

MS. DUTCHER: Yes. The outcome as far as does it work to get people into treatment, which is the focus, the main focus of the grant isn't really feasible to evaluate very strenuously until we get larger numbers. As you can see, as of the end of

2002974

this week we expect to have 12 people in treatment. That's a pretty small number and wouldn't be worth doing statistics on at this time.

COMMISSIONER SULLIVAN: So when they provide you with quarterly reports, what's in those reports?

MS. DUTCHER: They're not providing quarterly reports per se to me. They are assisting with the, what's known as the GPRA, which is the Governmental Process Reporting Act, I believe. This is a federal computerized system where we enter data and it gets reported back to the feds directly. So part of their contract is to make sure that data is entered accurately, that we're meeting the federal requirements. I can access those reports if I wish, but they go first to the feds electronically.

COMMISSIONER SULLIVAN: Is that what SAMHSA means? Is that that federal reporting?

MS. DUTCHER: They're one of the federal agencies that requires the reporting, because they're the funders.

COMMISSIONER SULLIVAN: Because this contract requires quarterly reports. I'm just wondering if we're getting some feedback here that can be useful.

MS. DUTCHER: The particular quarterly reports that we're getting from them would be—that we're getting via them, I would say would be this GPRA data. And since we only had our first quarterly report with clients at the end of, at the first of July, at that time there were relatively few clients enrolled. I guess I'd say it was useful. It fulfilled the purposes of the grant, but the numbers are so small that I wouldn't want to jump to any conclusions.

COMMISSIONER SULLIVAN: So we do have a mechanism in this contract and in the other one through these quarterly reports, once you get more clientele on board, there could be some feedback before waiting until the entire year has elapsed.

MS. DUTCHER: Yes. And they'll be providing me, since my own report due to the federal government is due in October, they'll be providing me with information to put into that report, so you'll be seeing that when you get my combined report towards the end of October.

COMMISSIONER SULLIVAN: If there's anything significant, we'd like to know about it. I'm sure the Board would like to know what's going well and what needs fine-tuning.

MS. DUTCHER: Indeed. And the process evaluation is part of the what's going well part. With all due respect, I think it's going very well, since we're now at a number of 26, which is one more than I expected at this time, and since we have far more persons entering into treatment, frankly, than I would have expected. So I'm quite happy.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Okay, those in favor signify by saying "aye."  
[Unanimous] Opposed? Motion carries. [Commissioners Campos and Gonzales were not present for this action.]

2002975

**X. A. 7. Request authorization to enter into a professional services agreement with the City of Santa Fe for emergency medical and ambulance services to indigent Santa Fe County residents**

CHAIRMAN DURAN: Pretty self-explanatory. Any questions of Steve?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: The staff memo makes reference to when the contract went back to the City, they made some material changes and that arises my suspicion when I hear something like that. Could you just very briefly tell me what those material changes were that we agreed to?

STEVE SHEPHERD (Indigent Fund Director): I'd be happy to. Mr. Chairman, Commissioner Sullivan, the City Attorney asked us to change our liability and indemnity clauses in the contract. And I'm happy to say that the County Attorney's Office and the City Attorney's Office came to a mutual agreement on a special paragraph on liability, which would be paragraph 9 on page 3.

CHAIRMAN DURAN: I don't seem to have that in my packet. Oh, I'm sorry, I might have it. I got it.

COMMISSIONER SULLIVAN: So in lay terms, this says that we won't sue each other, some such thing as that?

MR. SHEPHERD: Essentially. That's the case.

COMMISSIONER SULLIVAN: That we're responsible for our own acts but neither of us will sue the other.

MR. SHEPHERD: Correct. And that we are covered under the New Mexico Tort Claims Act as a governmental entity.

COMMISSIONER SULLIVAN: And that was the only material change?

MR. SHEPHERD: Mr. Chairman, Commissioner Sullivan, that's correct. That was the only change.

COMMISSIONER SULLIVAN: Thank you.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Second. Any further discussion?

COMMISSIONER SULLIVAN: Mr. Chairman, just one other thing. There was a whole lot of rules included with this about the Indigent Fund rules and regulations. Does that pertain to the ambulance contract or was that just put in there for our use?

MR. SHEPHERD: Mr. Chairman, Commissioner Sullivan, we've attached those rules to each contract, because they do pertain to all Indigent Fund contractors.

COMMISSIONER SULLIVAN: Okay. So that's a standard attachment.

CHAIRMAN DURAN: Those in favor signify by saying "aye."

[Unanimous] Opposed? Motion carries. [Commissioners Campos and Gonzales were not present for this action.]

2002976

**X. B. Finance Department**

**1. Request authorization to enter into amendment number three to the professional services agreement #20-0091-GS, with Design Collaborative Southwest for the Public Safety Complex**

MR. FLORES: Mr. Chairman, members of the Commission, I've tried to provide you a roadmap, so to speak in the memo form of why I'm before you today requesting that we authorize and accept amendment number three to the professional services agreement with DCSW for the design of the Public Safety Complex. The amendment is predicated on the fact that the County accepted and bid that had the additional square footage that increased the maximum allowable construction costs. With that, the contractor DCSW has requested compensation for those additional basic design services. The rate has been negotiated and the compensated amount has been negotiated. In a nutshell, that's where we're at today. I stand for any questions.

CHAIRMAN DURAN: Any questions of Tony?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I've brought this up before so I will bring it up again and that is in the architect's work and rework, which included a site utility analysis and utility design, where do we stand on looking at the alternate power sources for the project?

MR. FLORES: Mr. Chairman, Commissioner Sullivan, probably three weeks ago a meeting was conducted with the project management team from CHEDD, the design group of Design Collaborative Southwest and myself to go over energy efficiency alternatives, so to speak. I hate to use the word alternatives for sake of a better term. At that time a punchlist or an item list was developed of certain components of the structure that we may be able to undertake to allow us to gain some energy efficiency on the project. Such things as hot water collectors on the roof to supplement the boiler system, the potential for a greywater collection system, the translucent wall panels. One of the office was to put some translucent wall panels on the apparatus and maintenance barrier. The possibility of putting in some skylights over some interior offices for daylight. Occupancy sensors in the restrooms as an option.

There was also an alternative mentioned about a light shelf or sunshade on the south-facing glass. We sat down. We went through the list. As we all know, everything on the Public Safety Complex is driven by the bond issue or the money. We have today, less than two hours ago received a follow-up letter, I received my carbon copy of the follow-up letter and have not had a chance to go over with the project manager from

2002977

CHEDD yet, the items that Design Collaborative Southwest have recommended.

There are a few items in there that we're at that stage and time of construction that they still can be undertaken. Cost again would be an issue and we have not, as I previously stated, sat down with CHEDD to see how much of a financial impact it will have already on the strapped budget. So that's where we stand today.

COMMISSIONER SULLIVAN: Well, at least six months ago, I brought up while it was still under design, I brought up the possibility or at least asked whether it would be possible to have some type of wind generation on the facility that would give us at least some kind of a prototype to work with others on, and in the schematic design phase, it is the architect's responsibility to evaluate probable engineering systems. The schematic phase occurs fairly early in the design process.

Then also I see as a separate contractual element, the contractor, the architect was paid an additional \$5,000 above the design fee for a utility analysis identifying existing electrical, gas and telephone capacities for future development. It seems like at a minimum, I should have gotten an answer from the architect, so not having gotten that when we were out at the groundbreaking ceremony for this facility, I visited with one of the architects representatives, I don't recall who it was, and asked him myself what was the status of that and he indicated that that was something that would probably cost more money and they hadn't done anything about it yet. So was there ever a formal request or was there ever discussion of this or is this just being continually left until we complete the building and then say it's too late.

MR. FLORES: If I may, Commissioner, Mr. Chairman, and Commissioner Sullivan, address two points. First of all, you are correct that early on in the schematic phase, that may have been a design element that could have been incorporated. With the memo that I provided, that schematic design phase happened over a year ago. The second issue on the wind generation mechanism, we are bound by certain restrictive design covenants placed upon us by Rancho Viejo and I'm not sure if that is an option that we would be able to be permitted to have on that site.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, we did in fact when you raised the point bring it up. Mr. Flores is correct that the schematic design phase did occur long before we had that particular conversation you and I specifically. It is an issue relative to the covenants as well as price. The covenants currently do not allow any type of tower mechanisms on that particular site and in fact they denied a request that we had dealing with a training tower dealing with the Fire Department and made specific reference that you can't have that type of use on any of the two sites, either the first fifty acres or the second fifty acres.

Mr. Chairman, Commissioner Sullivan, we were a lot further down the design road six months ago than maybe we brought it across to you or you perceived it. We will, however, continue to pursue alternative methods. I think Commissioner Campos in fact was in a meeting with Mr. Flores and other representatives on the project to try and be more efficient, not just with electrical needs but other needs within all of our facilities and

2002978

we will continue to do that.

COMMISSIONER SULLIVAN: Was there every any request made to Rancho Viejo with regard to this, to whatever height would be required for a wind generation?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, we didn't write a direct letter requesting a wind generator. We did however have a request in their hands relative to the repeater that's going on the building itself, and we had to make an extensive change to the design of the building to screen that particular mechanism as part of just getting their approval on the building itself. A wind generator would be a little bit more difficult to deal with as far as screening issues but we didn't write a direct letter to Rancho Viejo.

If you would like us to write a direct letter to Rancho Viejo, we still have various different sites on that particular property that the County would like to develop, then we would be happy to write a direct letter specifically addressing wind generation. But based on experience and the fact that we had such a difficult time just with the repeater on the building, we didn't write a direct letter about it.

COMMISSIONER SULLIVAN: Maybe we should get ahead on the power curve on this and do that for other facilities. But I still would like a response from the architect.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, we will get a response from the architect.

COMMISSIONER TRUJILLO: Any other questions of Tony or Robert?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Flores, what will be the next step as far as the ideas proposed for energy savings and making it more of an energy efficient building?

MR. FLORES: Mr. Chairman, Commissioner Campos, what I would like to see happen is have the ability to sit down with the project management team and County staff to go over the recommended alternatives or options that have been provided to us and they have provided some alternatives and provided the negative side of that alternative. So we need to go through each one of those items specifically and address it and see, one, what stage are we in the construction at this point. There are some things we could probably get ahead of as far as the roof-top mounted solar collectors, since we're not actually in that stage yet.

Some of the things like putting on the sun shades, which have to be physically attached to the steel component. We're at that stage currently. We're in the process of erecting steel at this time. It's to develop a list of items that we would like to see in the building and then compare that to the available budget that we have for the project. And the two have to coincide. For you and I to sit and say this is a good idea but not be able financially to fund it, we would have to set a priority list and realistically attempt to meet

2002979

these alternatives with the budget that we may have available for those options.

COMMISSIONER CAMPOS: What I'm concerned about is time is slipping away. We've been talking about this for months and the project continues and we still haven't resolved it. I would like to have some kind of resolution soon so we don't get bypassed. There are some good ideas that I hate for us to forego simply because we haven't had the time to sit down and talk about it with the Manager and your group.

MR. FLORES: Mr. Chairman, Commissioner Campos, I agree with your 100 percent. It has taken them approximately three and a half weeks to get back the information, at least the cost estimates from the meeting that you were involved in. And we will move forward on that and try and get some type of game plan, so to speak, of what options would be viable for the County to undertake.

I would like to point out to all of the members of the Board that after the discussions on the energy efficiency components, the Purchasing Division, when we put out the solicitations for the ANE services, energy efficiency now has become a component of the project's description and scope of work. I cannot be an evaluation factor, but it is listed in there that Santa Fe County is moving towards seeking energy efficient and alternates for buildings that we are constructing or have currently existing. So that is something that we have taken initiative on for projects that came in after this one, that is a component that has been built in.

COMMISSIONER CAMPOS: I'm glad to hear that because that's very important. I don't want to lose this one if there's a chance to do something. And if you could keep me in the loop, I'd appreciate it, when you have your next meeting, when we talk about dollars, as I say, I would talk to the manager, if there's a dollar issue in there and we could bring it up to the Commission to see if we could get the dollars for the improvements.

COMMISSIONER SULLIVAN: Mr. Chairman, I'd echo that. If the answer from the architect is we can't do wind generation because it's going to cost \$50,000, then we had a discussion yesterday about capital improvements and each Commissioner having an informal allocation of \$50,000, and putting all of that out for consideration. So if we have issues like these, and we need to transfer some money over to assist in a prototype project, I think we can do that. So I don't know that—we have to stay within a budget but I don't think we want to make that the final answer where we have the ability over a long period of time to save a great amount of maintenance cost and operational cost.

CHAIRMAN DURAN: Tony, could you ask the architect if we can't find the money for this thing to at least design it in such a way that we can—so we don't have to retrofit everything. That we could add it as a component at a later date. Did someone already say that?

MR. FLORES: Mr. Chairman, in a roundabout way, yes. One last point that I'd like to make, we keep talking about budget. We have to be cognizant of the fact that this facility was funded through a bond issue. We do have a budget out there of x for



2002980

SFC CLERK RECORDING 08/16/2004

this facility that the voters approved. When we talk about budget issues, the budget I'm trying to build within is that budget from the bond issue. We have not had discussions outside that bond issue if there are certain things that we could use or be able to pull funding sources out of other areas for this project.

COMMISSIONER CAMPOS: Mr. Flores I did propose that to you in our discussion that I'd be willing to advocate that. So I just hope we don't lose it.

CHAIRMAN DURAN: Lose what?

COMMISSIONER CAMPOS: The opportunity to make the improvements that are being discussed with the architect about energy efficiency.

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

COMMISSIONER TRUJILLO: Mr. Chairman, move for approval of the request for authorization to enter into amendment number three with Design Collaborative Southwest for the Public Safety Complex.

COMMISSIONER GONZALES: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

**X. B. 2. Request authorization to enter into a professional services agreement, #22-0082-CM, for financial advisor services related to the County's issuance of phase two of the open space bond**

MS. MILLER: Mr. Chairman, Commissioners, the Finance Department along with the County Manager's Office is requesting authorization to enter into a contract for online bond services. This is to actually auction and sell our bonds for the open space completely online through the KPAuction.com. This would include the financial advisory services that we typically hire out and this actually would save us about \$10,000 to go completely automated and it's a new concept for Santa Fe County.

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

COMMISSIONER GONZALES: Move for approval.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

2002981

**X. B. 3. Resolution No. 2001-152. A resolution providing for publication for notice of bond sale of Santa Fe County, New Mexico general obligation bonds, Series 2001A**

MS. MILLER: Mr. Chairman, Commissioners, we're just requesting that you pass the resolution to publish the notice of bond sale for the open space, the \$8 million open space bond that was approved by the voters and Tommy Hughes from Hughes and Strumor is here if you have any questions.

CHAIRMAN DURAN: Any questions of Katherine or Mr. Hughes?

COMMISSIONER GONZALES: Move for approval.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

**X. C. Land Use Department**

**2. Request adoption of findings of fact and conclusions of law for Land Use Case CDRC #Z 01-5130 - The Village at Eldorado**

CHAIRMAN DURAN: This was an approved application.

ROMAN ABEYTA (Deputy Land Use Administrator): Yes, Mr.

Chairman, this was approved by the Board and we've prepared the findings of fact and the approval is subject to 25 conditions. And I stand for any questions.

CHAIRMAN DURAN: Any questions of Roman?

COMMISSIONER GONZALES: Move for approval.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

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

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Roman or Steve, as the case may be, a couple of things that I think in some way need to be addressed. And I understand there's not a particular form for this document but let me just mention a couple of things. Number one on page one, in the middle where it says the request includes the property to be served by an onsite well. I think we need to be a little more specific that it's an onsite residential well. I believe that the permit that the applicant claimed that it had which the State Engineer's letter said they knew nothing about this well, so it's still unclear whether they do have a permit and one of the conditions of the approval is they get a permit, but

2002982

my understanding is it's a residential well under the section that pertains to residential wells. So I think we need to clarify that.

CHAIRMAN DURAN: I don't think we're going to be able to clarify that today, Commissioner.

CHAIRMAN DURAN: Just by inserting the section, the citation for what that is.

CHAIRMAN DURAN: It's an onsite well. When the determination is made whether it's a commercial well or a residential well can be made based on the language that's being used.

COMMISSIONER SULLIVAN: Well, that's what they asked the Commission to do. They asked the Commission to approve the use of a residential well with a three-acre foot limit.

CHAIRMAN DURAN: I don't think that's what they said. They said, they claimed it was a commercial well and you made the claim that it was a residential well.

COMMISSIONER SULLIVAN: No, they said, they agreed that it was a residential well and they said the State Engineer allows certain commercial uses, which by regulation they do. Certain limited uses. And that their uses were within that.

CHAIRMAN DURAN: My concern is that if we change that it might put the applicant at a disadvantage when the community makes an attempt to claim that they didn't have the right to use this well for commercial uses. I don't think we need to be part of that battle. That's an issue with the State Engineer and what this sentence says is basically that it's an onsite well. We're not making the determination whether it's a residential well or it's a commercial well.

COMMISSIONER SULLIVAN: Well, a commercial well requires water rights and the applicant freely admitted that no water rights were pertinent to the project.

CHAIRMAN DURAN: Okay, well I made my point.

COMMISSIONER TRUJILLO: What I understood from our County Hydrologist is that this well would be recognized as a commercial well for commercial purposes. And that has happened before in the community of Eldorado. So for all practical purposes it is a commercial well, but I'm satisfied with the onsite well as stipulated in the order.

CHAIRMAN DURAN: I think it's unfair to put this requirement in the public record without having the applicant here to comment on it.

COMMISSIONER SULLIVAN: Well, we can defer it. But let me go on to my next question. I think that's a key component of the approval. I think that's what the applicant was requesting.

CHAIRMAN DURAN: I think it's a key component to the people that are opposed to the project.

COMMISSIONER SULLIVAN: The other—and I believe I've asked this before on other findings of fact and conclusions, that this does not indicate, correct me if I'm wrong, Steve, that a majority of the Board of County Commissioners agreed with these

2002983

SFC CLERK RECORDING 08/16/2004

findings of facts and conclusions. It just indicates that a majority voted in favor of it.

MR. KOPELMAN: Mr. Chairman, Commissioner Sullivan, I'm looking on, are you on page 9 now?

COMMISSIONER SULLIVAN: I'm on page 1 right now where it says the Board of County Commissioners hereby finds—and what I'm getting it is I'd like that to read "The Board of County Commissioners hereby finds by a majority vote, that:"

MR. KOPELMAN: Mr. Chairman, Commissioner, I don't have any problem with that from a legal standpoint at all.

CHAIRMAN DURAN: Why do you want to do that?

COMMISSIONER SULLIVAN: Because I don't want this to be a document that says that if I were to vote in favor of this document, it indicates that I now agree with these findings.

CHAIRMAN DURAN: The record clearly states that you voted against it.

COMMISSIONER SULLIVAN: Right. But I don't want this document, which is a vote subsequent to an earlier vote, there to be any confusion about that. Let me give another example of where confusion might occur.

CHAIRMAN DURAN: That's fine. Do you have a problem with that? We'll just change it from there. Please go to the next item. Change it the way Commissioner Sullivan wants.

COMMISSIONER SULLIVAN: In page 5, third line, where we state that new home construction has been extensive over the last decade and demand for neighborhood commercial services has been increasing. I don't think that the County Commission made any determination that the demand for commercial services has been increasing.

CHAIRMAN DURAN: Tell me where you are again. I'm sorry.

COMMISSIONER SULLIVAN: Page 5, paragraph 16. I would suggest that that read, "And applicant states that the demand for neighborhood commercial services has been increasing."

CHAIRMAN DURAN: I disagree with you. I think that our Land Use Department, our professional planners have indicated that there needs to be some commercial services. I don't think it takes much to realize that you can't have 5,000 people living outside the city limits and not provide any commercial services. There's a demand for it.

COMMISSIONER SULLIVAN: Mr. Chairman, I appreciate your opinion on that and I recall that you did mention that during the hearings but I don't recall the Land Use Department making any such statement. I think certain Board members did, but I think primarily the applicant is the one that stated there was a need for that.

CHAIRMAN DURAN: Okay, well, I would disagree with you on that.

COMMISSIONER CAMPOS: Do you want to vote on it one by one?

CHAIRMAN DURAN: So the first change was onsite well. I make a motion to keep it the way it is.

2002984

SFC CLERK RECORDING 08/16/2004

KAREN FARRELL (Recorder): Mr. Chairman, there actually is a motion on the floor.

CHAIRMAN DURAN: This is a sub-motion.

COMMISSIONER CAMPOS: It's a new kind of motion.

CHAIRMAN DURAN: How do we amend this document with a motion on the table?

MR. KOPELMAN: Mr. Chairman, I believe there's a motion to approve it. Either that motion would have to be withdrawn or the maker and the seconded would have to agree. I think the best way is to withdraw that, if that's what—and then just vote on each of these changes.

CHAIRMAN DURAN: Either that or just let—

COMMISSIONER TRUJILLO: Who made the motion to approve?

MS. FARRELL: Commissioner Gonzales.

COMMISSIONER GONZALES: I'm going to let my motion stand.

CHAIRMAN DURAN: Okay, we'll go through your items and we'll see if your amendments are accepted.

COMMISSIONER SULLIVAN: Okay. So one was the well, the other was that the majority of the Commission. Then item 16, we talked about that. The applicant states—on page 5, paragraph 16, I just requested that we clarify that by adding, "The applicant states..."

On page 6, under fire protection, on this recitation, there was no discussion of storage, water storage. Paragraph 26. It says the Fire Marshal recommends that two additional hydrants be added; one be placed at the northwest corner, etc. I recall some discussion, and I know from other approvals, that when a well is used there's a necessity that storage—if you're not connected to a public water supply, then you have to have a storage tank to pump the water. I don't recall who brought that issue up but I don't see it anywhere in this recitation or in these conditions. Am I off base there, Roman?

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, I don't believe that that was made a specific condition of this approval and probably because this is just the master plan and I'm sure that's something that would be caught at preliminary.

COMMISSIONER SULLIVAN: Okay, so that would come up later under preliminary?

MR. ABEYTA: Yes.

COMMISSIONER SULLIVAN: But they would have to have some fire fighting storage capability?

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

COMMISSIONER SULLIVAN: Then on page—so there's no change there.

On page 8, where we as the County say, There is no significant negative impact to schools, adjacent lands or the county in general. That's paragraph 37. And we refer to the Village of Eldorado report's which of course is the applicant's report. I think there was a great deal of testimony that there was negative impact to adjacent lands. And again, this is

2002985

one where I think we should be very careful and state that the applicant has stated that there's no significant negative impact. And we're saying that a majority agrees with the applicant, but we haven't determined that there's no negative impact.

CHAIRMAN DURAN: I think that had there been significant impact to schools of adjacent lands in the county, the project would not have received approval. What's the next item?

COMMISSIONER SULLIVAN: Okay, the last item, there was considerable discussion that the process here is to more or less summarize the major element of the applicant's request and the Board's decision on major issues that were brought up by the residents, both for and against. And before we get to the conditions we have these various paragraphs that talk about these issues that came up: water, terrain management and so forth. One issue that was brought up by the neighboring commercial shopping center across the way was that previous plat provisions required that this property connect to the Eldorado Utility system and we agreed with that or not, I don't see that—and there was discussion, considerable discussion of that—I don't see that issue addressed here. It seems that issue should be addressed.

CHAIRMAN DURAN: Okay, what's your next item.

COMMISSIONER SULLIVAN: That's the last one.

CHAIRMAN DURAN: Okay. Will you accept any of those amendments?

COMMISSIONER GONZALES: No, Mr. Chairman.

CHAIRMAN DURAN: Okay, those in favor of the motion signify by—

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Yes.

COMMISSIONER CAMPOS: I'd like to ask—I need some information and I'd like to seek clarification on some of the paragraphs.

CHAIRMAN DURAN: Okay.

COMMISSIONER CAMPOS: Mr. Kopelman, number 12, page 4, talks about guidelines for the permitted uses of structures in local or small district theaters. It basically states theaters are allowed and not prohibited uses in this district. Is that an accurate statement? My recollection was that staff said that the guidelines said no theaters in this type of district.

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, I think probably more accurate language would be Establishes the guidelines. There not, just to restate Section 4.3.2, it sets forth guidelines for the top types of uses. Theaters are not included and they are not prohibited. That's really the bottom line from that section.

COMMISSIONER CAMPOS: The guideline does not expressly state that theaters are not encouraged or—

MR. KOPELMAN: They're not included in the guidelines of permitted uses but they're also not prohibited.

COMMISSIONER CAMPOS: So not explicitly. Can we clarify that, on 12, just so it's accurate.

CHAIRMAN DURAN: Well, if they're not prohibited, couldn't one say that they're allowed?

MR. KOPELMAN: You could, or you could just take out "are allowed" and just say it establishes the guidelines and structures in local or small districts. And theaters are not prohibited. You could say that.

CHAIRMAN DURAN: Okay. I'll agree to theaters are not prohibited.

COMMISSIONER CAMPOS: That's fine.

CHAIRMAN DURAN: Is that okay with you guys.

COMMISSIONER CAMPOS: Fourteen, neighborhood response, you have a finding there about signatures of neighbors who were for and against it. Is that commonly done? Is that necessary?

MR. KOPELMAN: Mr. Chairman, Commissioner Campos, I think we do this at times. I don't think it's necessary. Again, I think it's a compilation of what was before the Commission. I think the Commission can decide whether to include that or not. It's not essential, I don't think, to the decision.

COMMISSIONER CAMPOS: I would suggest that it be deleted.

COMMISSIONER TRUJILLO: What number is that?

COMMISSIONER CAMPOS: It's page 4, number 14.

CHAIRMAN DURAN: I don't think it's necessary either.

COMMISSIONER GONZALES: There's a lesson to be learned about opening up your mouth first. You're saying that it doesn't have any application to this, that there are people who file petitions, either in favor or opposed?

MR. KOPELMAN: Mr. Chairman, Commissioner Gonzales, all I'm saying is it's not essential to have it in the written decision. I think it's a question of what the Commission wants to include in your written decision. From a legal standpoint, including it, if that's the facts and that's what was presented, that's appropriate, but it's not something that's essential to the decision. I think it's something that's within the discretion of this Board as to whether to include it in your written decision.

COMMISSIONER GONZALES: My feeling, Mr. Chairman, is currently, we're going to stay with the statements that the Board found that there was a demand for neighborhood commercial services. I think there should be a basis for that decision by including the petitions where 380 signatures who say they were in favor of the project and 14 letters and a petition with approximately 66 signatures in opposition, that was a statement to me that there was a demand and a need for commercial services.

CHAIRMAN DURAN: I agree with you.

COMMISSIONER CAMPOS: Number 17, access, Mr. Abeyta, it talks about Caliente Road as being the access point. Are you simply stating that today, the access to the property is Caliente Road. Is that all you're saying there? On page 5, number 17?

MR. ABEYTA: Mr. Chairman, Commissioner Campos, yes.

COMMISSIONER CAMPOS: You're not saying that this will be the access

2002987

once there's some development. It could be—you're going to have to have a traffic impact assessment.

MR. ABEYTA: Mr. Chairman, Commissioner Campos, that's correct. The access point could change based on the details that are submitted at development plan.

COMMISSIONER CAMPOS: Is this an important finding, number 17?

MR. ABEYTA: I would defer to Legal. I don't know if it's an important finding or not.

MR. KOPELMAN: Mr. Chairman, Commissioner, I do think that preliminarily, I think it probably is material in the decision that's been designated. And you certainly could say preliminarily, or subject to a full traffic impact analysis.

COMMISSIONER CAMPOS: I'd like to have that statement.

COMMISSIONER GONZALES: I think that would be appropriate, Mr. Chairman. Because in addition to that, it may be determined by the Commission that even if they choose to use this as an access point that it may not be the most appropriate. Is that right? Depending on impacts that it might have on adjacent lands or other flows of traffic that the Commission may deem not appropriate to support the development. In my mind, I think we made that statement that this may be the access they're looking towards or the staff is but that once preliminary and final come forward, and maybe it's the decision of the Board that it's not an appropriate access because of its impacts that it might have to surrounding residential areas.

So however we make that point or if that point needs to be made, what you're suggesting whether it's preliminary, and I think that's fine but the record should reflect that that's not the access point that necessarily the Commission is directing them to have.

CHAIRMAN DURAN: Okay. Any other concerns, Commissioner.

COMMISSIONER CAMPOS: Is there, Mr. Kopelman, is that—

MR. KOPELMAN: Mr. Chairman, Commissioners, I would think the language can be changed to say preliminarily, subject to traffic impact analysis presented during preliminary development plan submittals. And then just keep it the way that it reads. I think that would be appropriate.

COMMISSIONER CAMPOS: Okay. Now going to page 8, looking at 34, 35, 36, 37 and 38, we had this discussion concerning the Santa Fe Downs project by the Pojoaque Pueblo. Basically these are all affirmative statements. It seems to bind the Commission in the future and I'm concerned about that because the preliminary assessment may be contrary to this, yet the other side may use this language against us in any litigation. And I think it just has to be made very explicit that preliminary will decide these issues.

MR. ABEYTA: Mr. Chairman, Commissioner Campos, my response would be that these are all requirements that are to be found at the master plan stage, but condition 21 on page 11 clearly states that the approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and



2002988

County ordinances in effect at the time. And then a preliminary development plan or plat must be submitted for each phase of the master plan and each development plan or plat must be considered on its own merits.

COMMISSIONER CAMPOS: I understand that, but I think this somewhat contradicts that. This is very explicit, making very specific findings, and then you go and add something else. They may be looked at as contradictory.

MR. ABEYTA: Mr. Chairman, Commissioner Campos, these are taken directly out of the Code, both the condition and these findings, are listed under the master plan approval section. So that's why staff put them in here.

COMMISSIONER CAMPOS: I would prefer better language, more explicit language.

CHAIRMAN DURAN: We can't do anything because—we can't make a decision whether there would be different language entered or not until Commissioner Gonzales comes back in. Why don't you go to the next one.

COMMISSIONER CAMPOS: That's it. That was the issue raised already before and ruled on by this Commission on the—

CHAIRMAN DURAN: Could you explain to Commissioner Gonzales what your concern is briefly.

COMMISSIONER CAMPOS: Commissioner Gonzales, page 8, 34 through 38. These make very explicit findings that seem to me could be binding to us down the road and I would suggest that we say they are subject to preliminary review and are not final. For example, 35, is the site suitable to accommodate the proposed development? We'll find that out in the preliminary. But here, it's an explicit finding. The use and intensity of the development are suitable at this location. This is an issue for preliminary. 37, there's no significant negative impact. This is something that has to be determined at preliminary and not now. We're just making a general statement on the master plan, and these things, I'm afraid, contradict other language in this decision and I'd like to have consistency and some explicit language.

COMMISSIONER GONZALES: Let me just say the question, the site has been determined by the Commission or a majority of the Commission to be suitable for commercial development. I think that the point that you bring is a good point in that to what degree and to what intensity that commercial development will be subject to lots of other information that will be coming in at preliminary. So I guess however we make that statement, I think it's important to make. I don't know if the staff was trying to make that statement by saying in fact they have been granted master plan zoning. They have master plan zoning. The site has been designated for commercial use.

I see where Commissioner Campos is coming from on the uses and the intensity of the development are suitable at the location. We don't know that. We know that they could come in and show support for the uses that they're going to propose but at this point we don't know exactly what uses will be. Is there some language that we can throw in that would state that this is all going to be subject to the support of the variety of studies that

2002989

are going to meet and still to the determination of the Commission at preliminary and final?

CHAIRMAN DURAN: Steve.

MR. KOPELMAN: Mr. Chairman, members of the Commission, I think what Roman spoke before. We have a slight problem. I think what Commissioner Campos is saying makes sense and I don't see why the language can't be modified if that's what the Commission wants, but the language in the Land Development Code under master plan does have this language in it. So that's why staff is putting it in because I think it's the magic language under the Code. Again, though, I don't see a problem if we put in language, and I think we did it under the Downs as Commissioner Campos said, something to the effect of you can say, subject to further submittals and preliminary and final development plan or subject—I don't think that's a problem either. I think you need to have language similar to this in the decision. I think it can be qualified to a minor extent.

COMMISSIONER GONZALES: I think it would be appropriate, Mr. Chairman. I'd go ahead and add the language, subject to preliminary and final approval in each of those.

CHAIRMAN DURAN: Commissioner Campos, anything else?

COMMISSIONER CAMPOS: That's it.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: In that same chain of items, number 39, and I believe Commissioner Campos was just talking about 34 through 38, 39 states that similar uses are present within the existing local/village center node. And the two big controversial uses that were proposed by the applicant; none exists there, and a pub, and none exists there. So I don't think we can make a determination that similar uses exist out there.

COMMISSIONER GONZALES: Maybe Mr. Chairman, Commissioner Sullivan, we could state similar uses with the exception of the theater and pub that were approved are present within the existing local village center node. If you want to separate that.

COMMISSIONER SULLIVAN: We could do that.

CHAIRMAN DURAN: Are we talking specifically about this local village center node? Or are we talking about local village center nodes throughout the county?

MR. ABEYTA: Mr. Chairman, we're talking specifically about this one. Staff wouldn't have a problem, I don't know if Legal would. We could strike that altogether, I'm sure. I don't know if the Board needs to make that finding or not.

COMMISSIONER GONZALES: I think the finding is an important finding, and it went to the point of why I supported the amendment in the commercial plan but I'd propose language that would insert similar uses with the exceptions of the proposed—the theater and the pub, are present within the local village center node.

CHAIRMAN DURAN: Is that acceptable?

2002990

SFC CLERK RECORDING 08/16/2004

COMMISSIONER SULLIVAN: I don't have a say if it's acceptable. Whatever the maker wants. I think it should be deleted. I think it's confusing, but that certainly is more clear than the way it reads now.

CHAIRMAN DURAN: Okay.

COMMISSIONER SULLIVAN: The other question that I had, and I don't think this can be changed, Mr. Chairman, because it's a condition which we approved at the meeting, but if you would look, Steve and Roman for a minute at page 11, condition 21. Your standard note for the master plan. The first sentence, I've got a double negative here and I can't make it work. "Approval of this master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plan cannot meet the requirements of applicable law and County ordinances in effect at that time."

So reading it backwards, if the detailed development plans don't meet the requirements of applicable law, then further approvals are likely. Is that what it says?

MR. KOPELMAN: Mr. Chairman, I don't think that's what it says. I think that it's saying is further approvals are likely unless the detailed development plans can't meet requirements. I think that's okay from a grammatical standpoint.

COMMISSIONER SULLIVAN: So what you're saying is—

MR. KOPELMAN: I don't think it's a double negative. I don't think "unless"—unless is a qualifier. It's not really a negative.

COMMISSIONER SULLIVAN: Okay, so this is a note saying that further approvals are likely but if the detailed development plans—

MR. KOPELMAN: Don't meet the requirements—

COMMISSIONER SULLIVAN: Can't meet the requirements of applicable law and County ordinances.

MR. KOPELMAN: Then they won't get the approval. Again, this is straight out of the Code, unfortunately, and this—

COMMISSIONER SULLIVAN: Right. Okay.

MR. KOPELMAN: And Mr. Chairman, if I might, I think there was a numbering problem I would just bring to your attention on page 8. As you go down, it's 37, 38, 39, then it goes back to 38. That should be paragraph 40, 41, and 42 on the top of page 9.

CHAIRMAN DURAN: Okay. Did you get all the amendments acceptable to the maker?

MR. ABEYTA: I think I have it, Mr. Chairman.

CHAIRMAN DURAN: Let's just recap it real quick. So what of Commissioner Sullivan' amendments were accepted?

COMMISSIONER SULLIVAN: How about let's try for the majority vote one?

CHAIRMAN DURAN: What do you mean?

COMMISSIONER SULLIVAN: Well, I just suggested, and Steve indicated

2002991

it wouldn't be a problem that on the first page, we say the Board of County Commissioners hereby finds by majority vote that:

CHAIRMAN DURAN: Well, I think you're part of the Board of County Commissioners whether you're in the minority or the majority. The record already indicates that you voted against it. What does the maker of the motion say?

COMMISSIONER GONZALES: That's fine.

CHAIRMAN DURAN: Of Commissioner Campos' amendments to this, which ones were they, Roman?

COMMISSIONER CAMPOS: Page 4, number 12.

CHAIRMAN DURAN: Page 4, number 12?

MR. ABEYTA: Right. That was to strike "are allowed" and we'll just put that district theaters are not prohibited uses in this district.

CHAIRMAN DURAN: Okay. Commissioner Campos, what was the next one? I think it was—

MR. MONTOYA: Mr. Chairman, page 5, number 17.

MR. ABEYTA: We were going to add that it's preliminary and then subject to detailed traffic report and other applicable standards at the time of development plan.

COMMISSIONER CAMPOS: Page 8, numbers 34 through 38.

CHAIRMAN DURAN: We're going to be clarifying to say—

MR. ABEYTA: Right. We're going to add subject to further submittals at the preliminary and development plan approval stage. On 39, we were going to except the theater and pub from the similar uses. So similar uses, except theater and pub are present within the existing local/village center node.

MR. KOPELMAN: And Mr. Chairman, just changing the numbering on page 8 and 9.

CHAIRMAN DURAN: Okay.

MR. KOPELMAN: Those are all the changes that I have.

CHAIRMAN DURAN: Those in favor of the motion with the acceptable amendments of Commissioner Campos please signify by saying "aye." [Commissioners Gonzales, Trujillo, Campos and Duran voted aye.] Opposed? [Commissioner Sullivan voted nay.] Motion carries.

I think we're going to be able to make it, but I would just like to remind the Commission that we have members from the community showing up here in the next half hour to make their presentation for CDBG grant money.

**X. D. Public Works Department**

- 1. Request authorization to enter into the 2001 Co-op program funding agreements with New Mexico State Highway and Transportation Department for the County Road 73 road improvements project**

2002992

SFC CLERK RECORDING 08/16/2004

MR. LUJAN: Mr. Chairman and members of the Commission, in the February 27<sup>th</sup> Board meeting, you passed a resolution to participate in the Co-op and school bus routes. These are the agreements and this funding is for County Road 73, which is located in Tesuque, which we'll be doing an overlay and some drainage improvements. We're requesting your approval of these agreements.

CHAIRMAN DURAN: Any questions of James?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Lujan, how much is this going to cost the County or is it going to cost the County?

MR. LUJAN: The County's match is \$81,893.

COMMISSIONER CAMPOS: This has already been budgeted?

MR. LUJAN: Yes, sir.

COMMISSIONER CAMPOS: That's 25 percent?

MR. LUJAN: That is 25 percent. We anticipate doing some of this work now that we didn't get the funding from our capital outlay, so we'll probably do some of this out of our project development, which may, we can use that as in-kind service, which is a match towards our funding.

COMMISSIONER CAMPOS: Is any of this money general fund money?

MR. LUJAN: I believe all of it is general fund money?

COMMISSIONER CAMPOS: All of it? Thank you.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER GONZALES: Second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

**X. E. Resource Development Department**

- 1. Resolution No. 2001-153. A resolution officially changing the road name of Dancing Buffalo to Camino Cerrado in the vicinity of the community of Pojoaque**

ERLE WRIGHT (GIS Coordinator): Chairman Duran, members of the Commission, you have before you another road name change. This is, the area is the intersection of New Mexico 503 and 84/285, right there along the river, that's the road up to Nambe, Nambe Falls and the back road to Chimayo. This is the road on the western part of the intersection. It was named previously by a suggestion of Pojoaque Pueblo officials. The residents of that area have come back and petitioned that we change this to

2002993

SFC CLERK RECORDING 08/16/2004

Camino Cerrado. That petition is attached. A change like this isn't really a public health, safety and welfare issue. It's really a change for convenience and that's why it's before you today. So I stand for any questions.

CHAIRMAN DURAN: Any questions of Erle?

COMMISSIONER TRUJILLO: I think we need to impress on this change that we're working with the Pueblo of Pojoaque, to partner with them to get participation from both the Native American community and non-Native American community to name these roads. So it's a good thing that there's this relationship that we're improving. There's this communication and thanks to Sam and Rudy and staff that this is taking place. Thank you, Erle.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER GONZALES: Second.

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

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: The name of Camino Cerrado would be Closed Road?

MR. WRIGHT: That is my understanding.

COMMISSIONER TRUJILLO: It is a closed road. It's a dead-end road.

COMMISSIONER CAMPOS: It's a County road?

COMMISSIONER TRUJILLO: Yes.

COMMISSIONER CAMPOS: So they just want to tell everybody it's a closed road?

MR. WRIGHT: I suppose. We don't really question what the petitions are unless they're totally inappropriate.

COMMISSIONER CAMPOS: Is it appropriate to change names frequently? That would be a problem for the postal service, I would assume. Would it be a problem for the postal service just to change names?

MR. WRIGHT: Chairman Duran, Commissioner Campos, as long as we make the notifications, it should be okay. The residents are fully behind this. In situations like this, what I encourage administratively on our end is to try and get a unanimous petition together so that the entire property owners and residents along that road are in agreement before we bring it to you because you guys have enough trouble. You don't need a road name issue to discuss in a public hearing format. Ideally, we want them coming in, and we've had that agreement. We actually didn't get anything in writing from Pojoaque Pueblo on this. We had asked for that, but our understanding is that they are in total agreement with this, because of Sam and Rudy's work on this. So I don't know if that answers your question.

COMMISSIONER TRUJILLO: This is the second time that this road had

2002994

changed. What the Pueblo did is they, in the community of Pojoaque, Pojoaque Pueblo named all the roads without any participation from the non-Native American community. So thanks to Sam and Rudy they opened the lines of communication. We've got discussion going, and they agreed that they would accept participation from the non-Native-American community to name these roads. I consider that refreshing and enlightening and I would support it 100 percent, because it solidifies the relationship in the valley between the Native-American community and the non-Native American community.

COMMISSIONER GONZALES: Move for approval.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER TRUJILLO: Second

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

**X. F. Sheriff's Office**

**1. Request authorization to enter into a lease agreement for rental of office space for a Region III satellite office in Española**

TONY FLORES: Mr. Chairman, members of the Board, as you are all aware, the Region III drug enforcement task force is located within Santa Fe County or Santa Fe County serves as the fiscal agent for that task force. The task force is comprised of Santa Fe County, Los Alamos County, Rio Arriba County and Taos County as part of the Region III efforts. The funding is through the Department of Justice, Bureau of Justice Assistance program.

As you're aware, the procurement code has an exemption for federal monies that are funded through Department of Justice programs for drug enforcement. As a matter of policy though, since Santa Fe County does ask as fiscal agent for Region III, Region III is still bound by our local policies and procedures and as part of the sub-grant agreement that they have with the Department of Public Safety, they are required to follow our local procurement policies, which in this case, lease of real property is not a requirement of the procurement code per se, but the contractual obligation is something that we review.

The Region III coordinator, Mr. Ralph Lopez is here today requesting authorization to enter into a lease agreement on a month-to-month basis for a satellite office located in Española. For security reasons of course, Ralph is very adamant about not divulging the exact location of that task force satellite office and that's why we're here before you today.

CHAIRMAN DURAN: Any questions of Tony?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I understand the discussion in the memorandum here, I think what you're saying is that we don't have to abide by the

2002995

SFC CLERK RECORDING 08/16/2004

procurement code because it's capital or space or it's not a service but just from the standpoint of reasonableness, were various other possible rental spaces looked at in this process?

RALPH LOPEZ: Mr. Chairman, Commissioner, no sir, they weren't, because we were trying to obtain a rental space on a month-to-month basis and basically that's because our funding is on an annual basis and we're really not sure whether we'll be funded the same amount the next fiscal year.

COMMISSIONER SULLIVAN: I'm a little confused still. If you didn't talk to anyone else, how would you know that there wasn't any other place available on a month-to-month basis.

MR. LOPEZ: Through the New Mexico State Police assigned to the Region III, narcotics task force, we are familiar with Kelly Armstrong through Cook's True Value Home Center. And when you would be, to put it bluntly it was a safe location for a satellite office.

COMMISSIONER SULLIVAN: I think we're getting back to a discussion we had at a prior meeting about sole source. So it seems that you feel that this particular location had specific safety components to it that you felt were important, in addition to the ability to lease it on a monthly basis.

MR. FLORES: Mr. Chairman, Commissioner Sullivan, as I stated earlier, this is not a procurement issue. Sole source deals with a procurement issue. Real property is not, the procurement code does not apply to the acquisition of real property, lease or otherwise, other than the provisions and the guidance of the Abatement Act, which we have to follow. So I am concerned about the use of sole source, because that is dealing specifically with the procurement code, which this is exempt from.

COMMISSIONER SULLIVAN: I think maybe you're maybe saying it's not a procurement code issue. I would disagree that it is a procurement issue. I think we want to be sure that the County expends its funds in the most prudent way and that it gets the most competitive price for the services and spaces that it contracts for. So I don't—this may well be the best and the most ideal location and also the most competitive rent, but whenever we only investigate one provider, it always seems to raise a red flag, at least to me.

MR. FLORES: Mr. Chairman, Commissioner Sullivan, if I may, this is not County funding for this lease space. This is federal monies that are flowed through us due to the Department of Public Safety. The match portion of the County's funds is strictly for personnel costs. The other accessory items like rental of space, vehicles, confidential informant money, those types of things, are not County funds. They are flow-through to us from the Department of Public Safety, who receives that through an approximately \$4 million grant from the Bureau of Justice Assistance program in Washington, DC.

CHAIRMAN DURAN: Commissioner Sullivan, I'm going to have to ask you to get to the point. Are you suggesting that they may be violating the procurement code here?



2002996

SFC CLERK RECORDING 08/16/2004

COMMISSIONER SULLIVAN: No, I think the staff has made the point that because it's retail space, their opinion is that it doesn't come under the provisions of the procurement code.

CHAIRMAN DURAN: So there's no violation of the procurement code. Is that correct, Tony?

COMMISSIONER SULLIVAN: I didn't suggest there was a violation. I just said—

CHAIRMAN DURAN: Okay. You guys aren't doing anything shady out there, are you?

COMMISSIONER SULLIVAN: I just said it was not good policy to get only one quote on a deliverable item when there's other providers that may be available. Now, maybe they weren't. Maybe if you contacted confidentially four or five and found that those spaces were not appropriate or too expensive, then we would have done due diligence in that regard. But I think it sets a bad precedent not to do that investigation.

CHAIRMAN DURAN: Is the amount that we're paying for this space within the market? Is it market rent that we're paying out there? Are we paying more than the market? Are we paying less? I hope you tell me we're paying less.

MR. LOPEZ: Mr. Chairman and Commissioners, we're paying \$13 a square foot including utilities.

CHAIRMAN DURAN: Including utilities.

MR. LOPEZ: Yes sir.

CHAIRMAN DURAN: And how does that compare to other spaces in the area?

MR. LOPEZ: In the area, we didn't look, but in comparison to Santa Fe County it's practically half of what we looked at in Santa Fe County, when looking for a regional office.

CHAIRMAN DURAN: How quickly do you want to open up this office?

MR. LOPEZ: As soon as possible.

CHAIRMAN DURAN: And you're on month-to-month.

MR. LOPEZ: Yes sir.

CHAIRMAN DURAN: And you anticipate—how long will you be there?

MR. LOPEZ: Well, our grant period ends in June and hopefully we'll get funded the same amount again so we can continue operations.

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

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: Understanding Commissioner Sullivan's concerns, I think we need to give impetus to this project so I would recommend approval of the lease for rental office space for the Region III office in Española.

CHAIRMAN DURAN: I'll second that. Any further discussion? Commissioner Gonzales, so the motion is to approve the contract for the lease space. Those in

favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

2002997

X. G. County Manager's Office

2. Request approval of proposed management structure reorganization for various County departments

MR. MONTOYA: Mr. Chairman, members of the Board, good afternoon. Mr. Chairman, I come before you today to bring a management reorganization that I have been working on along with several of the senior staff members for some time now. Mr. Chairman, there are some hand-outs for you and also we have a visual here on the wall.

Mr. Chairman, the short and long of this presentation is that I'm proposing changes in four respective departments: Resource Development, creating a new department called Administrative Services, changing some of the functions in community and the Health Department and some staff changes in the County Manager's Office. Mr. Chairman, I've provided a one-page synopsis of the changes which goes to these four departments and I would like to focus on the organizational charts, I think that would be the most simple way to do this, Mr. Chairman.

COMMISSIONER GONZALES: Did you give us hand-outs?

MR. MONTOYA: Yes, Commissioner Gonzales, they should be on your desk.

Mr. Chairman, if I could, I would like to start in the order that we have on the one-page hand-out that starts with Resource Development, if we could go that chart first. Mr. Chairman, the title on the flow chart that you have on the desk is called Project and Facilities Management Department. That would be the flow chart that you would have in front of you, one of the four flow charts presented to you.

CHAIRMAN DURAN: The top of the page reads—

MR. MONTOYA: I think we're having trouble coming up with it on the wall here but—

CHAIRMAN DURAN: I think we're having trouble finding it here. I don't see anything that says—

MR. MONTOYA: It should say Project and Facilities Management Department on the top of the page. It's one of the four flow charts that you have.

CHAIRMAN DURAN: Okay. I got it.

MR. MONTOYA: That's it, Mr. Chairman. The original name of this department was the Resource Development Department. I'm suggesting that the department change its title to Project and Facilities Management. Let me explain why that recommendation works from a management perspective. The intent of all of these reorganizations, Mr. Chairman, is to attempt to put logical functions under one department that relate to one service area. In this respect, Mr. Chairman, we're trying to move all issues relative to facilities development under one manager, under one department. So in a nutshell, what I'm proposing here, Mr. Chairman, is that we do planning, design, construction and maintenance of County

facilities under one director.

2002998

I'm proposing that the department director for this new Project and Facilities Management Department be Mr. Vincent Ojinaga. That we create under this department a new division director who would be titled the Project Development Division Director. The job of this individual would be to create, structure all of the scopes of work relative to all of the funding projects that we have for construction of County facilities. Let me be more specific. We received funds from several funding sources. The legislative session provides funding to the County for different issues relative to programs from road development to construction of new facilities. This manager would be focused on managing those dollars.

We also have bond proceeds that come to the County to construct, as an example, the Public Works facility, the Public Safety facility. We're buying COLTPAC properties. Those will require some facility construction on those properties. We also receive funding from grants, different grants that the County applies to for different initiatives. We are also spending money from the general fund, from the capital outlay, projects that the County Commission approves on a yearly basis.

Now, the new division director, this Project Development Division Director would be in charge of preparing all those scopes, preparing the RFPs and he would have a new project manager under him, so that would be a division director and two project managers. The issue here, the reason we're proposing two additional FTEs is because the work load has become phenomenal in this area and in order to keep the reporting requirements done on a timely basis, in order to keep the budgetary elements moving, in order to keep the reimbursements coming back to the County for grant that have to be spent prior to reimbursement, in order for all those things to occur, in order for us to meet threshold, as an example on CDB programs, this department would be solely responsible for that function.

So we're talking about one section of this department does maintenance, the other does planning, the other develops and remodels our facilities. Mr. Chairman, that's the general gist of the remodel or the restructure, if you would, of the Project and Facilities Management Department. I'll stand for questions on this one and then move to the second.

CHAIRMAN DURAN: Commissioner Gonzales.

COMMISSIONER GONZALES: Mr. Chairman, Sam, you said it when you said this department is taking on some enormous responsibilities. When you consider the fact that the number of properties that we have, the fact that we still need to figure out where we're going to grow from here, consider the fact that we're putting parks operations, and that's several thousand acres of parks management under this division and the need to be able to identify recurring sources of funding to make the parks available to the public, which is why I believe the public supported these efforts, and then to take on the issue of CIP, which is all the new construction projects, this is a division that's handling multiple sources of funding and has the challenge of having to find funding that really isn't there for key critical departments.

Is two new positions enough for all of that? It seems to me like we need—my concern is that we set up this department to fail by not giving it enough support to meet all the goals that we have here.

2002999

SFC CLERK RECORDING 08/16/2004

MR. MONTOYA: Mr. Chairman, Commissioner Gonzales, thank you for that observation. I am recommending to you two FTEs in this department for two reasons. First of all—

CHAIRMAN DURAN: Which department is that?

MR. MONTOYA: This is the existing Resource Development Department, now will be the Projects and Facilities Management Department. That is the department we're hoping to restructure here.

CHAIRMAN DURAN: Okay, so the two are the parks operator—

MR. MONTOYA: No, the new positions, Mr. Chairman, would be the Project Development Division Director, that's a new job, a new division director, and an additional project manager. That would be on the far extreme right side of the structure.

CHAIRMAN DURAN: We already have, the parks operations is already—

MR. MONTOYA: Well, Mr. Chairman, the reason that we are giving parks a home, as you'll recall, as we've been buying \$20 million worth of properties when we're done, we have no mechanism to maintain those facilities. That is a major challenge that the County has now. We're creating a Parks Division here, or a parks initiative under this department so that we can begin to determine and develop a plan to deal with all of our park systems.

CHAIRMAN DURAN: Okay.

MR. MONTOYA: That did not exist. It sits currently, today, it sits at the Land Use Department, which is not the appropriate venue for this type of an initiative.

CHAIRMAN DURAN: I'm sorry. I didn't mean to interrupt. Why don't you address Commissioner Gonzales' comments.

MR. MONTOYA: Mr. Chairman, with pleasure. Commissioner Gonzales, I was stating that the reason we have recommended only two FTEs here, there's two reasons for that. First of all, we feel from an internal perspective, and I have met with every project manager and every department director that is affected by this reorganization, shared with them what I'm proposing here. They, and Mr. Ojinaga does agree that this gives him a fighting chance to do this job correctly. There might be a necessity to augment in the next fiscal year we might find that we need an accountant or a financial type in this department to keep up with all of the paperwork that I mentioned earlier. That might be a strong possibility. But for now, we feel that given two new FTEs in this department they can handle the load.

Secondly, the second reason that I'm only proposing two people is because we want to have this restructure contained financially. In other words, I'm not coming to the Board and asking you for additional monies to fund these FTEs. This money is coming from other savings, from other initiatives that the Board has already acted on, namely, the contract with the federal lobbyist is one of the issues we've brought to you. You agreed that we should terminate that. Those savings are going to go to fund a lot of this restructure.

We are also utilizing some of the bond proceeds that we are able to tap for administrative services. We'll be tapping some of that bond money to pay for the project manager under the new division director.

COMMISSIONER GONZALES: Could I just ask you some questions on that?

2003001

I was under the understanding that the federal savings, the contract money, was going to stay with the RPA, that it was not going to be used for this to honor our MOU.

MR. MONTOYA: Mr. Chairman, Commissioner Gonzales, at the last meeting when we brought up the issue of the RPA contract, we did indicate to the Board that we would set aside some money for consultants if needed, if we were to hire an additional lobbyist type for specific issues. But I also mentioned to you that in the restructure that follows in the Manager's Office, we're going to focus quite specifically on legislative issues and we feel that that function and that direct input into that initiative should cover that commitment.

COMMISSIONER GONZALES: Okay. That makes sense. Let me just ask you a question, on to the issue of—this might, I agree with what you're saying. We've got to do the best we can to live within the budget, and I also agree with what you've thrown under this new Facilities and Project Management Department. I think it makes a lot more sense under this than anywhere else. Let me ask you this question though. In Public Works, do you have a budget person that's assigned out there?

MR. MONTOYA: Yes, Mr. Chairman.

COMMISSIONER GONZALES: And then in the Sheriff's Department, do we have a budget person that's assigned there?

MR. MONTOYA: Yes, Mr. Chairman.

COMMISSIONER GONZALES: So I guess my concern is that if we've made the commitment to some of these larger departments with a cross-cutting section of funds and lots of different things going on, is there not somebody in Finance now that we could allocate to this department to assure that we don't get into any financial missteps as we try and build a parks operation, be involved in CAP or is what we have in place today sufficient to cover what their needs are going to be.

MR. MONTOYA: Mr. Chairman, Commissioner Gonzales, the first answer is no. We do not have anyone in the Finance Department that we could move over. Secondly, when we structure the job description for the project manager, the second project manager, we're going to look for someone that has financial expertise.

COMMISSIONER GONZALES: Oh, good.

MR. MONTOYA: Any other questions on this particular restructure on this department?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Montoya, how much are these two positions going to cost us, with benefits and all?

MR. MONTOYA: Mr. Chairman, we propose that the Project Division Director would be at approximately \$23 per hour and we're proposing that the new project manager would be at \$20 an hour.

COMMISSIONER CAMPOS: The project manager under the Project Development Division?

MR. MONTOYA: Yes, Mr. Chairman, that would cost, with benefits,

2003002

\$66,000 and the project manager would cost \$57,000 with benefits.

COMMISSIONER CAMPOS: I think we had a short discussion generally about this issue. My concern is that every time we reorganize, we seem to be adding more and more positions. This whole conversation started with the policy analysts and we were hoping to maybe save some money but it seems like we've just renamed positions and I'd like you to address that when we get there.

MR. MONTOYA: Yes, sir. I will answer that when we get to the County Manager's Office. Mr. Chairman, again I want to point out that we are proposing these restructures in a self-contained way. We are not asking for any additional appropriations.

COMMISSIONER GONZALES: Mr. Chairman, I would just add we ought to also keep in mind that the business of the County is growing as well and to the degree that we need to grow our staff to support those business need is I think reality. And we're involved in lots of different areas and it seems to me, at least as the manager has discussed it with me and I know he's discussed it with others, trying to create a reorganization that will meet everything that this County is obligated to doing. And so to the point of the Project and Facilities Management, my view is I think it looks great.

I just want to make sure that we monitor it closely, that this is not an area that we want to necessarily see, especially one of my own favorite projects being the open space lands and me really wanting to see that these lands become available to the public. I just want to make sure there's enough—I guess this is more to Mr. Ojinaga than anyone else, that there's a large commitment made to make sure that that becomes a reality very soon and that we apply whatever resources we need to get these lands open to the public and that we have a proper maintenance schedule to keep them safe. I think that's absolutely critical.

MR. MONTOYA: Thank you, Mr. Chairman, Commissioner Gonzales. Are there any other questions on this particular —

CHAIRMAN DURAN: Please go on to the next one.

MR. MONTOYA: I'd like to move then to the Administrative Services Department. Mr. Chairman, this is a new department that I'm proposing to create simply again to focus on taking functions that relate to each other logically and putting them under one manager under one department. I'm proposing here Mr. Chairman, to create the Administrative Services Department under Helen Quintana who is our current Human Resource Director. Under this department we would have Human Resources, we would have information technologies, which is currently under Mr. Ojinaga. We would move that over to this particular department and we would have safety services.

We have funded the safety position in the budget this year. We've not filled it yet, but we're proposing to do that. The proposal before you, Mr. Chairman, the intent of creating this new department is to focus on services that are provided to every department under one facility or excuse me, under one department director. If you look at the structure of Human Resources, we provide payroll and personnel actions to every single department in the County, information technologies, MIT, GIS, IT, provide information, computer services and support to every single department and the safety director or the safety coordinator will provide safety initiatives,

2003003

discussion, training, analysis of safety issues to every single department as well.

So the intent here is to put all administrative services under one director and to make that function as efficiently and effectively as possible. I stand for questions on that one, Mr. Chairman.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Question for Mr. Montoya. You have one box that is titled safety services, but you have nothing coming down from that box.

MR. MONTOYA: Mr. Chairman, Commissioner Campos, we have in the current budget one position funded for a safety coordinator. That would be the individual under the safety services box.

COMMISSIONER CAMPOS: That has already been funded?

MR. MONTOYA: Yes sir. That is in the current budget. I also want to point out that this restructuring here does not cost any additional money

COMMISSIONER CAMPOS: That was my next question.

MR. MONTOYA: This is simply a logical move of segregating different functions under one department that have logical connections to each other.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: I have a question, Sam. Do you foresee at some point in the future GIS being its own department?

MR. MONTOYA: Mr. Chairman, that is a very strong possibility. The degree of growth in that department and the requests that come to the department for services and for support grow by leaps and bounds annually. I think that is one of the most progressive departments that we have. Look at the maps that were provided to you on the redistricting yesterday. An excellent example of how the County has come now to the cutting edge in information technologies. So to answer your question, Mr. Chairman, I think that's a very strong possibility in the future.

CHAIRMAN DURAN: Does this reorganization that you're proposing today prohibit us from making that its own department or creating our own GIS department at a later date?

MR. MONTOYA: It does not preclude that, Mr. Chairman.

CHAIRMAN DURAN: Does GIS, if we do that, is it, would it function properly without MIS under it? I just need some help understanding. I know they work together but can GIS work independently as its own department and still have MIS under the information—under the structure that you're presenting to us today?

MR. MONTOYA: Mr. Chairman, I think there's some great value in keeping them together because they complement each other in so many different ways. Although their functions in respective fashions are very distinct, they do complement each other quite distinctly and they're computer-based mostly. As you know, we're going to try to bring new technology even to the bench for the Commissioners whereby we go paperless and go direct to computer monitors instead of so much paper management as we do currently. That's our next step.

2003004

SFC CLERK RECORDING 08/16/2004

CHAIRMAN DURAN: So just help me for a second here. The GIS department, if at some point in the future we separate it out by itself, because it's not attached right now to MIS at all, right?

MR. MONTOYA: Mr. Chairman, there currently attached now under the Resource Development Department. We're proposing here that they have respective designations as they're broken out into separate boxes. Because GIS, as an example, provides the rural addressing program, which is about 40 percent done, the Commission made another commitment to try to finish that off this year, we're going to try to focus on those things, but it will require maintenance in the future. But again, my position would be that at the current time it would be most beneficial to keep them together under one umbrella.

CHAIRMAN DURAN: So our Rural Addressing program is taken care of by our GPS technicians?

MR. MONTOYA: Yes, that's correct, Mr. Chairman. Under Mr. Wright.

COMMISSIONER GONZALES: Can I ask you a question along those lines, Sam. I guess in most organizations that I've seen that the IT department and specifically the IT GIS are separate departments answering to either executive director or County Manager or whatever it might be. Is there a reason why we would not elevate the IT and the GIS to a department level status because of the role that we're asking both departments to play in the future. There was a huge commitment made to the IT area in terms of trying to, as you indicated, go to more of a paperless type way of doing business, streamline videoing, communicating more with the public, just the way we do business. I think that it's going to be a big issue along with GIS. I agree with you. I think they should stay together. I don't think they should be apart.

But in your deliberations, in your considerations, why would we not have them as their own departments, basically working with the County Manager and the Commission as opposed to this layer under Administrative Services. And one more thought, so I don't forget. Because to me, Administrative Services is like an internal affairs department. They exist to provide support to the agencies that exist within County government. Whereas GIS and IT do that as well but they also are providing external information to the public and to other agencies out there and so it seems to me that in some respects, they fit under an Administrative Service calendar or umbrella. There are many other services that they can or potentially will be doing that are meant to service the public.

MR. MONTOYA: Mr. Chairman, Commissioner Gonzales, the reason that I'm proposing it this way is because the IT department and the GIS department in this County are relatively new initiatives. I feel and probably have conjectured that these departments will be freestanding and will manage their own business separately and compliment the entire County structure at some point in time and probably even within the next year or two. But Mr. Chairman, I'm proposing that we try this new initiative with this restructuring to test our ability to manage it under this Administrative Service umbrella.

If we find that we are moving to another level, or there's commitment to the Board to go to another level in terms of IT and GIS and MIS, then I would work with the Board to make



2003005

SFC CLERK RECORDING 08/16/2004

sure that we're able to expedite that and we'd create a structure that works more efficiently. At this point in time, Mr. Chairman, this is kind of a trial run, a test run, to see if we can make all of these administrative functions work under one roof. And that is why I'm proposing this. If we find that IT is growing out of the seams of this particular department, then most likely, Mr. Chairman, I would be the first to recommend that they go on their own.

COMMISSIONER GONZALES: I'd like to, and I support you in what you're wanting to do here and I think it's better to crawl than to run. However, I do think the IT function has grown to a large component. Seven years ago we had five PCs Countywide. Now every County employee has a PC. We're wired. We have a website. We're wanting to be more interactive today. We've authorized the sale of bonds over the Internet. All those things that are moving the County into this whole information age. What I'd like to suggest, Sam is to the Commission is that we allow this to go on for maybe a period of six months but that you come back and prepare for us, at least six months, some method or proposal that would really elevate them to the status where I think they should be at this point, and that is at a department level, but you're much more wiser in this position than I'd be, so I want to support what you're saying in this area but I do think we need to work to bring in the GIS and the IT departments. I think they should always stay together. I don't think they should be separate but I think they need to be elevated up to where they can really genuinely have that department status, that important status that is very critical to moving the County into this whole new information age where we can recognize all the efficiencies that technology can bring to our government and look for ways that we can further communicate what we're doing here to the public.

Maybe it doesn't have to be in the form of a paper. Maybe this can be done now under this department but I would just ask that we give it a six-month trial balloon as you're calling it and we're prepared to move forward to department status in a six-month period if we see that they can handle that.

MR. MONTOYA: Mr. Chairman, Commissioner Gonzales, I appreciate the input and would accept that challenge as well.

CHAIRMAN DURAN: I agree with Commissioner Gonzales. I think it needs to be its own department at some point. Where I really have some concerns is I don't understand the rationale behind putting it under the personnel department. I know you're calling the personnel department something else but it really has nothing to do with the personnel department at all. It has to do with, in my opinion, providing services to the community. We used to have it under the Land Use Department. We moved it then over to Corky's department and now we're moving it to this department.

I think what Commissioner Gonzales has stated is correct. This technology is moving so quickly and we are actually behind the program here. We're way behind the curve, I think. At some point in time I think it will be its own department and I'd like for us to consider moving toward that direction some time soon. Could you -- right now the personnel department?

MR. MONTOYA: No, Mr. Chairman. The personnel department functions

2003006

under the Resource Development Department now, under Mr. Ojinaga. I want to move all of the administrative functions under one umbrella. That's why I want to move Human Resources there, IT, MIS, GIS, and safety. That's the intent of moving all of these administrative functions under one department director. These are all functions that go to all, that service every single department under the County.

So logically, these functions should be together under one director. That is the premise of the reorganization and that's why I'm recommending this. I agree that in the future, there could be a possibility that IT could be segregated and be free-standing, and GIS and MIS might go with it, but at the current time, I would like to try this initiative to see if it works and if it becomes more efficient. If it doesn't, Mr. Chairman, I will be the first to come and recommend to you that there's a change required.

CHAIRMAN DURAN: My only concern, Sam is that I think that the department heads should be familiar with the product of that department. And I'm not sure what our Human Resource Service Director knows about GIS or MIS. I thought that she was hired for her skills in the human resource area, not in her skills of GIS and MIS. So my only concern is that we're putting under the personnel department, the Human Resource Service Department, and I'm not sure it's an appropriate place to put it.

Why don't you just get back to us in six months and see how it's working and let us know.

MR. MONTOYA: Mr. Chairman, I would appreciate the latitude to try it, and if it doesn't work, I'll bring it back and recommend a change to you. And I agree with you that department directors should be functional in all areas that lie before them or under them. The one important point that I want to make is that we have some exceptional division directors that simply are cutting edge in all of these areas and that is why I do not feel that we would have any kind of loss in terms of the efficiency of the operation.

CHAIRMAN DURAN: My last comment, and I agree with you entirely, and it might be time for these division directors to become department heads.

MR. MONTOYA: That's also very possible, Mr. Chairman.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I'd just like to say, Mr. Montoya, I think it looks good. I think the idea of having Administrative Services look good, and the four areas seem to be very connected, and I think it's a good idea.

MR. MONTOYA: Thank you, Commissioner. Mr. Chairman, are there any other questions on this? I'll move to the third. Mr. Chairman, I'd like you to look at the Community and Health Development Department. The key again to this reorganization, Mr. Chairman, is to solidify under one manager social service programs, health programs, and community development programs. We have done that in this restructure. We have removed economic development from this department. That is what has been extrapolated to another area. And I'll cover that in my next presentation.

Here, Mr. Chairman, we would continue to have this program under Mr. Anaya. He

2003007

SFC CLERK RECORDING 08/16/2004

would have community development initiatives, which involve housing and the new initiatives we have under Section 8 and the home sale program. Then social service programs that provide services directly to individuals. Then on the other side, we would have a division director for health. This is a monumental area of concern and support that the BCC has over and over again indicated to the administration needs to be elevated to another level. By creating a health division, we've done exactly that under this department.

We would have an indigent coordinator under this division director. We'd have the DWI program, the CRAFT program, all of the other issues or programs that we're currently managing. But we would basically narrow the function of this department to three particular areas. Community Development, which is basically housing, social services programs to individuals and families and health. Mr. Chairman, that's the general gist of this proposal.

Again, self-contained in terms of funds. The indigent coordinator, we're proposing that that would come from the MOU or the MOA with St. Vincent Hospital and that would be an area that we do have some funding for. We are very cognizant of the fact that every time we had individuals that come from the MOA or the MOU with St. Vincent that it somehow impacts the cash reserve and we're keeping our eye on that issue and feel confident that this recommendation would not hinder that in any major way. I'll stand for questions, Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER GONZALES: Sam, I think this is great. I appreciate the fact that the County is moving into this area. I think that it's an area that we should be in and I think that the team that we have in place is doing a great job. I guess I'd ask that, and maybe we could have given this direction when Robert was here that there be some type of analysis or some type of review by you as to whether we should move the housing department, begin to move it back out where it's more semi-autonomous than what it has been recently. I know we sent Robert in to clean it up over the last four—how long have you been doing this, Robert? Six years maybe.

It's claimed, I'm assuming that we're under some great status by Housing because I haven't seen any bad letters. It may be time now that we reached out to some community members to start serving on this housing board that was in place prior to the Commission taking this thing back over. So I'd like to ask you and Robert to do a review of that and report back to the Board as to a recommendation you would have, whether we're ready to begin to move it back out where it's on its own and out of the County purview or if it's better to keep it here for reasons that you guys will know more so that we will know.

I'd also like you to give consideration as to whether it's appropriate to now move to creating a housing board that could come from people who live in the housing areas. We're moving into areas where we're providing new home ownership. It may be appropriate to have people from those areas as part of the board advising the Commission and Robert and yourself as to what we can do more to serve the community in that area.

MR. MONTROYA: Very good, Mr. Chairman. We'll prepare that.

COMMISSIONER CAMPOS: Mr. Chairman.

2003008

CHAIRMAN DURAN: Commissioner Campos, then Commissioner Trujillo.  
COMMISSIONER CAMPOS: How much more is this going to cost us, Mr.

Montoya?

MR. MONTOYA: Mr. Chairman, the only hit that we're looking at here is the indigent coordinator.

MS. MILLER: Mr. Chairman, Commissioners, I handed out a spreadsheet on how the funding of this reorganization could be done without impacting the general fund's bottom line or any of the other funds. The first thing is, as the County Manager has stated is that the funds that are released from the lobbyist's contract would be used to fund the general fund sources or expenditures. So the County Manager's current budget for salaries and benefits is on that first page, and then where the funding comes from.

As you can see, about \$335,000, and this doesn't include benefits in this chart, just for simplicity sake. They're about 38 percent of that number, an additional 38 percent. But \$335,000 is general fund, and \$55,000 if you look under the column budgeted annual salary is out of the EMF health fund for a total of \$389,000. By moving the health issues into Robert's department, currently, the budget in the County Manager's has .75 of one of the policy analysts from the health fund and .25. We're recommending actually, pulling that money back into the EMF health fund and that the coordinator and the administrative assistant on the health issues under Robert's department would be paid with that money, going back to that area, and those duties would be removed from the manager's office, thereby allowing a half of a position of a policy analysts position to be freed up. And then only one quarter of a half of a position, so like an eighth of a position for lobbying efforts and what not, would be funded in the Manager's office from the health fund. That's what that first sheet shows.

Basically, the total reduction to the Manager's annual salary budget would be \$54,000 in order to do that. The second sheet as it shows in the top, in that top square, \$105,000 of recurring revenues would be freed up by not having the lobbyist contract and that next section is the facilities division, the new positions. There'd be a new division director, and then there's the current project manager that would move over from Robert's department and then the project manager, the second project manager, which would be a two-year term position, because that position would be half-funded in that next section with bond funds at \$12 an hour.

If we issue more bonds then this position could continue if we find that we don't have any construction project, it could then end at the end of two years, when most of the funding that we currently have would run out.

The general fund, from the lobbyist contract would put almost \$89,000 into the facilities division, \$34,000 from the bonds and then there's currently \$60,000 or \$61,000 already budgeted. As you can see, that last little section are to replace the policy analysts' salaries by pulling out money we'd need, just \$10,000 of the lobbyist contract money into the salaries. We'd need approximately \$5,000 for a possible adjustment for the Administrative Services Director for taking on additional duties and then the project management at about \$88,000, \$89,000. We also have to build in the cost of living increase that we've already approved for January at three percent for those new positions.

2003009

So that would be a total of \$104,000 out of the \$105,000. Then the last page for the reorganization under Robert's department, bringing the money back out of the Manager's Office into that, into the EMF health fund, plus what was already budgeted because we had budgeted some money anticipating that there would be someone to do MOA coordination. It's actually sitting in a facility line item. We'll have to move it to the proper line item. We just didn't know if it was going to be a position or a contract or what. So that has not been obligated and that's \$58,000.

So there's \$119,000 available to cover \$103,000 worth of expenditures. So all of those could be done without affecting the bottom line or having to budget any additional revenues.

CHAIRMAN DURAN: Any questions of Katherine or Sam?

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Trujillo.

COMMISSIONER TRUJILLO: We had talked about a Native American ombudsperson position. Does that position fit into this structure, or are we going to have to budget for that during the next budget cycle?

MR. MONTROYA: Mr. Chairman, there is a possibility that we could begin that process. We do have some consulting money set aside that could be utilized for that purpose. However, in the reorganization of the County Manager's Office, Mr. Chairman, if I could go to that piece, I think I could answer your question more specifically. Are there any other questions on the Community and Health Department?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Sam or Katherine, two questions. One, the \$105,000 that we're transferring over is currently a contractual expense but when we rebudget next year it's going to become a recurring item. That is assuming we don't do any congressional lobbyists next year. So I think we want to, and correct me if I'm wrong, be certain that although we're seeing this as a wash now, we're kind of robbing Peter to pay Paul here, that come next year, we've obligated ourselves to that next higher level of the administrative salaries. Am I reading that correctly?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, the lobbyist contract is funded, it was last year at \$120,000 and this year at \$105,000 and it is backed with a recurring revenue, and this is a recurring expenditure as well. We had treated the lobbyist contract as a recurring expenditure. So the type of funds used, recurring, are also the type of expenditure. It does bring along with it, as any position, the slight increases with the cost of living and benefits that would come year after year.

COMMISSIONER SULLIVAN: I guess the position I just want us to all be clear about is that more or less, if our revenues were level, it would more or less preclude us from doing a lobbyist next year, if we decided to do it, because we've bought the farm with this. I'm not saying that this isn't a better expenditure, I'm just saying it does preclude that option and I see it particularly in light of the fact that we just talked recently here about setting up reserves for a \$300,000 gross receipts tax to anticipate that our gross receipts may be less

2003010

SFC CLERK RECORDING 08/16/2004

than what we budgeted because of the economic decline that we're seeing. So I don't think we can look forward to seeing large increases in our revenues next year.

So we do seem to be kind of de facto deciding that next year we probably won't have a lobbyist.

MR. MONTOYA: Mr. Chairman, Commissioner Sullivan, really, it's dependent on how our revenue stream does come in next year, but from a conceptual standpoint, you're right.

COMMISSIONER SULLIVAN: Okay. I just wanted to get that across. And I haven't seen any real substantive benefits from the lobbyists, so I'm not advocating the lobbyists, but I just wanted to be clear on what we're deciding on in advance of the next fiscal year here.

Then my second question was, other than these departments, have you looked or do you plan to look at Land Use and Public Works? Do you see any efficiencies or any reorganization benefits in the near term that might come at a look at those departments?

MR. MONTOYA: Mr. Chairman, Commissioner Sullivan, that's my next task to look at both of those departments.

COMMISSIONER TRUJILLO: I guess, Mr. Chairman, the direction that I would like to give is to get started and use the monies that are available to create that Native American position as soon as possible. I think you said that there were some monies available. That we get started on that as soon as possible.

MR. MONTOYA: Mr. Chairman, if there are no additional questions, I would like to go into the Manager's reorganization and try to answer that question more specifically and try to be brief at well.

CHAIRMAN DURAN: Just remember, Sam, we have the CDBG people here.

MR. MONTOYA: Mr. Chairman, very quickly, what I've attempted to do here is focus the—I received the direction from the Commission to look at the policy analysts' positions and to try to make them more efficient and also to make them focused on particular areas of concern. This reorganization does that. Mr. Chairman, I would propose to you that we create intergovernmental services, that we create legislative services, that we create correctional services and administrative services under the County Manager's Department. These are the current policy analysts' positions. The titles that I've just read to you would be the specific areas that they would cover.

Under intergovernmental, this individual would work directly with all of the state, local governments surrounding us regionally. The tribal governments work with the community organizations, the neighborhood associations, trying to get more of a connect with the community in general by having meetings in every district of the County Commission to listen to particular issues of concern that might be out there, to bring some of our programs to the communities. The legislative services individual would focus specifically on the federal lobby agenda, issues with NACo at the national level, the state legislative agenda annually, working also with the Association of Counties and attempting to draft the policy agenda, or the legislative agenda that the Commissioners give to the Manager for our pursuit in that particular

2003011

legislative year.

The functions would also be here, Mr. Chairman, to bring any legislative initiatives that would be the County's benefit that should be considered by the BCC.

The third position is the correctional services individual. This is actually the monitor for the adult and juvenile facility. I've done several interviews and we'll be picking that individual probably this week and get them on board as soon as possible. Mr. Chairman, we have some excellent candidates to pick from and I'm very excited about that and we're going to fill these positions soon that we can work our transitions smoothly.

The last is administrative services. This individual, Mr. Chairman, would help with the day-to-day administrative functions here at the County, would function to be the monitor for the economic development issues. The County has put out an RFP for economic development services, which includes managing the business park, marketing the business park, bringing to you any proposals that might attract business to Santa Fe County and this individual would monitor that contract similar to the monitoring of the jail contracts by the correction services individual.

Mr. Chairman, these are my proposals to you and in light of the time frame I want to be brief but I would stand for any specific questions.

CHAIRMAN DURAN: Any questions of Sam?

COMMISSIONER GONZALES: A couple of points. I just rise in support of what Commissioner Trujillo is asking for. While intergovernmental affairs office is important, there's a lot of work that I would hope would come out of this area. For example, there's a lot of coordinated needs with the City of Santa Fe, with the state of New Mexico and with the federal government. Clearly a case in point is to—what are we doing to prepare for any disasters or any emergency situations that might occur in Santa Fe County. You imagine that there would need to be some type of coordination across the board.

So I don't necessarily want to see this position be a community liaison per se, being that individuals that are just meeting with neighborhood associations. I think that it truly has to act in a manner that will create more efficiencies with the way Santa Fe County delivers services. Looking to the City of Santa Fe where we can coordinate more of our efforts together, everything from administrative issues to policy issues, all those things I think that this office should really be involved in. How do we use our relationships with other governmental agencies to better serve the citizens of this community.

With that in mind, I hope that we actually, I would support Commissioner Trujillo's call to actually go out on contract for an individual who can help us create and foster a better relationship with the Native American communities. Through your work we've seen the benefits that that has brought but I think we need to just really reaffirm that and commit to that by establishing a more consistent and direct relationship with them.

And then the only other thing that I would add on the administration is that I think there needs to be a component, Sam, a component in that office that is actively seeking, writing and going after a variety of grants that exist out there from the federal to the state to the foundation level. I think we're really missing out because we're so busy on everything else that we're

2003012

doing, trying to keep up with the needs of the County that we're missing the opportunity to access monies that are available out there. And I see it first hand with the position that I hold right now that there is just a ton of money out there.

And I would hope that as you develop the job duties for this position that key and critical to that component, in addition to assisting you with all the administrative functions that you talked about is that this position can actually pay for itself and it can pay for a lot of other positions if we can get someone who's strong or understands where to find these grants, who's aggressive, who's tenacious and does not give up in trying to find monies to bring into the County and that's something that's separate from the legislative process. There's grants that can be found all over the place and we just need someone who is looking at it consistently. It's part of their job duties. They're going to be evaluated on it. I think this position should be evaluated on that and I think it needs to be integral to what these individuals do. So I would just ask that you do that as well.

MR. MONTOYA: Thank you, Mr. Chairman, Commissioner Gonzales.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I would add, Sam, on the Manager's Office, I think on the vacant position, I think we'd be better served to give these positions specific names rather than policy analysts and generic administrative services type of focus. Whether it's grants, as Commissioner Gonzales says, and what I'm specifically getting at is the individual that you're thinking about to, among other things, administer this economic development initiative. I think that we would send a message if that individual was the County's economic development director. Period. And whether we have contracts, but that individual, that's what that individual does. And we send a message to the community that we're serious about economic development, that we're doing more than just advertising and that's a full time position. And that lops off the term policy analyst and gives that individual clearer direction as to where we're going.

And certainly we're doing that with correctional services. That's a full time job. That tells us clearly what that individual is doing. Intergovernmental services, legislative services are a little less clear to me and perhaps the grants function comes under the intergovernmental services. I'm not sure. But I think it helps the community to know what that individual is doing. If we say so-and-so is working on intergovernmental services, as a community member I don't know what that really means. If we say, They're writing grants to get us federal money, I say, Right on. Do it.

So a more specific title, as in the economic development on, I think tells us on the Board and tells the community what we're doing and where we're headed and where you as a manager are headed.

MR. MONTOYA: Very good. Thank you, Commissioner Sullivan.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Just some thoughts. We had policy analysts.



2003013

SFC CLERK RECORDING 08/16/2004

Now we have people, the same people, probably, with different titles. It seems like maybe you have four assistant managers in your office. Is that the point? Do you need four assistant managers?

MR. MONTOYA: No. No, Mr. Chairman. In fact, they do not really assist the Manager in a direct fashion. I think what we're attempting to do more specifically is do exactly what Commissioner Sullivan was pointing out. These individuals are charged with a specific duty to follow through on certain elements in their scope of work and that is exactly what we're attempting to construct here. So we would have an individual focused on correctional services, legislative services, and as the Commissioner indicated, economic development would also be a good area. But to answer your question, Commissioner Campos, they are not assistants to the manager.

COMMISSIONER CAMPOS: Well, you've recommended one of the vacant positions for someone who would be like your assistant manager, right?

MR. MONTOYA: Mr. Chairman, Commissioner Campos, what I'm suggesting there is to have this individual assist in expediting some of the administrative functions that do come to my office. So we would be talking there about functions that relate, as Commissioner Gonzales mentioned, to set up a lot of these specific meetings with City government and state government to focus on any of the particular issues that the Commissioners as priorities set out. I think we're not focusing on many of those issues and I think we need to be able to have that kind of focus.

So in a partial way, they would be doing administrative service functions, but they would also be pursuing special projects more specifically.

COMMISSIONER CAMPOS: I understand the general idea. Would it be wise to shift any of these positions to other departments where they're more directly involved? Or do you think these have to be separate in the County Manager's Office?

MR. MONTOYA: Well, Mr. Chairman, that might be a possibility. I don't have a particular recommendation in that venue today, but I would take that under consideration.

COMMISSIONER CAMPOS: You're convinced that you need—these are four full time positions that you need in your office?

MR. MONTOYA: Mr. Chairman, the issue of full time status is one that we're considering now. I believe that based on some of the existing situations with some of our staff as we currently have them hired, some people could go on part time status, so the answer to the question in a short term is that some of these could be part time. We're still working that out. So I don't have a specific answer other than the possibility that it could be part time.

COMMISSIONER CAMPOS: Which means, what, would you hire somebody else for the other part?

MR. MONTOYA: No.

COMMISSIONER CAMPOS: So do you really need four full time positions?

MR. MONTOYA: Mr. Chairman, at this point in time I am asking to retain them and if we feel that we don't need to fill them, they will not be filled.

CHAIRMAN DURAN: Could I help you answer that?

2003014

COMMISSIONER CAMPOS: Could I finish?

CHAIRMAN DURAN: Well, we need someone to watch the jail. We need someone to work on the legislative issues. We need someone to work with the City and other governmental agencies, and we need someone to operate our economic efforts.

COMMISSIONER CAMPOS: Can I finish?

MR. MONTOYA: Mr. Chairman, I just want to remind the Board that the challenges that you put before us are immense and I know that you expect products and you want for us to move progressively in terms of being a leader of public policy, not only in Santa Fe but in the state and as a regional force, and all of these directives, Mr. Chairman, require a lot of specialized thinking and some specialized talent. And in order for me to take you there, I need to have support in those areas. The one thing I do want to tell you that I would not fill a position simply to fill it. If I don't need that kind of support I will not fill that job and the money will not be spent. But at this current time, Mr. Chairman, with the initiatives and the vision that this Commission has for the community and the priorities that have been set for me by you, I believe we need to have support to get us there.

COMMISSIONER CAMPOS: I understand that, Mr. Chairman. I'd like to finish my questions. As far as correctional services, I've heard that perhaps you don't need a full time position there. Some experts in the area say you may not.

MR. MONTOYA: Mr. Chairman, I disagree with that. I feel that we need a full time individual in this area. The adult correctional facility in itself could have a full time individual, but we're charging this individual with not only adult but also juvenile oversight, and then the electronic monitoring program as well. There's going to be a fourth component. I'm going to ask this individual to be a liaison to the judicial system, not only the federal judges but the district judge, all the way down to the magistrates and the municipal judge.

COMMISSIONER CAMPOS: Okay. I've just heard there's some question about that from other people. About the contract ombudsman for the Native Americans, I'm certainly not in favor of that. I think Commissioner Sullivan has made a point that we may be looking at a very uncertain financial future. Our GRT may go down. Our tax base may go down. We just have to be real careful right now in making decisions about how many positions, additional positions are needed in light of what might happen in the next three, six, nine months.

MR. MONTOYA: Mr. Chairman, Commissioner Campos, I'm very cognizant of that and we come to work every day with our eye on that ball.

CHAIRMAN DURAN: I'd just like to make one comment. For the last four and a half years, we've been trying to put this economic development park in place and try to put an economic development program together. We need somebody. It's fallen through the cracks for the last 4 ½ years. I know that. The majority of this Commission realizes that and I'm sorry that you don't recognize, Commissioner Campos, the need for this person. I'm also sorry that you don't recognize the need to have a correctional services individual to help us with the jail. It's been a problem since I became a Commissioner 4 ½ years ago. The community

2003015

has asked us to develop an oversight committee. This correctional services coordinator not only will assist us in coordinating that effort but coordinating the financial problems that our Finance Department has had over the last 4 ½ years.

We need somebody to work with the legislature and we need someone—whether you call it a policy analyst or whatever you want to call it, we need somebody to do that. We made a commitment to our Native American neighbors to help them with their road issues, with their water issues. We've already had three tribal summits and we don't have anybody following up on all of that. I realize that we might come into some economic hard times in the near future but we need to be progressive. We have to keep moving forward. And there's nothing to say that if in six months, we realize we made the wrong decision here, that we can pull back on it.

I think we have to move forward. I think we have to show that we are committed the vision and the goals that we have adopted in the past and move forward on these things.

COMMISSIONER GONZALES: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Gonzales.

COMMISSIONER GONZALES: Just in closing, because I know you want to move on to other business. I just want to rise in support of what you're saying. Sam, I'm not for any cut-back in any of these positions that we're approving. I think we need to have 100 percent participation in intergovernmental services, legislative services, correctional services, administrative. There's enough work that can be done out there; it's finding the individuals who are going to do the work. There's enough work that each of these individuals can do in each of these areas to strive for more efficiencies, whether it's in correctional, whether it's how we do business with the City, getting more funds, or grants, or economic development that will generate revenues for this County. It's finding the right people who can do it, monitoring, making sure that they're getting it done.

I have concerns when you say, yes, maybe we can do it at .5, or we're only going to use half a person on this. I don't want to see that. I want to see these positions fully utilized to benefit and support the constituents of this county. So I'm not for any type of reduction in how this is going to be. I agree with what the chairman has said. As we go down, if there's a need to alter how we're doing it, we can do it at that point, but there's no sense in shriveling up at this point and just stopping everything that we're doing. We need to continue going down and meeting the goals and the needs of this community.

So if we pass this reorg. today, these positions exist for a reason. Get them to work, go get the money, create the efficiencies that we need, and let's deliver a better level of service to the constituents that these positions can bring about.

CHAIRMAN DURAN: Okay, Commissioners, we're moving on to the next agenda item. We're going to vote on this.

COMMISSIONER GONZALES: Move for approval of the reorganization as presented, with the direction that in six months time, the Manager comes back with an assessment of the IT and the GIS divisions and to make a determination at that point whether they should be separated or continue in the existing manner under Administrative Services.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

2003016

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

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: And I would add with the direction also, which Sam has indicated that we will also see a review of the Land Use and the Public Works.

MR. MONTOYA: Correct.

COMMISSIONER SULLIVAN: And I don't say that feeling their not doing their job. I just say they're large departments just as some of these are and they need to be looked at.

MR. MONTOYA: I understand that, Mr. Chairman and we did have, we do have that as a to-do on our list.

CHAIRMAN DURAN: Thank you very much. Okay. Any further discussion? Those in favor signify by saying "aye." [Commissioners Gonzales, Trujillo, Sullivan and Duran voted with the motion.] Opposed? [Commissioner Campos voted against.] Motion carries.

MR. MONTOYA: Thank you, Mr. Chairman.

CHAIRMAN DURAN: With the permission of the Commission, I'd like to move into the CDBG applications. Actually, we'll take a five-minute break.

[The Commission recessed for five minute.]

CHAIRMAN DURAN: Okay, because of the length of this meeting, we might have to postpone the resolutions from the Matters from the Commission and executive session. Is that okay with the Commission? So we can move into—

MR. KOPELMAN: We don't have an executive session.

CHAIRMAN DURAN: Okay. Good.

## **X. PUBLIC HEARING**

### **A. Request selection of an applicant for the Community Development Block Grant (CDBG) applicant (second public hearing)**

MR. MONTOYA: Mr. Chairman, before we go to the public hearing, could you do me a favor and go back to item G.3 and table it for me please.

CHAIRMAN DURAN: What is G. 3, I'm sorry.

MR. MONTOYA: Under the Manager's, adoption of employee bonus program. I'd like to have that tabled until next meeting.

COMMISSIONER CAMPOS: Motion to table G. 3.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? The motion carries.

2003017

Okay, Robert.

MR. ANAYA: Mr. Chairman, Commissioners, this is the second public hearing for the Community Development Block Grant program. We are also asking after the public hearing that the Commission select an applicant so that we can be in a position to apply if we are successful in meeting our threshold requirements on our existing project.

I would just point out that past projects include Santa Cruz Boys and Girls Club in Santa Cruz, the La Familia Medical Center, the teen center in Arroyo Seco, and our newest project, the Youth Shelter project.

I would also like to provide a status that we have finally gotten through 99.9 percent of the punchlist items on the La Familia Medical Center and will be closing that project out very shortly. We'll be undergoing a final review from the FAO over the next couple of weeks but that project has been under substantial completion. We just had some pending issues that we finally have been able to put behind us and are just about ready to make that final payment to the architect and to the contractor.

And also to let you know that substantial completion and occupancy has taken place at the teen center in Arroyo Seco and the design for phase two is under way. Mr. Chairman, I would now allow you to open it up for public hearing.

COMMISSIONER GONZALES: Mr. Chairman, just a quick question.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER GONZALES: Robert, have we—I know that we've had some problems in the past grants, applications in terms of our ability to meet certain requirements by DFA. Are we in line to do that or is there any concern. The Youth Services is something that we worked on, myself and Commissioner Duran for three years in a row, didn't get the Commission to support it until just last year and I just want to make sure that this thing really happens.

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, I'm very glad you asked the question. We have been working very diligently to meet the requirements of the Youth Shelters project but we have run into snags. The property that we had intended to utilize for the project, that we had support from BLM, or tentative support, they were not able to approve that site. I think you're aware of that, by the La Familia building.

So we moved to another site and we have a very good working relationship with the State Land Office on a property that they have at the Agua Fria extension at the end of Agua Fria. It looks very promising and it looks like it will be successful. As far as the threshold requirements are concerned, this has been a concern of ours and we're currently working to meet those. The FAO just raised the bar on us. They increased the requirements for everyone across the state to where now, on your first year in the past all you really needed to have was your architect and engineer in place. Now, they're requiring that not only the architect and engineer be in place, but that also a full blown environmental assessment be conducted.

COMMISSIONER GONZALES: Are we in jeopardy of losing this, Robert?

2003018

SFC CLERK RECORDING 08/16/2004

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, we're not in jeopardy of losing the Youth Shelters project. We're in jeopardy of meeting threshold requirement to apply for the CDBG now that we in. We're about halfway through the environmental assessment and staff is doing everything they can to get it done in conjunction with the contractor, but it's important that you be aware of that.

COMMISSIONER GONZALES: What's the difference between losing the CDBG money now and not losing the project?

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, threshold is what allows you to apply for a new year of funding. Just because we apply for funding doesn't guarantee we have to compete with everybody else as we did last year and we were successful in our application. But just being able to apply for funding for this upcoming cycle, you have to meet the threshold requirement.

COMMISSIONER GONZALES: But I thought we were already approved by DFA for this project.

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, I'm sorry if I confused you. The Youth Shelters project is approved. We're moving forward to build it. The concern that I'm raising here is that if threshold is not met on the Youth Shelters project, we can't apply for a new CDBG project until that is met.

COMMISSIONER GONZALES: Oh, I see. So you're saying that the only program that might be in jeopardy might be the grant that we approve for this year.

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, that's correct.

CHAIRMAN DURAN: So that means that if we approve someone this evening and we don't meet threshold, then this one that we approve tonight wouldn't be, we wouldn't be able to submit whatever we approve tonight as the next CDBG grant applicant recipient.

MR. ANAYA: Mr. Chairman, that's correct, but the reorganization that you just approved under Mr. Montoya's presentation is going to put each and every project that we've had out there in a much better position. We've been juggling all the projects under the capital projects with one individual and the assistance of myself and whoever we can conjure up in staff. And now there's going to be a minimum of three people working on capital projects and assisting people that want to do projects in the community get other resources as well. So I think the picture is somewhat dim if we don't meet threshold, but there is hope based on the direction you just provided to enhance our capital program and to get us to go out and seek more funding for projects.

COMMISSIONER GONZALES: Mr. Chairman, I just—and I know we need to get onto the public hearing, but I'd like to have a meeting with you and the County Manager or Corky to see what we do to make sure we meet this threshold because there really isn't—I know this happened a couple of years ago, and this is a lot of money to not be able to put into our community.

CHAIRMAN DURAN: It happened last year.

COMMISSIONER GONZALES: Last year or two years ago? I'm not sure

when it was.

2003019

CHAIRMAN DURAN: It was two years ago.

COMMISSIONER TRUJILLO: What happened with the teen center?

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, I last year was put in a position similar to this last year.

CHAIRMAN DURAN: You had to scramble.

MR. ANAYA: The Department of Finance Administration in so many words told me that we're not going to make threshold. We met threshold. I will candidly tell you with all honesty that we have done everything and are doing everything to meet threshold. We're in a more difficult position than we were last year. And I tell you that with all sincerity and honesty that we have in place a contractor that's competing the environmental assessment right now. A former employee of DFA who has really helped with our system and our archeological review is currently done and being reviewed.

Right now we're just waiting on the State Historical Preservation Office for their response and the Game and Fish Department for their response. But Mr. Chairman and all Commissioners, I can honestly say we've done all that we can do to this point and we're going to continue to do everything we can to make it work. It is a more difficult situation that we were in last year. I want to be straightforward and candid with the Commission on that.

CHAIRMAN DURAN: Well, specifically, it's the state. My understanding is that you need to get the state to agree to the lease of the property for this facility. And maybe we can help you out that way. I've had lots of meetings with Commissioner Powell and maybe he can help move this thing along.

MR. ANAYA: Mr. Chairman, I think the land issue is going to work itself out. The environmental assessment is our concern right now. If, for example, there's a historic site on that particular piece of land, or if there's comment that comes from a state agency that says we're very concerned about this site because it has some other potential contents, that's more my concern. As far as the administrative function, I think the Land Office has already told us that they're going to support the project and do everything they can to help. But I will meet with Commissioner Gonzales, yourself and any others. I just wanted to make that statement to you as far as what we've done and tried to put things in place to meet it, and this DFA requirement on the environmental review just came two weeks ago. So it's really something that has made it more difficult for us to achieve, but I'll do everything with your help and the Manager and everybody else involved to get it done.

CHAIRMAN DURAN: I wouldn't mind being at that meeting. Just so we can push it along. This is critical for us. These services that Youth and Family Shelter is going to provide is critical to our community and then whoever gains the support of the Commission tonight, it's critical that their vision and their goals are given some assistance through this program. I hate to lose a year.

MR. ANAYA: Understood, Mr. Chairman. I would say before we open it

2003020

SFC CLERK RECORDING 08/16/2004

up to a public hearing also that there's two, one particular group that's here, Big Brothers/Big Sisters and another gentleman that would like to come forward. In addition, Commissioner Sullivan has spoke with me on several occasions about the possibility of a senior center in Eldorado. So as of right now, those are the two, Big Brothers/Big Sisters, Eldorado Senior Center and then any other individuals or organizations that come forward this evening.

CHAIRMAN DURAN: So which one comes first?

MR. ANAYA: Mr. Chairman, I believe Big Brothers/Big Sisters.

PAUL GOLDING: Mr. Chairman, Commissioners, my name is Paul Golding. I'm the immediate past president of Big Brothers/Big Sisters and I'm here with Andrea Merrill who's the executive director of Big Brothers/Big Sisters, and Robin Smith, who's the current president. We're here to request a Community Development Block Grant for \$300,000 to build a facility to house our agency.

I think most of you are familiar with Big Brothers/Big Sisters to some extent. We provide mentoring services to children, primarily of Santa Fe County, but we also serve children in Los Alamos and Rio Arriba counties. The services are generally of two kinds, school-based, where an adult volunteer meets with a child in a school, and community-based, where the volunteers can meet with the child anywhere. I personally have been a big brother in the community-based program for almost four years and I can tell you we have many statistics that prove how worthwhile our program is. It shows how teen pregnancies are decreased, how kids are less likely to use drugs. How they're more likely to graduate.

But I personally don't think the statistics convey anywhere near the sense of the healing power of having another adult present in a child's life for the long haul is. As I said, my little brother and I have been matched for four years. I first knew Jacob when he was eight. He's now 12. I think he is as much a fixture in my life as I hope I am in his. And in his life, there are very few adult, stable, male fixtures. And of course, as he gets older, it is increasingly important to have such a relationship.

Let me just say a little bit more about why we're here for the grant. We have a strategic plan, which has been approved by our board, which calls for doubling the number of children served by the year 2004. We're well underway toward reaching that target. Most of the staff is in place, but we need the space. Our current office at 1225 St. Francis is packed. As they say in India, you couldn't fit a sesame seed in the office. It's a 1300 square foot office. We're proposing a 3600 square foot facility, based on a utilization study that was prepared by Lorn Tryk of Lloyd and Tryk.

And I think before I go any further, I'd like to as Andrea to come up or answer any questions you might have and Andrea perhaps could fill out the picture a little bit more of the technical details. Thank you.

COMMISSIONER GONZALES: Mr. Chairman, I guess my question is have you selected a site?

ANDREA MERRILL: The site that we had looked at is at the Agua Fria



2003021

Park where La Familia is. We realize that there had been problems with Youth Shelters before and for that reason we spoke with BLM. They said that the problem with Youth Shelters had been the overnight stays. We're looking solely at an office facility. So they saw no problem with that.

COMMISSIONER GONZALES: That would be with BLM, not with the County? La Familia in on BLM?

CHAIRMAN DURAN: Yes. It would be under our master lease of the BLM land.

COMMISSIONER GONZALES: Great.

MS. MERRILL: It would fit very, very well with our master plan in that right now, we do serve both city and county kids—obviously, the city kids are in the county, but we really want to expand our services outside the city. We will be partnering, beginning in October with Pojoaque to provide services in the Pojoaque schools through a program called Connecting to Courage, that is part of the Institute for Intercultural Community Leadership at the Santa Fe Community College. We also will be partnering with the black tar heroin project to assist them with their mentoring. We've actually volunteered to provide services there because they have what we consider to be a wonderful project but not the expertise in terms of mentoring that we have.

We've been in the community 22 years so we know the community pretty well. All of those things would allow us to reach kids in the county to a much greater extent than we already do and particularly on the south side of town. Many of the kids that we match right now are from the south side of town but increasingly a lot of our referrals are coming from that area. This would also, the location would also allow us to reach out to kids in Los Alamos and Rio Arriba counties. We have some new partnership opportunities there, and those are within our service area.

We're very fortunate this year in that our budget is such that we can consider being in a position to expand in terms of facility. We realize it wouldn't happen in a year but within the next several years and we have a real diverse and solid funding source. We have a seven-months operating reserve, which in light of some of the issues that the Commissioners were talking about previously with the changes in the economy, it's really critical to know that we're not talking about services that there would be problems with in years to come. I'd be glad to answer any other questions you might have.

COMMISSIONER GONZALES: Just another quick question. What would be the cost of the building and what are some of the other sources of funding and what exactly would you use the CDBG money for?

MS. MERRILL: There was a hand-out that I guess didn't get passed out. Not this one, one that I thought was going to get duplicated this morning. But essentially, the cost of the building would be \$500,000. We were asking for \$300,000 from the grant, and at present, we own our own facility. It's valued at probably around \$100,000. So we would then be seeking either state funds or capital funds from other areas. That would mean though that we would be in the fortunate position of—certainly fundraising is never

2003022

simple but it's a lot easier to do if you have a base to work from and we feel that we do.

COMMISSIONER GONZALES: Can you tell me again, I apologize if you've already stated this and I didn't hear it, how many kids are in the program?

MS. MERRILL: Right now, last year we served 200 kids. This year we expect to serve closer to about 264, is our strategic planner but assuming our school-based program takes off the way I think it will, will probably be between 275 and 300 kids that we'll serve. Our goal is to serve between 400 and 500 by the end of 2004. We staffed up for that. We have, the board has been just wonderful. We have a great, great board in terms of the community commitment to serving kids in this county and surrounding counties.

COMMISSIONER GONZALES: And just a last question. Do you have more of a waiting list for kids that need to be served or—

MS. MERRILL: Always. We did—I came in as director about two years ago, and we've done a number of things. One of the things has been to push for more diverse and inclusive program and in fact we are sponsoring our six-state regional conference here in October, to which I would like to invite all of you. The theme of that will be diversity and inclusiveness. And actually Pathways to Diversity is the title of the thing. That has allowed us to bring in more mentors from a lot of different backgrounds and to serve more kids. That means that we took our waiting list from about 100 when I first started down to much closer to 50 right now.

But what happens with that is as soon as the word gets out that you're matching more kids, of course more kids get referred. We've also significantly shortened the waiting list time. It used to be boys in particular would have to wait for up to two years to get matched. We're now getting kids through the waiting list in a matter of months and volunteers in a matter of weeks. We have a new PR campaign that's going to be coming our very shortly that I think will bring in even more mentors. So we're very well—we've taken a very thoughtful approach to expanding our program, again, beginning with the board of directors' strategic plan, with a lot of assistance from national. We just went through a five-year review as an affiliate of Big Brothers/Big Sisters of America and got great feedback from that and we've been getting great support. In fact, they're actually funding us some now, which had not been the case in the past.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Is there some reason that you're asking for \$300,000 instead of \$400,000 which is the max that they allow under the program?

MS. MERRILL: Well, we would be delighted to have \$400,000, but in talking to some of the previous applicants, we were told that our chances, we might be more successful at the \$300,000 level. There's no reason why—we certainly would have no reservation about increasing the request should that be the case.

COMMISSIONER SULLIVAN: The only reason I ask is that the normal procedure is they expect applicants to ask for more than they're going to get, with the cap

2003023

of course at \$400,000. Have you seen the CDBG application?

MS. MERRILL: I have spoken with Karen Keene, the previous applicant and then we've met with Ray Mier and Robert Anaya. I have not seen the application per se though.

COMMISSIONER SULLIVAN: You're probably familiar with the fact though if you've talked with them that they ask for a dollar amount and then they ask for a so-called phased amount. And the phased amount means, will you take less and if so, how much. And that's the bureaucratic way of saying we're going to chop your legs off at the knees. So if you start in with \$300,000, then of course you have to show them where you're going to get the \$200,000 to do a complete project. My suggestion is go for the bucks. Because they're going to whittle you down anyway, depending on what they other applications are. But I was just curious whether there was some specific reason—

MS. MERRILL: No, there was not at all and thank you very much for that suggestion, Commissioner Sullivan.

COMMISSIONER SULLIVAN: We have up to \$400,000 so there's no reason, an applicant comes in and says I have a million dollar water system and I want \$250,000. I said, look, ask for \$400,000. If your needs are greater, if your need was only \$300,000, fine, that's all you need. But obviously, you can't build a 3600 square foot building for \$300,000.

MS. MERRILL: No. So thank you very much for that information, Commissioner.

CHAIRMAN DURAN: I would just like to remind the Commission that should the Big Brothers/Big Sisters program be the successful recipient of our CDBG money, it's going to require that we approve a lease on our BLM land. Isn't that true, Robert? Even though they've received preliminary approval from BLM that this use is acceptable, under our lease we still would have to approve a location and a lease on the land that we have with BLM.

MR. ANAYA: Mr. Chairman, you're absolutely correct. You'd have to give us direction today that they are in fact given the Commission's authority to pursue the property. Then we as staff would have to draft a formal request to BLM specifying the square footage and location, proposed location for the site, and then we would have to wait for a formal response from BLM.

CHAIRMAN DURAN: Okay. Any other questions of Big Brothers/Big Sisters?

COMMISSIONER CAMPOS: Mr. Chairman, a quick question.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: You raise the issue of diversity. What is the diversity problem?

MS. MERRILL: One of the issues with Big Brothers/Big Sisters nationwide is that many of the previous recruitment techniques had spoken more to an anglo population than to Hispanic, Native American, African American and Asian American populations. And when I came to our office to look through what we were doing in terms

2003024

of some of our PR materials, in terms of our recruitment coordinator, in terms of some of the kinds of calls to action that we were putting out there, they were aimed primarily at the same audience that most Big Brothers/Big Sisters nationwide have historically aimed at and that is white, middle class, more women than men.

I was very fortunate in that the previous recruitment coordinator chose to resign at about the same time I came in and Ms. Alma Garcia, who was a big sister in Dallas, actually big sister of the year in Dallas and had lived in Santa Fe for some time came on as my recruitment coordinator. She's done a dynamite job. We've diversified the agency from board level on down. I have a very strong commitment to that because of my family background and it is reflected in a shift in volunteer population. We know that 85 percent of the kids that we serve are Hispanic and maybe five percent Native American. And we would really like to have mentors who more closely reflect that. That's not to say that we believe that every child must be matched to a same background mentor, but we do believe that some kids really need that.

We do in-depth interviews with all the kids and parents that we work with and so we can decide on a case by case basis what kind of mentor would be ideal and then of course what kind of mentors we have. The bigger pool of mentors we have, then the more choices we can make about that.

COMMISSIONER CAMPOS: Thank you.

CHAIRMAN DURAN: Okay. Thank you very much. Is there anyone else out there that would like to make a request to be considered the recipient of the CDBG grant money?

MICHAEL HERRERA: I'm Michael Herrera. I'm representing, I'm one of a group of people that are in the back of the room here that are representing a larger group of people that live on what I would call West Mutt Nelson Road. It's in the Extraterritorial Zoning Commission area and we have been in front of the Commission before and we are hoping that this Community Development Block Grant may be a means for us to get the Mutt Nelson Road, it's about a one-mile portion of dirt road upgraded or maintained by the County.

On 13 February I stepped in front of the Commission and asked that the Commission consider taking over the road. Right now, currently, the road is private, but that was no fault of ours. We happened to move into an area that was developed over time and for whatever reason, the properties were land-locked into a legal dispute and as it continues to grow, there's approximately 40 landowners and probably up to 50 residents out there right now. Last winter we had some serious concerns about safety and access of emergency vehicles and that's what pushed us much faster and harder to try and get support from the Commission to help upgrade that road.

What we're asking is maybe clarification on what the Community Development Block Grant is about. We understand it's for infrastructure and my understanding is roads is infrastructure. And if possible, even though it may not be a County road right now, it might be possible for still get grant money as a private road so that we could turn it over to

2003025

SFC CLERK RECORDING 08/16/2004

the County as soon as possible for future growth because it is growing. It's growing rather fast and the development continues to expand in that quadrant of the city.

CHAIRMAN DURAN: I have a question for Robert or James.

COMMISSIONER GONZALES: Can we get an answer to his question first in terms of would this qualify for a CDBG application?

MR. ANAYA: Mr. Chairman, Commissioner Gonzales, he raised this question to me earlier and the response I gave was there are CDBG grant funds that are used for infrastructure improvements on CDBG, but those roads have been under a local body, local municipality or local government. I'm not an attorney but I don't think you can fund a private project. If we just used the Youth Shelters and Family Centers as an example, that's a non-profit organization that is community driven, community based, that doesn't have a profit motive or private incentive. This would focus on one community.

I think because it's not a County road that it would not be eligible for our application process. It would have to be accepted for a County road first and then considered for funding, just like the other many roads in the community that are private that want to be County roads. And I would defer more than that to Mr. Lujan or Mr. Martinez.

CHAIRMAN DURAN: I just have a question, James, if we allocated money towards this, we could only really do it if we put it into our road maintenance program. I mean, to spend the money to fix it up and then not adopt it into our road maintenance program I think would be a waste of money, because pretty soon you'd have to do it again. But don't we have a program in place that allows us to adopt x-amount of miles per year? I asked that before didn't I? We don't have that.

MR. LUJAN: Mr. Chairman, members of the Commission, it was the direction at the last Commission meeting to start evaluating some of the roads and see what we're going to do with start taking in new road miles. But right now we don't have anything in place. And from past experience with CDBGs, Robert Anaya is correct. The road would have to be a County road currently, and then we could put it in for a project for CDBG funding.

COMMISSIONER GONZALES: Mr. Chairman, James, what about the program, I think I spoke to someone out on Mutt Nelson about this issue about the program where the County assist communities that have these private, substandard roads.

MR. LUJAN: The assessment districts?

COMMISSIONER GONZALES: The assessment districts, where we'd go into the community, they would offer a certain amount, the County would lend our Public Works staff and equipment to bring the road up to standards. And I forget who I spoke with but there was at least an indication that the community might consider funding a project like that.

MR. LUJAN: I don't know that the County can do it per se, because it would still refer back to the anti-donation clause.

COMMISSIONER GONZALES: No, the County can do it because we

2003026

SFC CLERK RECORDING 08/16/2004

have done it.

MR. LUJAN: On assessment districts, yes, but I would defer to counsel.

MR. KOPELMAN: Mr. Chairman, Commissioner, on the assessment districts themselves, the County still can't go on to private property and do any work. We're not able to do that.

COMMISSIONER GONZALES: What's the difference between that and what we've done in the past in other communities where communities have created assessment districts. They'd anted up the money and the County's gone in and we've upgraded the roads? For instance Hyde Park and Silverado Subdivisions.

MR. KOPELMAN: Mr. Chairman, I know on Fin del Sendero, we did work, but that became a County road. I think legally, it needs to be a County road. Once it's a County road we can do what needs to be done but if it's not a County road you've got anti-donation clause issues.

COMMISSIONER GONZALES: I don't remember that being the case on other issues in the past.

CHAIRMAN DURAN: We condemned Fin del Sendero.

MR. KOPELMAN: That's correct and by virtue of condemnation it became a County road.

COMMISSIONER GONZALES: Silverado, they were never County roads.

MR. KOPELMAN: My understanding, Mr. Chairman, Commissioner Gonzales, is that was an emergency situation where there was serious health and safety issues.

COMMISSIONER GONZALES: I'm talking about five years ago when we first began that, or seven, eight years ago when they'd first begun the process of bringing those substandard roads up to at least an acceptable driving condition.

MR. KOPELMAN: Mr. Chairman, that was the—we actually investigated the possibility of an assessment district, but it never actually came to fruition and never was done. And we can certainly work with these folks on the actual process of the assessment district. But I think as Robert Anaya said, in terms of the block grant money, I really think that we're not in a position, really, to further a private road. I'm not quite sure how we would do that. It would be an odd situation.

COMMISSIONER GONZALES: I understand that for this process, but I would send direction to James, if you can organize a meeting with the attorney's staff and the community out there if they want to meet with us to begin to look at some of the options, then I'd ask you to get that underway.

MR. LUJAN: I will definitely do that.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: It seems to me that the only way this would work is if there was a dedication to the County to make it public and we wanted to accept it. If it was adequately wide, if they had surveys done, and the County would want to

2003027

SFC CLERK RECORDING 08/16/2004

accept it. Another responsibility.

CHAIRMAN DURAN: I know that's what you did with La Barbaria Road. You haven't approved it, but there was a dedication to the County made. I don't think you were here.

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Chairman Duran, the Commission did accept La Barbaria on the basis that it would be brought up to County standards and they did do a dedication plat and they did raise money to bring it up to County standards.

CHAIRMAN DURAN: Okay. Good.

MR. MARTINEZ: I just want to comment on Mutt Nelson. I did get a formal request today or yesterday from Mike Herrera for Public Works to do an assessment of Mutt Nelson as far as what would be required to bring it up to County standards. And this is just part of one of the requests or items that is in the road acceptance policy. I understand they have done some work on the road itself and we will be doing an assessment to determine what County standards based on the amount of legal lots of record that do access this road. So we are in the process, based on the road acceptance policy, so we will move forward on that, but as far as the CDBG money, like Robert said, it may not be allowable for this instance.

COMMISSIONER GONZALES: Mr. Chairman, if we can, can we follow through with that direction then and sit down with the community out there and start to identify what we can do to help. Because there's also the opportunity to receive some funds from the legislature as well for some of these roads, is that right? The legislature doesn't disallow money to go to these roads?

MR. MARTINEZ: Mr. Chairman, Commissioner Gonzales, the three private funding agreements, funding agreements for private roads that we've received the past couple of years were returned to the New Mexico State Highway and Transportation Department unexecuted by the Commission because we were directed by the Highway Department that these funds could not be used on private roads.

CHAIRMAN DURAN: Okay. Thank you very much.

MR. HERRERA: I'd like to ask one final question, Mr. Chairman. What is our next step as a community to move forward with trying to get the road accepted at some point in time by the County. We have spent our private dollars to try and upgrade the road and we spoke with Robert Martinez at a few occasions to find out what the requirement is to get the County to accept this road. If the community continues to move in good faith to meet a requirement that the County is setting forth and the area continues to grow, we have to really consider that fact at what point in time are we going to get out of this so-called private road criteria.

Every property owner that has roadway down Mutt Nelson Road has given that road up as easement, public easement, according to County requirements, so at some point in time every single property owner has met the requirement to do whatever in order to develop their properties. It's been years, many years before the first property owner had

2003028

to give up that piece of property for the County. Also, I state the fact that we have been paying our taxes. We have been asking for assistance, and maybe, because we're not the only road that has this problem, maybe the Commission might want to look at a means that is going to, if you start now for something that is going to be a never-ending problem that we might be the first community, first road that could set a standard or a prototype for what other people can do in the future.

It's not going to go away and people have mentioned it time and time again. We're not the only road with a problem, but the community continues to grow and we don't want to wait until there's a safety hazard, an emergency, health, whatever before somebody takes note and moves forward on it. So we're here asking for your assistance. We're willing to move forward with whatever it is that we have to do. We're not wealthy. We're just regular people trying to make a living and trying to live within our means. So your assistance is appreciated and I don't know if there's anyone else in the back that wants to speak on behalf of themselves but other than that, I thank you for your time.

CHAIRMAN DURAN: I think what can serve as a guide, I think, would be the process that the La Barbaria Canyon people adopted, what they did. And they ended up making sure that the road met the County road requirements, and then they dedicated it to the County, and then they raised money and brought the road up to County standards. So that when we took it over, it was already up to County standards and we just had to start maintaining it. And I think we don't have anything else in place right now, in all fairness to all the other private roads. Until we can come up with another plan, that's probably the best route you can take right now.

COMMISSIONER GONZALES: Mr. Chairman, Michael, I think to your point, what you do next is for us to set up a meeting with myself, Public Works and Legal staff to actually chart out what the next steps are, what we need to go through to get the Commission ready for such a decision. And that would be at least helpful so that at least the community knows that there's something on paper or some process that we need to go through so the Commission will consider it.

MR. HERRERA: Can I ask one question then? I know there's two standards. There's paved and there's upgraded, basecourse. Can the community request that we meet the standard of basecourse, which would be cost-effective for us, and the County take it over then? So that we don't have to deal with the fact that we want you to pave it and it's out of our ballpark from the get-go. We can meet it to a certain—

COMMISSIONER GONZALES: Those are things that we want to talk with you guys about so you can tell us—we clearly want the road, if the Commission adopts it, to be as safe and as up to standards as it needs to be and it's got to take into account the growth that's there now, what you guys expect to happen over the next few years so that it stays a good road for you guys to travel on. But what I would say is I'll make myself available. We'll ask the attorney and James to sit down with any collection of people that you want to put together for us to meet and start developing a time line and everything that it really needs to go through so that at least the community knows that the Commission will



2003029

SFC CLERK RECORDING 08/16/2004

either say yes or no up at some certain point so you don't have to stay wondering when and if this road is ever going to be taken care of.

MR. HERRERA: Okay. Thank you. One last question again. Do we pursue the Community Development Block Grant's money in the future, or shall we just wait till the next phase and see what happens? I don't know how often this comes available.

COMMISSIONER GONZALES: I think what the staff is telling us or at least what I've heard tonight is that the CDBG money would not, they would not approve it for this use, the state would not. So that's why we need to sit down with you and start talking about all the resources and sources that might be available to get the road where it needs to be. I'll commit my time and make sure that we have the proper staff in place to make the commitments that they need to to you guys as to what we can do to help. Before the snows come in.

MR. HERRERA: Thank you. We appreciate your time.

CHAIRMAN DURAN: Thank you very much. Is there any other applicant out there that wants to make application for the CDBG grant block money?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I just wanted to follow up on what Robert said in his initial introduction and that is that there has been, over a several year period, a strong interest in a senior center in the Eldorado area, which now serves over 7,500 people. There really is no facility that serves anywhere near that region. I attended a meeting, one of their luncheons not too long ago where they outlined this issue, the borrowed space that they have right now, and their proposal is to locate the facility on the County lands next to the library, that the County already owns.

Again, it's always difficult to compare a Big Brothers/Big Sisters project to an elderly project. You're playing apples against oranges and I don't know if there's any immediate solution to that. The County has asked for legislative funds for that. I've discussed it with Virginia Vigil in the past and so far has been unsuccessful in getting them but is still trying to do that. Robert may have some more background on that as well.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, I would just say that there is available land for a particular project like that adjacent to the Vista Grande Library if the Commission chooses to move in that direction. In fact, Rita Maes, through our senior service program that we work with the City has also been in discussions for several years with the Eldorado community. There already is in place right now some components of the senior service program that you support and that we work through the joint powers agreement on. Meals on Wheels is one of those particular programs. There is a need at some point in the future to cross that bridge, whether or not it's now. That's for you to decide. But in fact there has been efforts and work done in that direction and there are components to the senior program that are currently ongoing.

The only closing comment that I have has to do with the overall organization of

2003030

capital projects and what's happened in the past. Mr. Montoya, through your direction has received a mandate now to be able to set up a system that more adequately puts projects together. We have a lot of projects on the books right now and a lot of money that's come in over the last couple years and it's going to be real helpful to be able to work through that process with Mr. Ojinaga to develop a good system. Right now, we don't have an effective delivery system at selecting projects and then making sure that those projects have the land in place and all of the other necessary components.

Commissioner Sullivan and almost every other Commissioner on that bench has come forward to me with that concern. And I would just say that the direction that you established with Mr. Montoya through Mr. Ojinaga's shop is going to put us in a position to where we'd better and more adequately meet those planning needs for future projects and come forward with projects that are ready to hit the ground running, which is a very important part of it. Once we get the money, we need to be in a position where we're ready to run with the ball and historically, we've had some problems with that. I want to work with Mr. Ojinaga and yourself and Mr. Montoya to help develop that.

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

COMMISSIONER GONZALES: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER GONZALES: Being a former Big Brother myself and for a short period of time a member of the board, I've seen the value of this program and I'm pleased that the board is considering moving out into the county and in an area where I know geographically we need a presence to serve many kids, especially on that south side. I'd like to move to approve the request by Big Brothers/Big Sisters for this year's CDBG application in the amount of \$400,000.

CHAIRMAN DURAN: Second. Commissioner, does that include the approval and direction to staff to start working with them on a site on our 80-acre parcel, the Agua Fria Park, so they have our approval to locate there?

COMMISSIONER GONZALES: Absolutely. That includes our support and approval to locate on our master lease with the BLM. And then the other thing, just for discussion. What I would offer in terms of you trying to recruit people, I'd like to ask the County Manager if you could, in one of the future payroll checks, maybe enclose something from Big Brothers/Big Sisters that would invite County employees to look at the program as a place where they may want to volunteer or serve as mentors. We have a lot of young County employees, even older ones, like the chairman, who I know would be wonderful mentors to people in this program and I'd just like to make that venue available to the agency to use to try and reach out to potential volunteers to help participate in the program.

CHAIRMAN DURAN: My kids are leaving. One's in college. One goes next year so let me know. Commissioner Sullivan.

COMMISSIONER SULLIVAN: Well, these old people up here, I claim senior status up here. Nonetheless, I wanted to ask, have you, in terms of recruitment,

2003031

have you been in contact with or do you deal with Mentoring New Mexico and HOSTS?

MR. GOLDING: The VISTA program, the Volunteers of America?

COMMISSIONER SULLIVAN: Mentoring New Mexico.

MR. GOLDING: I believe that's the VISTA program.

CHAIRMAN DURAN: Gene Weisfeld.

MR. GOLDING: Yes, right. Yes, we have been in contact with him.

Basically, he's in some schools, we're in others. We don't sort of compete with each other.

COMMISSIONER SULLIVAN: No, because there's a lot of graduation that goes from that program. That program is a one-hour in-school program, just like the HOSTS program is. And the HOST program is quite successful also, particularly at Cesar Chavez. And those participants are your logical next-step-uppers for Big Brothers/Big Sisters. You get a number of people in those programs who say, I want to do more, but under those programs you're limited to working in the schools. There's not out of school contact with them for a lot of liability and other obvious reasons. Typically, I know what under Mentoring New Mexico they do is they then say if you are that interested in your particular student and you have that desire you can move on and you make contact with Big Brothers/Big Sisters and start that process going.

MR. GOLDING: That has happened. I know several volunteers in Mr. Weisfeld's program that have transferred to our because they wanted a wider range of activities.

ROBIN SMITH : Can I jump in real quick? I'm the current board president, and we just got Mike Lee, who's the principal at Gonzales school to come on to our board. He's joining us at the next meeting, and he's very excited about getting something going with Mr. Weisfeld's group. He sees that link and wants to go for it. I haven't met Mr. Weisfeld yet but we're working on it.

COMMISSIONER SULLIVAN: And that program has been around for three or four years and I would do the same thing—that's a separate non-profit organization that works through the schools. And I would do the same thing, if you haven't, with the HOSTS program, the Helping One Student To Succeed program, which is a school program, and the only difference in their mentoring is their mentoring is technical mentoring. In other words, primarily reading, teaching reading, as opposed to general mentoring of providing the parent that's missing and that type of support mechanism and role model. The HOSTS program is a specific technical reading.

MS. SMITH: Maybe tutoring more.

COMMISSIONER SULLIVAN: More of a tutoring program. But nonetheless, you get the same people who have a sincere interest in helping students.

MS. SMITH: Yes. Mr. Lee is very interested in tapping all those volunteers at the public schools.

COMMISSIONER SULLIVAN: And the HOSTS program has a couple of hundred mentors in it.

MS. SMITH: Yes.

COMMISSIONER SULLIVAN: Mentoring New Mexico doesn't have that many. I'd guess perhaps 50 but I'm not sure. Nonetheless, those are I think two very good resources that you want to coordinate with.

MS. SMITH: Definitely. Get them hooked and then bring them in.

CHAIRMAN DURAN: Okay gentlemen. Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

Congratulations.

MR. ANAYA: Mr. Chairman, I had one other item, clarification. We received the support of the Commission to move forward with the planning grant for Cundiyo to try and apply for one. Mr. Rudy Garcia has been working on that. We haven't received a response back from DFA yet but for clarification purposes, I would like direction from the Commission for us to continue working on that with Cundiyo. It was a water system planning grant, or not. I would like some direction, Mr. Chairman, Commissioners.

COMMISSIONER TRUJILLO: I think that it's imperative that we continue to work with them. This is a \$25,000 CDBG planning grant that we got that we allocated to them, because in the last legislative session they were allocated upwards of \$700,000 to construct, to look at constructing or upgrading their existing water system there. So I think that it's very important that they keep those monies from a planning perspective.

MR. ANAYA: Mr. Chairman, Commissioner Trujillo, we haven't been successful at getting a response back and putting it in the form of an application, so I would request that you formalize that for us with the support of the Commission so that we can continue that process.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

MR. KOPELMAN: Mr. Chairman, excuse me, it's not an action item. I think you can give direction but without taking a formal vote.

MR. ANAYA: Mr. Chairman, Commission, it is a CDBG project. This is the second of two public hearings and planning grants are part of the CDBG application process. You can apply for a planning grant and a regular CDBG application.

MR. KOPELMAN: It's not on the agenda.

MR. ANAYA: The selection of the CDBG project is on the agenda. You just selected Big Brothers/Big Sisters.

MR. KOPELMAN: I think you already got direction on that though.

MR. ANAYA: Mr. Chairman, you can put in two, I guess is what I'm saying. You can put in a planning grant for CDBG and a regular application. You just approved the regular application. I'm just asking for clarification on the planning grant. They still have their request to get the planning money in there. It's one and the same.

COMMISSIONER TRUJILLO: Weren't they approved last year? They received \$25,000 last year.

MR. ANAYA: Mr. Chairman, Commissioner Trujillo, they did not

2003033

receive. We had to write a letter of intent to apply, and then they were to respond to us and let us know to apply or not. The money ran out on that planning grant, so I'm asking for us to renew that for us to apply that again.

COMMISSIONER GONZALES: Second.

CHAIRMAN DURAN: You have your direction. We can't vote on it.

COMMISSIONER TRUJILLO: It is a CDBG action

MR. ANAYA: Mr. Chairman, it is a CDBG project. There's two components you can apply for, planning grant and/or both, a capital project. So they're one and the same. The public hearing notice is the same. This is the second public hearing and in fact it was a County project and I'm bringing it forward as staff based on the direction I've received as staff.

MR. KOPELMAN: Mr. Chairman, I didn't understand what he was saying. I think this is part of the same amount of money we're talking about now. So—

CHAIRMAN DURAN: I'm totally confused.

MR. ANAYA: Mr. Chairman, there's two components under this Community Development Block Grant program you can apply for.

CHAIRMAN DURAN: What is that under the agenda? Which item is that under the agenda here?

MR. ANAYA: Selection of applicant for CDBG program.

CHAIRMAN DURAN: Okay, so what did we just do?

MR. ANAYA: You selected one component of that, the capital component, but you can also select a planning component as well.

CHAIRMAN DURAN: We approved all of it.

MR. ANAYA: Mr. Chairman, you approved Big Brothers/Big Sisters.

MR. MONTROYA: Mr. Chairman, if I could, the Commission can reaffirm its direction to the director to go after the planning grant like you did last year and it's under the same umbrella that's publicized so you can do that officially.

CHAIRMAN DURAN: Okay, so is there a motion to that effect.

COMMISSIONER TRUJILLO: I made that motion, yes.

CHAIRMAN DURAN: And there's a second. Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

MR. ANAYA: Thank you, Mr. Chairman.

COMMISSIONER GONZALES: Mr. Chairman, I'm going to be unable to make it this evening because I have to travel down to Chavez County for a meeting early tomorrow morning, so I'd like to ask and make a motion that we appoint Commissioner Campos as the first alternate to the EZA and Commissioner Trujillo as the second alternate.

CHAIRMAN DURAN: Second.

COMMISSIONER CAMPOS: Objection.

CHAIRMAN DURAN: Any further discussion? Please note Commissioner Campos' objection. Those in favor signify by saying "aye." [Unanimous] Opposed?

2003034

Motion carries.

COMMISSIONER GONZALES: One other issue. There was some discussion, I think by Commissioner Sullivan on this issue, but I'd like to direct the staff to reconfigure or to bring back a plan to reconfigure these benches up here so that we do it in more of a U-shape, and with that, include some way that we could have computer terminals that are actually attached up here so we could move to the whole wireless movement. It's crazy how much paper we're using up here.

MR. MONTOYA: Mr. Chairman, we have the design done. It's going to cost \$16,000.

COMMISSIONER GONZALES: \$16,000?

MR. MONTOYA: Yes, Mr. Chairman, but it will work great.

COMMISSIONER GONZALES: I think we should do it.

COMMISSIONER CAMPOS: I'd vote against it.

COMMISSIONER GONZALES: So can we give direction for them to bring back a proposal?

COMMISSIONER SULLIVAN: I think it's worth it. I thought it was worth it when I suggested it and even at \$16,000.

COMMISSIONER GONZALES: Bring it back. Let's do it.

CHAIRMAN DURAN: We probably spend \$16,000 on paper alone.

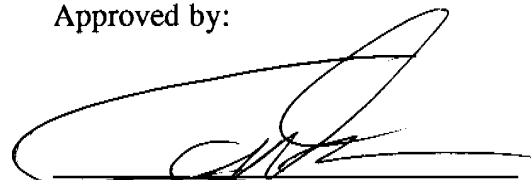
MR. MONTOYA: We'll bring it back next meeting, Mr. Chairman.

CHAIRMAN DURAN: Make sure they have computer games on those things.

### XIII. ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 6:00 p.m.

Approved by:



Board of County Commissioners  
Paul Duran, Chairman

Respectfully submitted:

  
Karen Farrell, Commission Reporter

2003035

ATTEST TO:

*Rebecca Bustamante*

REBECCA BUSTAMANTE  
SANTA FE COUNTY CLERK





Route 5, Box 315-A  
Santa Fe, New Mexico 87501

2003036

Telephone  
(505)455-2273  
FAX (505)455-7351

Office of Governor

SI-GC01-616

September 17, 2001

Honorable Larry A. Delgado  
Mayor City of Santa Fe  
Post Office Box 909  
Santa Fe, New Mexico 87504-0909

Re: Pueblo of San Ildefonso request for Comprehensive Water Resource Planning funds,  
provided under the December, 1997 Agreement

Dear Mayor Delgado,

The Pueblo of San Ildefonso is in the process of evaluating and accessing regional and local water issues that will impact the health and safety of our community. As you are aware, the Pueblo entered into an Agreement with the City of Santa Fe and Santa Fe County in December of 1997 to plan, develop and construct a sub surface infiltration gallery along the Rio Grande River on lands belonging to the Pueblo.

It is my understanding from the engineers, from my staff and personal site visits, that the first phase of the demonstration collector wells is well underway and the preliminary results are encouraging. The Pueblo as you know continues to support this phase of development and will continue its effort to work with the City and County.

The Pueblo has been informed that the City and County have prepared short and long range water planning documents which have been of tremendous value to its leadership to determine and charting its short and long term water needs. The Pueblo lack these important planning documents. The Pueblo has also experienced several emergency situations in which the Pueblo's current outdated system has failed. This placed our community at risk without water and contamination to the system.

It is with these concerns that we request the Agreement, Section 21-"Additional Water Use Planning Assistance", the \$20,000 be made available to the Pueblo to conduct comprehensive water resource planning.



Mayor Larry Delgado  
SI-GC01-616

Page 2

2003037  
September 17, 2001

The Pueblo is also requesting under Section 16 - "System Use and Service", the funds in the amount of \$20,000, originally intended for construction of an irrigation pipe lines to make use of water being pumped during the test pump stage, be transferred to use for comprehensive water planning for the Pueblo. The funds under this section were intended for irrigation of crops because of changing construction events and schedules, the pumping would occur during non-growing season. Also, the Pueblo has requested proposals from qualified engineering companies to do the water plan and the cost is \$42,311.39 (see attached proposal by ASCG). The funds under section 16 would be used to further defer the cost for the water planning. The Pueblo would cover any differences through other resources.

The Pueblos request for the funds would greatly improve its ability to access existing water system deficiencies and to determine its short and long term water needs including the benefits and issues related to the current demonstration gallery and the impact of the full scale project. Without this information the Pueblo will not be able to make informed decisions.

I would like to thank the City and County for their continued support and welcome your inquiries. Please contact me at the Office of the Governor to coordinate the transfer of \$40,000 to the Pueblo of San Ildefonso as soon as possible.

Sincerely,

PUEBLO OF SAN ILDEFONSO

  
Perry Martinez  
Governor

xc: Santa Fe County Commission  
Marlene Sundhiermer, Water Director, City of Santa Fe  
Estevan Lopez, Land Use Administrator, County of Santa Fe  
Peter Chestnut, Attorney, Chestnut Law Office  
File