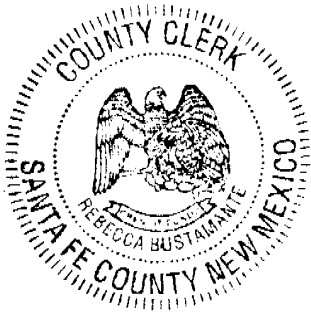


2315093

SANTA FE
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

December 3, 2002



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

1243.862
COUNTY OF SANTA FE } ss
STATE OF NEW MEXICO
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
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AND WAS ONLY RECORDED IN BOOK 2313
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SANTA FE COUNTY
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REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.

Merelle Rojas
DEPUTY

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

2315094

**REGULAR MEETING
(Administrative Items)
December 3, 2002 - 10:00 a.m.**

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Approval of Agenda**
 - A. Amendments
 - B. Tabled or Withdrawn Items
- V. Approval of Minutes** > *October 29, 2002 - approved and amended*
- VI. Matters of Public Concern - Non-Action Items**
- VII. Matters from the Commission**
- VIII. Presentations**
 - A. Recognition of Federico Trujillo on his Retirement from the Santa Fe County Department of Public Works with Twenty Years of Service
 - Tabled* B. Recognition of John Gonzales on his Retirement from the Santa Fe County Fire Department
 - C. The Proposed River Restoration Project on Santa Fe County Open Space Property at the San Ysidro River Crossing in Agua Fria (Project & Facilities Management)
 - D. Santa Fe County Maternal and Child Health Planning Council Update
 - E. Santa Fe County Community Infant Program Update and Evaluation Results
- IX. Consent Calendar**
 - 150* A. Resolution No. 2002 - A Resolution Requesting a Decrease to the General Fund (101)/CRAFT Grant Budget to Reduce the Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Community & Health Development Department)

- 150
- B. Resolution No. 2002 - A Resolution Requesting a Budget Transfer from the Community & Health Development Department/Local and Community DWI Grant Programs to the Santa Fe County Sheriff's Office for Expenditure in Fiscal Year 2003 (Community & Health Development Department)
- C. Resolution No. 2002 ¹⁵¹ A Resolution Requesting a Transfer within the General Fund (101)/Finance Department to the County Sheriff's Office to Budget the Salary and Benefit Expenditure Package Implemented through the CWA Union Agreement Effective July 1, 2002 (Finance Department)
- D. Resolution No. 2002 ¹⁵² A Resolution Requesting an Increase to the Fire Protection Fund (209)/Various Fire Districts to Budget Fire Impact Fees for Expenditure in Fiscal Year 2003 (Fire Department)
- E. Resolution No. 2002 ¹⁵³ A Resolution Requesting an Increase to the Fire Protection Fund (209)/Hondo Fire District to Budget State Forest Fire Reimbursement Revenue for Expenditure in Fiscal Year 2003 (Fire Department)
- F. Resolution No. 2003 ¹⁵⁴ A Resolution Requesting an Increase to the Fire Protection Fund (209)/State Penitentiary Fire District to Budget the Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)
- G. Resolution No. 2002 ¹⁵⁵ A Resolution Requesting an Increase to the Fire Tax ¼% Fund (222) to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)
- H. Request Approval of Price Agreement #23-0118-FD with Artesia Fire Equipment, Inc. for the Purchase of a CASF Pumper for use in the Hondo Fire District (Fire Department)
- I. Request Approval of Price Agreement #23-0117-FD with Artesia Fire Equipment, Inc. for the Purchase of a CASF Pumper for use in the La Puebla Fire District (Fire Department)
- J. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #23-18 the Re-Stucco of Rio en Medio and La Cienega Community Centers (Project & Facilities Management Department)
- K. Request Approval of Easement Agreement Between Santa Fe County and the New Mexico State Land Office for 45.55 Acres of Trail Easement Along the Santa Fe River Near Airport Road and Highway 599 (Project & Facilities Management)
- L. Request Approval of a Memorandum of Understanding Between Santa Fe County and El Camino Real River Connection for Collaboration and Cooperation on Special Appropriations Grant No. 02-L-NR-I-3-G-910 in the Amount of \$100,000 to Acquire Land and Make Necessary Improvements to Secure a 50 Ft. Protective Corridor for the Camino Real River Trail in Santa Fe County (Project & Facilities Management Department)
- M. Resolution No. 2002 ¹⁵⁶ A Resolution Requesting an Increase to the General Fund (101)/Public Works Solid Waste Budget for Insurance Recovery Revenue and a Grant Received from the New Mexico Environment Department for Expenditure in Fiscal Year 2003 (Public Works Department)
- N. Resolution No. 2002 - A Resolution Vacating Drainage Easement on Catanach Property at 3132 Jemez Road (Public Works Department)
- W.H. [Signature]

- 156157
- O. Resolution No. 2002 - A Resolution Amending Project Quantities of Resolution No. 2001-192 - A Resolution Requesting Funding Through the 2002 New Mexico State Highway and Transportation Department's Local Government Road Fund Program (Public Works Department)

X. Administrative Items

A. Committee Resignations

- Request Amended form - Steve Chavez removed
- 1. ~~Resignation~~ from the Santa Fe County Maternal and Child Health Planning Council
 - 2. Resignations from the Santa Fe County DWI Planning Council

B. Committee Appointments/Reappointments

- 1. Appointment to the Santa Fe County Maternal and Child Health Planning Council
- 2. Reappointment to the Santa Fe County Maternal and Child Health Planning Council
- 3. Appointments to the Santa Fe County DWI Planning Council
- 4. Reappointments to the Road Advisory Committee
- 5. Appointment to the Corrections Advisory Committee

XI. Staff and Elected Officials' Items

A. Administrative Services Department 159

- 1. Resolution No. 2002 - A Resolution Authorizing Legal Holidays and Closing of County Offices for the Calendar Year 2003.

B. Community and Health Development Department 160

- 1. Resolution No. 2002 - A Resolution Supporting the Santa fe County Maternal and Child Health Planning Council's Participation in Improving Maternal and Child Health in Santa Fe County and in New Mexico
- 2. Resolution No. 2002 - A Resolution Authorizing the County to Submit an Application to the Department of Finance and Administration, Local Government Division, to Participate in the Local DWI Grant and Distribution Program

C. Fire Department

- Table
- 1. Resolution No. 2002 - A Resolution Providing for the Transfer of Fiscal Responsibility for the Office of Emergency Preparedness from the City of Santa Fe to the County of Santa Fe.

D. Land Use Department

- Amended
- 1. Request Authorization to Enter into a Joint Powers Agreement with the New Mexico Energy, Mineral and Natural Resources Department for a Grant of \$190,000 to Assist in Development of the Spur Trail Connecting the Rail Trail to Richards Avenue (next to the Santa Fe Community College).
 - 2. EZ CASE M 02-4860 STEAKSMITH - Steaksmith Ltd. Company, LLC-Herbert G. Cohen, Applicant is Requesting a Transfer of Ownership for an Existing Liquor License. The Property is Located at 104 B Old Las Vegas Highway within Section 7, Township 16 North, Range 10 East, Commission District 4 (Joe Catanach).

E. Project and Facilities Management Department

- 1. Discussion of Term Limitations for Members of the County Open Lands and Trails Planning and Advisory Committee (COLTPAC)

- F. Matters from the County Manager, Estevan Lopez
1. Discussion and Action on the Proposed County Provided Transportation for Discharged Inmates from the Santa Fe County Adult Detention Facility.
 2. Discussion and Approval of Resolution No. 2002 - A Resolution ¹⁶² Creating the Santa Fe County Housing Authority.
- G. Matters from the County Attorney, Steven Kopelman
1. Executive Session
 - a. Discussion of Pending or Threatened Litigation
 - i. Santa Fe County Board of County Commissioners vs. Town of Edgewood, Campbell Ranch
 - ii. Aamodt Water Adjudication
 - b. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights

XII. ADJOURNMENT

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

SANTA FE COUNTY

2315098

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

December 3, 2002

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

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

Members Present:

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

Members Absent:

None

An invocation was given by Pastor Richard Gundrey from the Antioch Church in memory of Eleuterio "Teddy" Lutz Rodriguez of the Public Works Department.

IV. APPROVAL OF THE AGENDA

A. Amendments

B. Tabled or withdrawn items

County Manager Estevan Lopez announced the following changes to the agenda: Under Presentations, item B, recognition of John Gonzales on his retirement from the Fire Department; Consent Calendar, item N, concerning vacating an easement at 3132 Jemez Road, withdrawn; also Consent Calendar, items H and I should read "CAFS Pumper"; and under Committee resignations, item 1 should read "Request removal of member from the Santa Fe County Maternal and Child Health Planning Council." The second item under Community and Health Department, a request to submit an application to DFA, was also tabled.

Commissioner Trujillo moved to approve the agenda and Commissioner Sullivan seconded. The motion to approve the agenda with the changes suggested by the County Manager passed by unanimous [5-0] voice vote.

V. Approval of Minutes: October 29, 2002

CHAIRMAN DURAN: Any changes to those minutes?

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COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I had some typographical changes which I've given to the recorder. I believe also Commissioner Varela did as well.

COMMISSIONER VARELA: That is correct.

CHAIRMAN DURAN: Okay, so with that the Chair will entertain a motion to approve the minutes of October 29th.

COMMISSIONER SULLIVAN: So moved as amended.

COMMISSIONER VARELA: Second.

The motion to approve the October 29, 2002 minutes as amended passed by unanimous [5-0] voice vote.

VI. Matters of Public Concern – Non-action Items

CHAIRMAN DURAN: Is there anyone out there in the audience that would like to address the Commission concerning any matter? Okay, let the record note that no one had anything to say.

VII. Matters from the Commission

CHAIRMAN DURAN: Any matters from the Commission that you all might want to bring up.

COMMISSIONER TRUJILLO: I have a question from staff regarding our TDR initiative. I don't know if that has been finalized, the transfer of development rights regarding the Phil Sena property to Mr. Parker and commensurate with that there is some water rights that were transferred as part of the TDR process. Can you give me a status on where that is?

ROMAN ABEYTA (Land Use Administrator): Mr. Chairman, Commissioner Trujillo, we did receive a request from Mr. Phil Sena to allocate TDRs for a piece of property he has along State Road 599. It's my understanding that the project, in order for us to give him TDRs, he needs to release the property to the County and it's my understanding that there are

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certain liens on the property that he's trying to clear up before we could actually give him TDRs. It's my understanding he does have an agreement in place between himself and Paul Parker to use the TDRs but I believe that he's still trying to work out the financial details between himself and Mr. Parker. And until that's done we cannot give him TDRs. So we need the property in order to give him TDRs and he's working out whatever he needs to in order to get the title cleared on that piece of property.

COMMISSIONER TRUJILLO: I understand, Roman, that there's some concern from Mr. Parker because one of the conditions of approval is that there would be 100 percent affordable housing for that property and I guess his lawyers have counseled him that that is not in his best interest so he's vacillating on whether even to proceed with the TDR program. Have you heard about that?

MR. ABEYTA: Mr. Chairman, Commissioner Trujillo, I've heard the same thing. I know there was a concern raised regarding the fact that the Board put a condition that all of the units need to be sold as affordable housing units. One thing Mr. Sena could do is he could come back to the BCC and ask the Board to change that condition to make it that maybe 50 percent is affordable or 70 or 80. Whatever the Board thinks is reasonable and Mr. Sena proposes. But that is his option. He could come back to the Board and ask for that condition to be modified so that he can make that transaction happen.

COMMISSIONER TRUJILLO: In the meantime, Roman, I guess Mr. Sena is paying some retainer fees on the water rights that have been earmarked for that property.

MR. ABEYTA: Mr. Chairman, Commissioner Trujillo, I'll have Gary answer that with our water company.

COMMISSIONER TRUJILLO: Or standby fees.

GARY ROYBAL (Utilities Director): Mr. Chairman, Commissioner Trujillo, Mr. Sena did have a payment due in July for the contract which is in default right now. He hasn't been paying any of the standby fees. There is a legal concern as to the actual transfer and assignment of the water service agreement that he has with the County at this point. So no fees have been paid on that contract since July.

COMMISSIONER TRUJILLO: No fees have been paid.

MR. ROYBAL: Just to inform you, there was an assignment that was supposedly executed between Mr. Sena and the Parkers. Subsequent to that assignment, the County, the Utility Department received a letter from Mr. Sena indicating that the transaction between the Parkers and himself did not get executed and that he wanted to rescind or revert the water service agreement back to the County. Right now our Legal Department is looking at the legal issues associated with that transaction so at this point there are no fees being paid on that contract as of July of this year.

COMMISSIONER TRUJILLO: Okay. So he's not identified as being delinquent on those fees?

MR. ROYBAL: Mr. Chairman, we have not notified him of any delinquency at this point because we were under the impression that there was going to be an assignment of that water service agreement to the Parkers. We have given them time to try and work that out.

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At this point they still haven't reached an agreement and we did receive that letter from Mr. Sena saying that the agreement did not, or the transaction between the Parkers and himself did not get executed and he wanted to revert that back. But as I said, we have our Legal Department looking at the issues there to assure that the County is protected on that water service agreement.

COMMISSIONER TRUJILLO: So the right thing would be then, Gary is to revert those water rights back to the County so they can be utilized by somebody else that needs them.

MR. ROYBAL: Mr. Chairman, Commissioner Trujillo, I think that we need to look at the legal issues before I can respond to that to see if there's any type of legal requirements or restrictions or liability due to the assignment and then the letter being received back. So Mr. Kopelman is looking into that issue and it is a priority to him that we want to resolve it very shortly here.

COMMISSIONER TRUJILLO: I'd like to stress the priority of trying to develop a legal opinion on getting those water rights back to the County, because that's something that we need in our coffers because they're not being used; they're stagnant and somebody else is ostensibly being charged for them.

MR. ROYBAL: Mr. Chairman, Commissioner Trujillo, as I said there was a small fee that was paid on that initially. There's 18 acre-feet associated with this project. I believe somewhere in the area of \$36,000 that was initially paid but no more has been paid on that contract other than some standby fees over the last year. But nothing has been paid since July, standby fees or the installment payment of approximately \$82,000 that was due in July. So once we get our legal opinion from the Legal Department we'll act accordingly and bring that to the Commission.

COMMISSIONER TRUJILLO: Thank you, Gary.

CHAIRMAN DURAN: Gary, on that, so Mr. Sena paid \$36,000 initially?

MR. ROYBAL: Mr. Chairman, it's somewhere around \$36,000 or somewhere in that area. I'm not sure but it's in the area of about \$36,000 I believe. It's subject to check. I can go check the contract and pull that.

CHAIRMAN DURAN: I'd just like the Board to remember that the allocation of these water rights to the Parker property was basically done under the premise that the development rights that were on the piece of property at 599 and State Road 62, that they were transferred to the Parker property. This whole process was put together under the premise that we were going to be able to preserve that location from further commercial development. So my feeling is that I think that it would probably behoove us to give Mr. Sena and the other party some time to work this out but I'd hate to lose the right or the option that we have to prevent this property from becoming another commercial site. Because I do think it fits with the—I know we have the Highway Corridor Plan but I do think that it fits within the node concept that we have in place. Anyway, we should remember that as we move forward on this thing.

The other thing I was going to ask you is didn't the Parker property—the Parker

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property had no entitlements, is that correct?

MR. ABEYTA: Mr. Chairman, I don't believe the Parker property had any. Are you referring to TDR entitlements?

CHAIRMAN DURAN: Or any. Aren't they 2.5-acre minimum?

MR. ABEYTA: Yes.

CHAIRMAN DURAN: So their zoning out there is 2.5 acres.

MR. ABEYTA: Mr. Chairman, that's correct. It's 2.5 acres. However, they are within a designated receiving area where the zoning with TDRs would be changed to five units to the acre if you used TDRs.

CHAIRMAN DURAN: I'm just a little concerned that Parker might think—his attorney is advising him that affordable housing isn't the best use of the property or as advantageous to him as any other use. I think without it has no zoning. He might be a receiving station but it still has no zoning.

MR. ABEYTA: Mr. Chairman, that's correct. He would need TDRs in order to get the five units.

CHAIRMAN DURAN: Can you make sure they know that?

MR. ABEYTA: Mr. Chairman, we've discussed that with him and he's looking into acquiring TDRs.

CHAIRMAN DURAN: Okay. Any other matters from the Commission?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Were you going to talk about the business park proposal?

CHAIRMAN DURAN: I wasn't. Do you want to?

COMMISSIONER SULLIVAN: No, I don't want to, but I got a memorandum from Katherine Miller giving us a copy of the RFP which I guess is due in [audio difficulties] It was unclear to me whether they were just like a real estate agent or whether they were actually involved in the construction of these facilities at the park.

CHAIRMAN DURAN: Why don't we spend a few minutes talking about it then.

COMMISSIONER SULLIVAN: I had another couple, just two other items, but if you want to talk about it now fine.

CHAIRMAN DURAN: I just thought that, we've been working on this thing for a number of years and correct me if I'm wrong, Estevan, but I thought that the—and I haven't read the request for proposals but if the Commission will concur with me on this, I thought that we were asking for someone to come in and master plan the property for us that would come up with some planning ideas, uses, and develop a goal and vision for us with the understanding that what we're trying to do is develop the property in such a way to create some economic opportunity and through low cost commercial space—actually it can't be for purchase. It's actually for lease, right? And so that what we would be doing is trying to offer to businesses within the community space at below-market rents. And the question was do we as

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the Commission or does the County have the ability to put something like that together and manage it and actually plan it properly in order to fulfill that goal and vision. That's what the RFP is all about. Is that true?

MR. ABEYTA: Mr. Chairman, that's correct. We want to, we're putting out an RFP to help us find a managing partner who brings all that expertise to us who can master plan the property, who can help market the property, who can oversee the different leases in the property. The RFP, the submittal deadline is January 17th. We did send that out. It's been advertised. If the Board likes we can make a formal presentation maybe at your next BCC meeting and then at that point answer any other questions you may have.

COMMISSIONER TRUJILLO: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: Does the RFP take into consideration infrastructure limitations and constraints?

MR. ABEYTA: Mr. Chairman, Commissioner Trujillo, yes, it does. It also takes into consideration the fact that it's in the Community College District and what type of zoning and development it needs to comply with. It takes all that into effect.

CHAIRMAN DURAN: And it could run the gamut of turning it over entirely to someone in the development community to fulfill these goals and the vision or to perhaps do a private sector/County government joint venture that could produce a revenue source for us.

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

COMMISSIONER SULLIVAN: Mr. Chairman, the things that I saw in it was that the criteria that the County staff is looking for is to develop a partnership or a joint venture or some type of a team and the proposing firms must demonstrate capabilities and expertise in a number of fields, including property development with a proven track record of developing projects of a similar size, property management, architecture and design, which they say will be crucial to the park's success. They have to have design professionals who have to be visionary and attuned to creating a lively mixed-use park, economic assessment capabilities to determine the economic feasibility of the proposals, financial resources, requiring a substantial private investment, because it's a long-term venture and also substantial marketing capabilities to market the park.

So as envisioned here, it's a real turn-key type of operation. We are requesting this proposal to do in essence everything the County would have to do and so I was a little unclear as to how the proposer got paid. Does the County have to front costs or does it, is it all paid from receipts from rents or are we just letting the proposers make their own cost proposals to see how they would suggest doing that themselves?

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, the payment would be on rents received. It would be based on the receipts that we receive, the rents we receive.

COMMISSIONER SULLIVAN: So these individuals would do the architectural design, they would develop it, they would manage it, they would assess the economic and financial resources. There seems to be quite a bit up front cash and time and expenditure needed. So then once they have applied that then I guess in our agreement with them we would

have some percentage of the rental fees that go to the County, obviously, to pay off the cost of the land and the infrastructure, but then another percentage would go to this team that put this together. Is that the plan?

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

COMMISSIONER SULLIVAN: And that hasn't been specified yet. That's something that—

MR. ABEYTA: We would have to negotiate once we have selected a firm.

COMMISSIONER SULLIVAN: Because one of the items in the proposal was I think some type of a cost proposal that you wanted. So you're asking them to put forward a financial plan as a part of the proposal.

MR. ABEYTA: Yes.

COMMISSIONER SULLIVAN: So it's not envisioned that the County would be subsidizing this. It's the private investor or individual who's doing this would have to front-end a lot of that but then would reap the benefits once the development occurs.

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, yes. That's correct.

COMMISSIONER SULLIVAN: I don't know if the other Commissioners feel that we need a presentation. I know the meeting of the 10th is fairly full, but those are the questions I had.

CHAIRMAN DURAN: It will be interesting to see how these people respond to the request.

COMMISSIONER SULLIVAN: Some questions may come up at your previous meeting on December 5th too. I'm sure people have—

MR. ABEYTA: Yes. And Mr. Chairman, maybe what we can do is once we've received proposals after January 17th then at that point we could come back to the Board and just give you an update as to what we've received. Kind of just a status report sometime after the 17th of January.

COMMISSIONER TRUJILLO: Mr. Chairman, would it be appropriate to have a special study session on the issue? Discuss the RFP, open it up to input from the community and develop some sort of program initiative?

CHAIRMAN DURAN: Actually, I think it would be good to find out how the private sector—

COMMISSIONER TRUJILLO: How the private sector, get input from them.

COMMISSIONER SULLIVAN: The proposals are already out. It's already been published, so I guess after staff gets some feedback and some response.

CHAIRMAN DURAN: Maybe after you've made your selection we can open it up for the public to respond and offer some input.

MR. ABEYTA: So our deadline would be January 17th and so maybe after that point we would come back to the Board before we even select a firm so that that would probably be best so that we get your input, the public input, because that would probably help us in selecting a firm.

CHAIRMAN DURAN: Okay.,

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COMMISSIONER SULLIVAN: Mr. Chairman, I just had two other items. One was there were newspaper articles in both the *New Mexican* and *Journal North* about the Arroyo Hondo open space agreement. I hadn't seen that agreement. It seemed like it was fairly well a done deal. We did at the last meeting pass a resolution to acquire that property and the split of funding and also the management of the property by this non-profit group but I don't recall that we acted on any agreement. Perhaps Estevan you could give me or someone could give us an update on that.

MR. LOPEZ: Mr. Chairman, I would prefer to have Paul Olafson please.

COMMISSIONER SULLIVAN: The newspaper reports seemed like it was a done deal and I couldn't remember having seen it.

PAUL OLAFSON (Open Space Coordinator): Mr. Chairman, Commissioner Sullivan, I can't remember the date of the meeting but when we presented it before you last month there was a purchase agreement and I believe maybe the newspapers are reporting it. I haven't seen the article to respond directly but what the Board approved was the purchase agreement and subsequently we have gone forward and closed on the property. So I'm not quite sure what agreement—

COMMISSIONER SULLIVAN: This was an agreement that they were reporting on between Santa Fe County and the non-profit entity that's getting \$30,000 to manage it.

MR. OLAFSON: I think that's a little bit of a misperception. The \$30,000, if you'll remember from the Board hearing was put into—instead of putting it into the County's five percent maintenance fund, it was put into this non-profit fund because it was raised under the promise that it would be. So that it was a slightly unique process for us but it still provides maintenance fees for this property. And again, I haven't read the article to respond directly, but the funding then is directed to Santa Fe County, it's not directed to another agency or organization. It's just, the uniqueness is how it's channeled.

COMMISSIONER SULLIVAN: But apparently there's some responsibility that this non-profit organization is assuming, some responsibilities for seeing that the property is used for the purpose for which it was purchased, although the County still retains the obligation to pick up trash and physically maintain the property. So it seems like if there isn't an agreement then there should be. And it went on to say how this is a unique one-time agreement and a model and all of this type of thing and I'm saying, Gosh, it sounds great but where is it. So you're saying there is no such agreement.

MR. OLAFSON: The purchase agreement included that this maintenance funding would be routed through the community foundation.

COMMISSIONER SULLIVAN: But did it say what the community foundation would do?

MR. OLAFSON: Then there's a separate agreement between the fund collectors, the Arroyo Hondo area, and the Santa Fe Community Foundation. And we did review that agreement and I can provide you with a copy of that.

COMMISSIONER SULLIVAN: So that's not—so there's no agreement

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between Santa Fe County and the Community Foundation.

MR. OLAFSON: No. Other than we are the recipient of their funding.

COMMISSIONER SULLIVAN: Maybe we want to look at that a little bit because my understanding is that \$30,000 of that is money which would have otherwise gone to COLTPAC or gone to Santa Fe County.

MR. OLAFSON: Correct.

COMMISSIONER SULLIVAN: For maintenance, and in this case we're providing this money to a non-profit because that was part of how they collected the money. The people who donated the local share were assured that the non-profit foundation would be developed to ensure that the property was used for the purpose intended and properly maintained and so forth. I don't know all the details but that's my understanding from reading the minutes and the documents. So it kind of seems like we're missing the link between Santa Fe County and that non-profit.

CHAIRMAN DURAN: Maybe you should get a copy of it to him and I think that once you see it, Commissioner, I don't think you'll have any problem but rather than just sit here and shoot holes in it without having read it why don't you get a copy of it?

COMMISSIONER SULLIVAN: Well, I don't want to shoot holes in it and I'm fine with whatever the agreement is between the Arroyo Hondo property owners and the foundation. I just want to be sure that legally, we've established the duties and obligations of that foundation vis-à-vis the County. So we're not at odds at a later date as to what should the foundation do and what should the County do because this is the first time we've done it this way.

CHAIRMAN DURAN: Could you get him a copy of it, Paul?

MR. OLAFSON: Certainly.

CHAIRMAN DURAN: Then we could move to the next item. And maybe you can get it to him before the meeting is over so that Commissioner Sullivan can bring it up again if he feels the need to.

MR. OLAFSON: Certainly.

COMMISSIONER SULLIVAN: The other item is the, Estevan, have we had any success in getting any type of meetings set up with Edgewood? I know last time you reported that the response was fairly negative from the mayor. Are we still in that mode?

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, relative to setting up any sort of a joint session, that still is the tone per my last discussions with the mayor. I felt that we had a pretty good discussion or negotiation session between the mayor, the clerk, our Finance Director and myself but they were still pretty reluctant to setting up any sort of joint session at this point. Since that negotiating session, we really haven't made any headway. They've requested a lot of additional information that at this point is somewhat burdensome for us, but we're trying to work through it. But the general tone relative to their receptiveness to a joint meeting has not changed.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Any other questions?

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COMMISSIONER VARELA: Mr. Chairman, I have a matter. I would like to know if staff could look into the feasibility of being able to utilize the refuse cards that people in the county use to take their refuse to the transfer station, to see if there was anyway that people from the Agua Fria area and from the 599 area could use the regional landfill instead of having to truck all their refuse down to La Cienega. I think it would be a lot more convenient for them if they could use the regional landfill and it would also alleviate a lot of traffic in La Cieneguilla and illegal dumping in the area.

MR. LOPEZ: Mr. Chairman, Commissioner Varela, we'll look into it and report back on that issue.

CHAIRMAN DURAN: Any other questions or comments from the Commission?

VIII. Presentations

A. Recognition of Federico Trujillo on his retirement from Santa Fe County Department of Public Works with twenty years of service

CHAIRMAN DURAN: Mr. Lujan, how's that snow removal coming?

JAMES LUJAN (Public Works Director): It's going good. We've almost got it all wiped up. Mr. Chairman, members of the Commission, it's a pleasure to recognize an individual today that put in 20 years of service with the County. He was inventory control for fleet and fixed assets. He's a real asset to the division. The time I worked with him it was a real pleasure working with him and his wife Carolyn. He's going to be moving on to other things in life so I just want to really thank him.

FEDERICO TRUJILLO (Public Works): Good morning. I'm not much for speeches but I feel that I have to say this. I'm really thankful for this day that I can retire after 20 years of service with Santa Fe County. I'm thankful to all the people that have served as Commissioners. I'm thankful for the citizens of Santa Fe County, all my fellow co-workers and I am grateful for County government. I thank everyone for making this possible.

CHAIRMAN DURAN: Thank you. I wish I was going with you. And Commissioner Sullivan wishes I was too.

COMMISSIONER TRUJILLO: Fred not only has served in the capacity of fleet coordinator or supervisor or whatever but when I started here at the County, 1974, he was in the Sheriff's Department as a deputy sheriff and did a great job there and left a lasting imprint, impact on Santa Fe County. Thank you very much, Fred.

CHAIRMAN DURAN: Thank you. I'd like to recognize a few of our visiting dignitaries, local dignitaries. Commissioner-elect Mike Anaya. Thank you for joining us today. You're almost here. And Sheriff-elect Solano, nice to see you. And Councilor Coss. Thanks for joining us.

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VIII. C. The Proposed River Restoration Project on Santa Fe County Open Space Property at the San Ysidro River Crossing in Agua Fria (Project & Facilities Management)

PAUL OLAFSON: Mr. Chairman, Commissioners, thank you. I'm just going to make a brief presentation today regarding a river restoration project that the County is working on on some open space property near the San Ysidro Crossing in Agua Fria.

To be very brief, it's on 14 acres that has been purchased for open space. The broad concept is river restoration, trying to slow down the river and create a meander there. I've asked Ms. Paige Grant from the Santa Fe Watershed Association, the executive director, to speak a little bit about it, and primarily ask Judy Kowalski, who's the principal designer, to go through some of the designs and talk about that end of the project. The idea is that we're getting ready to start moving forward with this, and we want to present it to the board to give you an update of where it was, as well as some more background on what is actually being planned. So, with that, I'll ask—and this project was written together with Santa Fe County Open Space and the Watershed Association. I'm going to ask Paige to give some more on the background on that, and then ask Judy to give some of the more technical background. You've all received copies of the three posters we'll be looking at.

PAIGE GRANT: Thank you, Paul, and good morning Commissioners. My name is Paige Grant, I'm the executive director of the Santa Fe Watershed Association. The history of this project goes back to—it's about as old as the history of the County's Open Space program.

We actually started on this project when we had heard that the M & R Sand and Gravel Mining Company was applying for a permit to continue their mining activity, which, by the way, is still continuing, despite the County's taking them to court for mining without a permit. That was about four years ago. Our thought was as the County was contemplating setting aside these funds to purchase open space that we could purchase the sand and gravel mine and have a win-win solution and be able to convert that into open space and begin to demonstrate some river restoration techniques there.

After two years of effort and negotiating with the M & R Sand and Gravel Company, that didn't pan out. But the upstream neighbor was Mr. Richard Cook, who was eager to sell his property, and so the County acquired that piece, and that's the 14 acres that we're working with in this restoration program. The Watershed Association and, at that time, Alina Bokde, your planner with Santa Fe County, sat down together and did a grant application to EPA and acquired \$300,000 in grant funding, which we've been applying to the design and restoration of this parcel.

The techniques that we want to demonstrate in this location have nothing to do with the usual approach to managing erosion problems caused by the Santa Fe River, which basically comes down to concrete Band-Aids. That is something that we are doing our best to avoid in this particular context. We're trying to treat the river as a river, recognize that

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we've got tremendous impacts coming at us in this reach from everything that happens upstream, and that what we do in this reach is going to have an effect on what happens downstream. We're hoping to demonstrate a technique in this area that can be applied upstream and downstream widely in the restoration of the river. The transferability of these techniques were really important.

It was also really important to us that we work with the community, and that this project be designed consistently with what they remembered about the river, back when there was a river there, flowing through the community of Agua Fria. We've had a long series of meetings with community members, we've had a steering committee that's been actively involved in helping us craft this approach that we've taken.

We also were tremendously fortunate that just as we were getting started on this, Judy Kowalski, who was beginning to go for her master's degree in Landscape Architecture at the University of New Mexico, was shopping around for a project that she could spend her considerable energies and skills on. We've been tremendously fortunate to have Judy volunteering her time. We've hardly touched the \$300,000 grant so far. Almost all of it is left for actual work, implementation of the design, because Judy has been providing us with her services on a volunteer basis. We've also had the tremendous help of Bill Zeedyk, who's one of the foremost river restoration practitioners in this state, in fact in the Southwest, who's been looking over Judy's shoulder and guiding her much of the way. So I'll turn it over to Judy to describe exactly what we're planning in this reach, and when we'll be getting started.

JUDY KOWALSKI: Mr. Chairman, members of the Commission, thank you for this opportunity to present to you our design for this San Ysidro river project. Before I get into that, I want to thank the staff of the County, who have been extremely helpful to me throughout this whole project. They've really gone above and beyond, and as a resident of Santa Fe County, I really appreciate having such bright and committed people as our public servants.

As Paige mentioned, I worked very closely with Bill Zeedyk, who wanted to be here today, but who lives in the east mountains in Albuquerque, and the weather there was quite bad, so he couldn't make it. But he's offered his services as a volunteer, and has also told me that he's willing to continue to give us technical assistance as we pursue this project further.

As Paige mentioned, we worked very closely with the community in looking at the river and the problems that the river was causing. The river as it is now is actually a liability to the community, I believe, because it presents some safety hazards and erosion hazards. What we're hoping to do with this design is to create a public asset there at the 14-acre open space property.

The two major causes of the problem, I believe, and other people that I've worked with believe, are, one, the fact that there's much more stormwater coming down the river and causing severe erosion and down-cutting, and two, the fact that there has been gravel mining just below the property has also contributed to that down-cutting. In the posters that

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we've passed out, the first one describes the existing conditions of the river. You can see that that there are very steep banks that, in some places, are 30 feet deep, and they're cutting into people's private property. What that does, obviously, is steal property from people, and also creates a lot of sediment that carries down the river during storms. It's also not allowing the stormwater to infiltrate into the ground, and the people in Agua Fria have been plagued by declining groundwater levels. One of the positive aspects of this project is that we're hoping to slow down the stormwater so that it can infiltrate and recharge the groundwater.

The ways that we're proposing to do that are two, really. One is to focus on the river itself, and to create a floodplain where there is no floodplain, and to slow the water down. And then two is to address some of the stormwater that's coming off the adjacent properties up on higher land next to the County property. And so maybe we could look at the next poster. The property is about in the middle of the watershed, but it really drains only about a third of it, because of the way that the watershed is shaped. So a pretty large amount of the water that drains the watershed actually enters the river at that point.

As you can see, the rehabilitation design that Mr. Zeedyk helped me with is based on a lot of study of what the river channel looks like now, and what we think the river channel may look like in an undisturbed state. We really don't know what the river looked like before human interaction because there have been people there for thousands of years. There are two pueblo sites that are very large sites, so we know that there were thousands of people there even in the 14th century.

Using geomorphological research, we've designed a channel that meanders in the stretch of the river that's owned by the County, and we've also enlarged the size of the floodplain so that the capacity of that stretch of the river to handle storm water is actually tripled. So that will reduce the energy of the river, it'll create a floodplain that can be vegetated, we hope, and also serve as an amenity to the community. The community's very interested in having some vegetation returned to the river. So this second poster describes the research process that we went through.

The third poster is the design that was developed, and really the design focuses primarily on the river itself. You can see that the meanders have been created. It's really a very straight reach right now, and so at each outside edge of the meander vegetation would be planted and structures would be installed, seines and weirs that would be installed in the river, constructed of juniper or possibly treated pine posts that are very low and unobtrusive. The banks are scaled back so that they're not so steep, and that would actually be an opportunity for revegetation of the banks there. Then, there's also a detention pond, there's a very large drainage, there's about 85 acres that drains right into the site at the northeast corner there, the lighter colored organic shape in the design poster. And that is designed to handle the water that is coming down the arroyo there that is creating pretty severe erosion just below the Corps of Engineers structure that is now at San Ysidro crossing. And that will also encourage infiltration as well as reduce some of the erosion effect.

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We've also talked to the people in the community about what they would like to see in this area, and they're really interested in a passive park, in a natural looking area that they can go to enjoy the river area itself. So the design is really focused on turning the river to a healthy state, and then, as that happens over time and the public sees how it looks, they can think more about how they would like to use the area. There are several parts of the parcel that would be available for more active uses if the community decides that they would like to have those in the area. So, without getting into too much more detail, I'd be happy to answer any questions that you have about the design.

COMMISSIONER TRUJILLO: Mr. Chairman?

CHAIRMAN DURAN: Commissioner.

COMMISSIONER TRUJILLO: How long is this area proposed for restoration?

MS. KOWALSKI: The river itself is about 3,000 feet from San Ysidro crossing to the very end, the west end of the County property.

COMMISSIONER TRUJILLO: Does the Agua Fria ditch intersect with the river here on a diversion?

MS. KOWALSKI: No.

COMMISSIONER TRUJILLO: It doesn't? So that there's not a possibility of restoring water into the acequia to Agua Fria?

MS. KOWALSKI: Mr. Chairman, Commissioner Trujillo, the only part of the acequia that we're aware of is actually on the south side of the river, and it's no longer in use. It's just a remnant. So what we are creating on the north side is a swale that would channel some of the stormwater and also collect some of the stormwater from the higher properties on the north side of the river that would act as an opportunity to irrigate some vegetation along that. But there's really no evidence of an acequia along that part of the property. And in fact, from photographs that we have from 1935, it actually looks like almost the entire property was just the riverbed itself. So it's become much more narrow over time. Yes?

MS. GRANT: If I could just add something to that. The last public meeting that we had out there, we had a really great meeting with a Mr. Rotuna, who walked us over to look at a remainder of the acequia. It parallels Agua Fria, and it actually is truncated right at the San Ysidro Crossing. It's gotten built over and so forth. But there's a section of it that is still very visible, and we talked in just general terms with Mr. Rotuna and also with the owners of the community farm, about part of our ultimate design for the river park, which would be about commemorating the agricultural history in Agua Fria, that this is something that really matters to people. The community farm is talking about their wanting to do more outreach around agriculture with the community. In other words, perhaps establish a community orchard or something of that kind.

The Santa Fe Watershed Association is working with Acequia Madre right now on a proposal that would involve management of stormwater in such a way that it actually, instead of stormwater just splashing down the nearest channel and going away, that we can

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CHAIRMAN DURAN: Paige, do you know?

MS. GRANT: I think you're making reference to the State Land parcel, and I think that the east end, or the upstream end of the State Land parcel is approximately two miles downstream from the west end of this property. Does that seem right to you?

MS. KOWALSKI: Yes.

MS. GRANT: I think it's approximately that. You go from this property—this property ends about midway between San Ysidro Crossing and Lopez Lane. And then from Lopez Lane, you go another several thousand feet downstream before you get to the upstream end of the State Land Office property. By the way, apart from the incredible damage in the M & R Sand and Gravel piece, which I cannot overstate, the section from Lopez Lane downstream is in even worse shape than that, in my opinion. It's extremely unstable. That's where the sewer pipe was exposed by erosion, and the city had to do an emergency project just to keep the sewer pipe from falling out of the wall of the river. There's a huge need to extend the work that we're doing here upstream and downstream.

CHAIRMAN DURAN: But there's no mining on that piece west of the Lopez Lane, correct?

MS. GRANT: There's no mining west of Lopez Lane, it's just a matter of concentration of stormwaters that are causing that kind of erosion.

CHAIRMAN DURAN: Has your organization made an appeal to COLTPAC to acquire the balance of the property? Because I think we're close, I hope we're close to settling our differences on the M & R piece, but has COLTPAC been—has anybody approached COLTPAC to consider acquiring the balance of that privately owned riverbed property?

MS. GRANT: Mr. Chairman, I was told by a member of COLTPAC, over a year ago, that the money had been set aside for purchase of the M & R property once the suit was resolved. And I trust that that's still the case.

CHAIRMAN DURAN: Right, I understand. I'm talking about the other piece.

MS. GRANT: The other pieces I was told that COLTPAC was not entertaining proposals for a purchase of property at this time, that they were looking for management plans and apart from trail easements and that kind of thing, please correct me if I'm wrong, but I was told that they were not entertaining proposals for that at this time. I would be the first on your doorstep with a proposal for purchasing that property right down to the State Land boundary.

CHAIRMAN DURAN: I think you better go sit yourself in front of Paul Olafson's door, because I think that directive was changed.

MS. GRANT: I look forward to being informed on that. Thank you.

MS. KOWALSKI: Mr. Chairman, I should also mention that Karen Stockdale has been working with a number of the private landowners, looking at acquiring some of the property along the river. She's been working with the Camino Real River Connection on that.

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CHAIRMAN DURAN: It would be nice to have that whole connection up to the State Land Office's, and we could get the State Land Office to help us get the balance of the river.

MS. KOWALSKI: There's some tremendous opportunities to rehabilitate the river in that reach.

CHAIRMAN DURAN: Well, thank you very much. Any questions of Staff or the people making the presentation? Thank you very much. Good work. Paige, call Paul.

VIII. D. Santa Fe County Maternal and Child Health Planning Council Update
E. Santa Fe County Community Infant Program Update and Evaluation Results

CHAIRMAN DURAN: Okay, next on the agenda is item D, Santa Fe County Maternal and Child Health Planning Council update.

RON HALE: Mr. Chairman, Commissioners, my name is Ron Hale. I'm a member of the Santa Fe County Maternal and Child Health Council, and I'm also the representative of the council on the Santa Fe County Health Planning and Policy Commission. Catherine Rice is the new council chair, and she's unable to be here, she was called out of town because of a death in her family. We would like to take this opportunity to bring you up to date on activities and accomplishments of the Maternal and Child Health Council and some of its contractors.

We were called in to work on a resolution in spring of 2001, and in response to that, in response to a funded request, the Council developed a 0-3 strategic plan for the County. This is in recognition of the overwhelming evidence that shows that the first three years of life are critical, not only in terms of cognitive development but in terms of emotional health and well-being and prevents a lot of problems later on in life. And Santa Fe County, I think, was particularly forward-looking in this regard.

Nancy Smith-Leslie has become a co-coordinator, along with Edie Powers, for the Maternal Child Health Council and she has primary responsibility for helping to implement the 0-3 strategic plan. I'd like to introduce her now. Nancy Smith-Leslie was most recently assisted in the management of the \$1 million contract with the Center for Healthcare, grant from the Center for Healthcare Strategies to the New Mexico Human Services Department. She also has wide experience in marketing and program development.

I wanted to make you aware of an event in January growing out of the 0-3 strategic plan. A group has been meeting called the We Stand For Our Children Committee that's about 25 people. It's a really unusually dedicated and enthusiastic group of people. They are working on implementing the first mission of the 0-3 plan, which is to create an awareness in the County that the first years of childhood last forever. As part of this effort, the group is bringing Dr. Kyle Pruitt from the Yale Child Study Center to Santa Fe on

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January 22nd and 23rd. Dr. Pruitt is an internationally known expert in child development. He's also been a resident of New Mexico. He's been a consultant to the White House Conference on Men in Children's Lives and the creator and narrator for Oprah Winfrey's video "Begin With Love." He will be speaking at a community meeting on the power of experience and be conducting an all day workshop the following day, as well as doing legislative meetings.

The Maternal Child Health Council, through the coordination team, has been working with United Way of Santa Fe County to address priorities identified in the 0-3 plan. Among those priorities is this element of what's called a 211 Resource and Referral Line. It's kind of analogous to a 911 line. This is a line that parents and others can call for resource referrals in the community. United Way is also working on a success by six grant proposal.

The Santa Fe Breastfeeding Task Force continues to promote breastfeeding. "Breastfeeding Welcome Here" window decals have gone up in all County facilities, and pamphlets have gone out to all County employees. Again, this is in recognition of the overwhelming evidence that shows that kids who are breastfed are healthier kids, not only in early childhood but later on in life.

An evaluation consultant is working with Maternal and Child Health contractors with the Prenatal Promotora Program at La Familia Medical Center and with the Teen Health Centers at the high schools here. This is in a four-year effort to identify factors that contribute to healthy births, and to teen pregnancy prevention. There's a lot of work going on in that area in the County, and we need to get some hard data in terms of what works well.

A state-wide task force is completing a New Mexico Infant Mental Health strategic plan, and the Santa Fe Community Infant Program is a part of that. This is a program that was supported by the County Commissioners in 1999, and it's a model that is being increasingly widely recognized as an effective model throughout the state. A second evaluation of this program has just been completed, and we'd like to bring out some of the staff and steering committee members from that program to talk with you a little bit about what's going on with that. Before I bring them up, do you have any questions?

CHAIRMAN DURAN: Any questions? No, we're fine. Thank you.

MR. HALE: Ok, so I'd like to introduce Debra Harris-Usner. Debra is director of the mental health component at Las Cumbres Learning Services. She oversees the Community Infant Program for Las Cumbres.

DEBRA HARRIS-USNER: Good morning, and it's a pleasure to be here this morning. Thanks, Ron. I'm with Las Cumbres Learning Services, and I've also been on Infant Mental Health Strategic Planning Committee for the state of New Mexico for the last two years. As Mr. Hale said, we're really using Santa Fe County as a model for our plan, and I want to congratulate the Commissioners for having the foresight to fund this three years ago. We've been working on a state level for two years just to write up a plan. Funding is going to be probably another three years. But we're hoping to present that to

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the new legislators. We were also called by a representative for the president's committee on children's mental health, asking for recommendations about 0-3. We shared with them what's been happening in Santa Fe County, as well as plans for the state. So you should know that you're on the map as something very positive for New Mexico.

I also wanted to congratulate you on saving over \$2 million this last year by funding the Community Infant Program. If we use research results that show a 1:7 ratio of money invested to money saved, the \$135,000 allocated by Santa Fe County Commissioners results in savings up to \$48,000 per family. We saw over 60 families, for a total of \$2,880,000. So congratulations, and if you give us a little more money, you'll save even more.

I also want to say that one of the things we're really trying to do is make sure that rural areas of Santa Fe County are covered. Traditionally, it's much harder to serve our population in the rural areas because funding does not usually allow for the time and the gas that it takes to do home visits to these isolated families. So, when we ask for continued and possible expansion, we're really looking at who needs our services possibly the most because they're isolated, and who is it hardest to get them to. And that cost includes the travel time as well as the gas to get there.

I also wanted to say that our last evaluation was very positive. It was done by an independent evaluator, and I don't think that the staff will necessarily toot their own horn, so I'm going to tell you a little bit about what the evaluator said. They were anonymous interviews with clients, with providers, as well as with the Staff. Phone interviews, as well as filling out surveys. Interviews with the clients indicated that they got services from concrete to practical, including infant massage care, assisting with court preparation, to parenting skills, discipline, anger management, dealing appropriately with developmental stages and counseling.

Many of the interviewees commented on how important it has been for them to have somebody in whom they could confide, someone who was there to talk with them and guide them through the process of problem-solving and self-understanding. Providers from other agencies stated that the Community Infant Program staff consistently went above and beyond in the provision of services, providing quality and vitally needed services to clients. Almost across the board, referral services surveyed expressed unqualified satisfaction with the CIP staff.

I think you all have a copy of this, so I won't go through it all. I did want to underline that almost all clients interviewed felt that the Community Infant Program was instrumental in providing them with the skills necessary to become the parents they aspired to. One respondent even stated that she felt that she would have ended up hurting one of her children without the Community Infant Program intervention, and of course that is goal of the Community Infant Program, to prevent child abuse. Any questions?

CHAIRMAN DURAN: I have a couple of questions. So your main focus is mental health care?

MS. HARRIS- USNER: It's home visiting, and it's infant mental health. If I

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could maybe give you a definition, that would help. It means strategies that are utilized to address the healthy social and emotional development of infants and toddlers through supporting the parent/child relationship. It can be personnel from a number of disciplines, including social workers, psychologists, early childhood specialists, nurses. They may use a range of approaches, including providing families with concrete assistance, emotional support, developmental guidance, early relationship assessment and support, advocacy and infant/parent psychotherapy. So I use it in a very general term, mental health.

CHAIRMAN DURAN: How do people find out about you, and what kind of outreach programs do you have?

MS. HARRIS-USNER: Those are excellent questions, and I think I'm going to let the program coordinator, Kathleen Beneke, answer those. She does a lot of the outreach and the networking, and she can list specifics.

CHAIRMAN DURAN: Okay. And then, just a last comment I have is a week or so ago, we approved the purchase of a van that St. Vincent's is going to use to provide not diagnostic analysis, but—I'm not sure what they're doing, quite honestly. But they're going to be out there providing some screening.

MS. HARRIS-USNER: Mental health screening?

CHAIRMAN DURAN: Yes. And that van may be a good tool for you to use, maybe not to send someone out there, but if somebody could make an appointment with you. You said that oftentimes you go out into the community, you might be able to go in this van sometime. I don't know if that works, but it's just an idea.

MS. HARRIS-USNER: It's an excellent idea, and the more that we can network with existing and new resources the better.

CHAIRMAN DURAN: Or maybe even some literature that goes in the van—I think getting the word out that you have this service available is crucial to the success of it.

MS. HARRIS-USNER: Yes, I agree with you. Part of it has been budgetary, in terms of getting brochures and fliers and that sort of thing. We have been able to hire someone, an administrator, who will help with that. Also, you're hitting on an excellent point, and that is that the 0-3 organization that's been around for about 25 years, and is nationally recognized for setting the standards, has some policy recommendations, and one of them is really to have infant mental health consultants available to all early childhood programs in a community. That's what Santa Fe has really been supporting, and I think you're idea of trying to link up with other services, have people in a van. When people think children's mental health, they don't necessarily think birth to the three. What we have to do as a community is get educated and not forget about that age group. There are many resources for children's mental health, but there are none, except the Community Infant Program, for birth to three mental health issues. Any other questions?

CHAIRMAN DURAN: You're going to have some come up and give us some of the—

MS. HARRIS-USNER: Yes. Kathleen Beneke is the program coordinator.

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KATHLEEN BENEKE: Good morning, Mr. Chairman and Commissioners. I've been up here several times since we have received funding through you, so from the program, we really want to thank you for your continued support and funding since we started this program in the fall of 1999. To date, we have served over 100 families in Santa Fe County. As a result of parents being served in this program, they have a much better understanding of their child's behavior, development and non-verbal cues. They are able to respond appropriately to their child's needs, and they feel a greater sense of competence and satisfaction in their roles as parents, which, in turn, hopefully decreases abuse and neglect in the home.

I also just from the program evaluation wanted to read to you some broad outcomes that our clients have felt as a result of being in this program, and that we have also observed. There's been increased sobriety, setting appropriate boundaries with husbands and boyfriends, and leaving domestic violence situations, increased employment, increased self-awareness, self-esteem, judgement and the ability to place themselves and their children in safer situations. There has been increased assertiveness, resulting in more successfully organized lives, education and employment preparation, including working towards their GED, participation in the Santa Fe Works program, attending the Community College and otherwise acquiring job skills for future employment. Reunification with children after CPS removal, which is Child Protective Services, decreased anxiety, and an increased use of community resources.

Presently, we have three therapists including myself. We do offer bilingual services to our clients. As Debra said, as of September we hired a program administrator and developer, and he is helping to find us more sustainable funding along with the funding that we get from the County.

And also as Debra said, we really have a vision, and we really want to be able to expand our services to Santa Fe County. Presently, we do go to Pecos, to Pojoaque, to La Cienega, to the Lone Butte/Cerrillos area. So we do reach out to a lot of the rural areas, but as Debra said, because this is a home-visiting program, we do give our clients an option to either come to our office or for us to go to their home. I'd say probably 99% of the time they are opt for us to go to their home.

So, it's a different mental health program, where people usually aren't coming to our office, but rather that we're going to them. We all really like that because it give us an opportunity to really see how families live, to not have the hierarchical system of therapist/client, that we're really equal and on their territory. It really gives us a feel for what they have to deal with in their home and with their children.

I know, Mr. Chairman, you had a question about referral sources, is that correct?

CHAIRMAN DURAN: I was just wondering how people find out about you, and what efforts are you taking to get the word out that you have this service available to the community.

MS. BENEKE: When the program first started, myself and Lilia Whitener, who was the executive director at the family center where we were first housed, we really

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made an effort to go and talk to people in the community, and that's something that I've done ongoing, and that I really plan to continue to do. So we have gone to St. Vincent's hospital to talk to the people in Women's Health Services, New Vistas, Catholic Charities, the Teen Parent Center, Child Protective Services, Family Court—I know I'm probably forgetting someone here—La Familia Medical Services, Women's Health Services, Arroyo Chamiso Pediatric Clinic, Healthy Families First, Headstart, First District Court and the Santa Fe Family Center.

CHAIRMAN DURAN: Sounds great.

MS. BENEKE: Yeah, and a lot of times we get self-referrals, where people—it's word of mouth or—and also, we have a waiting list. We have nine clients right now on a waiting list. We're presently serving 45 families. So that's also one of the reasons why we really want to expand our program, is because we really need another therapist to really to be able to serve the needs of our families and children in Santa Fe County.

Any questions at this—oh, I do have one more thing to say, that I think we're really proud of. For the last year and a half, we have been meeting with New Vistas, Child Protective Services and St. Vincent's Hospital, Marcia Penagakos, who is the social worker/discharge planner for Women's Health Services and Pediatric Services, to develop a program of best practice for working for drug-exposed infants in our community. The name of this project is called CAST, which is the Community Assets Support Team, and we're going to start, as of January 1st, of doing a project to really look at best practice of working with drug exposed infants in our community.

So, in closing, I just wanted to say that last year, several of us went to the 0-3 conference. It's a national conference, and it was in San Diego. When we were talking to people about the Santa Fe Community Infant Program, and people would ask us more about our program, where do you get funding, and when we would tell them that the majority of our funding comes from our County, people were so impressed and were just like "You've got to be kidding me. You mean your County funds a program like that?" and I said yes.

So I say this to you because we are very proud that you have supported and funded this program, and in turn, I feel like you should be really proud, because I know that you have a lot of other programs to fund. I think typically, from talking with people from across our country, that this is not the typical program that counties fund.

So, in closing, I just really want to ask that you will continue to support the emotional, physical and cognitive development of our children who live in Santa Fe County by continuing in the future to support this program. And we thank you from the bottom of our hearts for what you've done so far.

COMMISSIONER CAMPOS: I have a question.

MS. BENEKE: Sure.

COMMISSIONER CAMPOS: Are you looking into other funding sources?

MS. BENEKE: Yes, we are.

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COMMISSIONER CAMPOS: Could you tell us what you're looking at in the short term?

MS. BENEKE: In the short term—you'll have to excuse me because that's sort of a part that I'm not that familiar with, though I do know some. We've applied to United Way, we have applied from a grant from the hospital, we've just applied and got a rejection from another funding source, Con Alma. Tom Regler, who is our program developer and administrator, has put out a lot of grant requests for other funding sources.

COMMISSIONER CAMPOS: What about federal money? Any federal money available?

MS. HARRIS-USNER: That's something that we're always looking into, and we're actually hoping to move to some state funding next year, when the requests for proposals are going to be put out. They were delayed because of the change in administration. So we're looking at some state money, and hopefully some federal money.

COMMISSIONER CAMPOS: Great. Well thank you very much. Great job.

MS. HARRIS-USNER: I just would like to introduce one more person that just wanted to say something in support of our program and that's Marsha Penagakos and she's a social worker at St. Vincent's Hospital.

CHAIRMAN DURAN: If you could kind of make your comments brief we need to move on.

MARSHA PENAGAKOS: Certainly. Good morning, Mr. Chairman, Commissioners. My name is Marsha Penagakos. I'm a social worker at St. Vincent's Hospital for women's services and pediatrics. I've been involved with the Community Infant Program since prior to its inception. I was also a steering committee member in helping to develop this program. Your question earlier about how folks find out about the program, maybe I could just briefly let you know about that just by telling you my day a little bit.

Each day I come in to women's services and we see referrals from both doctors and nurses at the hospital for women who have delivered babies who have any kind of high-risk social situation and that could be a teen pregnancy, mom has been drug-exposed, domestic violence, social stressors, lack of financial resources. I visit with all of those moms on a daily basis, and for many of them the Community Infant Project is the one referral source for me that I perceive as the hugest asset for Santa Fe County families. All of these issues that I just mentioned become distractions when you go home with a new baby and being able to provide the emotional support that that newborn needs.

With the introduction of a home-visitor and a clinical professional visiting these moms and these families, offering the services that have been described, I know that our children are going to be so much better off in their early childhood development. So from the perspective of the hospital and as a clinical social worker, I want to thank you for the continuing support of this program. Thank you.

CHAIRMAN DURAN: Thank you. Commissioner Sullivan?

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

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course we really appreciate the success that this program has seen and I know in terms of program outcomes that you've done some telephone surveys and a client satisfaction survey and I was very much taken by one of the letters that was written to you by somebody complimenting the program and going on to say, "And if I can help in any way, you just need to ask." So there's a person who obviously has gone through your support services and even gotten themselves to the point where they're willing to give something back or at least to offer it, which I thought was telling.

The specific question I had was on the outcomes. You indicate that the primary outcome measure for the Community Infant Project is the North Carolina Family Assessment Scale. However, due to lack of consistent and appropriate training, the data collected during the time period covered by the report does not reliably reflect the status of families participating in the project. So then apparently you went to some other mechanisms to do your assessments. What is, briefly, what is the NCFAS and why do you want to use it and why couldn't we use it?

MS. HARRIS-USNER: Good questions. The North Carolina Family Assessment Scale was developed in North Carolina and it was adapted for New Mexico use by the Family Preservation Unit of Children Protective Services. And it looks are areas of strength and areas of need in different domains, such as housing, community, health, mental health, accessing resources, parenting skills on a smaller scale. And the reason it was chosen is because it was adapted by the state and it was chosen by the state, and as we look into the future, we wanted to make sure we were in line with what the state was requiring of programs for evaluation. We're looking to Children, Youth and Families for future funding and this is what they use.

So we didn't want to use another tool and then add tools. It has gone through the person that was doing the adaptation, Myra Mora, who also did the evaluation has now done training with the staff of the Community Infant Program. They had some initially training by CYFD and needed to be revamped as the tool was being revamped. So I think we're clear now and we're also looking at other tools to complement and supplement because it doesn't look as in-depth as the mental health piece, as this program does. It looks really at how families are utilizing resources and what their strengths are. And if there's been a change over a three-month period.

COMMISSIONER SULLIVAN: So this is an assessment tool that you'll be able to use next year?

MS. HARRIS-USNER: It's in use now. But for this evaluation, which was last year's we weren't using it.

COMMISSIONER SULLIVAN: So you'll be using this plus some other of your own evaluation.

MS. HARRIS-USNER: Yes. So next year's evaluation will include the NCFAS, as it's called, and some others.

COMMISSIONER SULLIVAN: Because we continue to stress program outcomes and we'd like to continue to see those. Obviously, people come in support but

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it's people that aren't here that I am always concerned about.

MS. HARRIS-USNER: Right. And I think because of the birth to three field is new, there aren't a lot of ideal assessment tools. And one of the things that policy is calling for is the development and research and evidence-based practice for outcome tools. So there isn't one that everybody agrees on. This is one that the state agreed on and that's why we agreed to use it. More and more are being published and we are looking at all of them to determine what best fits our needs.

COMMISSIONER SULLIVAN: Okay. Thank you. That's all I had, Mr. Chairman.

CHAIRMAN DURAN: Any other questions?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER VARELA: Just a comment. I just wanted to say thank you to these folks for the wonderful job they do. I was very impressed with the information in our packet and the letters that they've received from people that they'd helped and I think it's a wonderful program and it kind of helps to break the cycle of violence and educate people and ultimately really encourage infant mental health. Thank you.

CHAIRMAN DURAN: Thank you very much. Keep up the good work and let us know where and when we can help.

COMMISSIONER SULLIVAN: Just send money.

CHAIRMAN DURAN: I knew that's what the answer was.

MR. LOPEZ: Mr. Chairman.

CHAIRMAN DURAN: Estevan.

MR. LOPEZ: Mr. Chairman, I've just been informed that if there's any discussion that needs to happen on a couple of Consent Calendar items, specifically items K and L, the representative from the State Land Office, Mr. Bill Brankard is there but is only available until noon. So if we needed to discuss those, we might want to discuss those first.

CHAIRMAN DURAN: Okay, let's jump into that.

IX. Consent Calendar

- A. **Resolution No. 2002-158. A Resolution Requesting a Decrease to the General Fund (101)/CRAFT Grant Budget to Reduce the Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Community & Health Development Department)**
- B. **Resolution No. 2002-150. A Resolution Requesting a Budget Transfer from the Community & Health Development Department/Local and Community DWI Grant Programs to the Santa Fe County Sheriff's Office for Expenditure in Fiscal Year 2003 (Community & Health**

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- Development Department)
- C. **Resolution No. 2002-151. A Resolution Requesting a Transfer within the General Fund (101)/Finance Department to the County Sheriff's Office to Budget the Salary and Benefit Expenditure Package Implemented through the CWA Union Agreement Effective July 1, 2002 (Finance Department)**
 - D. **Resolution No. 2002-152. A Resolution Requesting an Increase to the Fire Protection Fund (209)/Various Fire Districts to Budget Fire Impact Fees for Expenditure in Fiscal Year 2003 (Fire Department)**
 - E. **Resolution No. 2002-153. A Resolution Requesting an Increase to the Fire Protection Fund (209)/Hondo Fire District to Budget State Forest Fire Reimbursement Revenue for Expenditure in Fiscal Year 2003 (Fire Department)**
 - F. **Resolution No. 2002-154. A Resolution Requesting an Increase to the Fire Protection Fund (209)/State Penitentiary Fire District to Budget the Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)**
 - G. **Resolution No. 2002-155. A Resolution Requesting an Increase to the Fire Tax ¼% Fund (222) to Budget Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Fire Department)**
 - H. **Request Approval of Price Agreement #23-0118-FD with Artesia Fire Equipment, Inc. for the Purchase of a CAFS Pumper for use in the Hondo Fire District (Fire Department)**
 - I. **Request Approval of Price Agreement #23-0117-FD with Artesia Fire Equipment, Inc. for the Purchase of a CAFS Pumper for use in the La Puebla Fire District (Fire Department)**
 - J. **Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #23-18 the Re-Stucco of Rio en Medio and La Cienega Community Centers (Project & Facilities Management Department)**
 - K. **Request Approval of Easement Agreement Between Santa Fe County and the New Mexico State Land Office for 45.55 Acres of Trail Easement Along the Santa Fe River Near Airport Road and Highway 599 (Project & Facilities Management)**
 - L. **Request Approval of a Memorandum of Understanding Between Santa Fe County and El Camino Real River Connection for Collaboration and Cooperation on Special Appropriations Grant No. 02-L-NR-I-3-G-910 in the Amount of \$100,000 to Acquire Land and Make Necessary Improvements to Secure a 50 Ft. Protective Corridor for the Camino Real River Trail in Santa Fe County (Project & Facilities Management Department)**

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- M. **Resolution No. 2002-156. A Resolution Requesting an Increase to the General Fund (101)/Public Works Solid Waste Budget for Insurance Recovery Revenue and a Grant Received from the New Mexico Environment Department for Expenditure in Fiscal Year 2003 (Public Works Department)**
- N. **Resolution No. 2002-___. A Resolution Vacating Drainage Easement on Catanach Property at 3132 Jemez Road (Public Works Department) WITHDRAWN**
- O. **Resolution No. 2002-157. A Resolution Amending Project Quantities of Resolution No. 2001-192. A Resolution Requesting Funding Through the 2002 New Mexico State Highway and Transportation Department's Local Government Road Fund Program (Public Works Department)**

CHAIRMAN DURAN: Okay, are there any items that need to be tabled for further discussion, and do items K and L fall within that?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I'd like to have a brief discussion on item K. Councilor Coss is here and I believe he might want to have a word or two on that item. I think just as an information item I think it's an important one. The only other two that I'd like to discuss briefly are items H and J.

CHAIRMAN DURAN: Any other items, Commissioners?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER VARELA: I would like to isolate item A and item L for discussion.

CHAIRMAN DURAN: Okay. The Chair will entertain a motion to approve the Consent Calendar except for items A, H, J, K, and L, which will require further discussion.

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion? Oh, and part of that motion would be to bring item K as the first item for discussion.

MR. LOPEZ: And L right after that.

CHAIRMAN DURAN: Okay. Has L been isolated? Okay.

The motion to approve Consent Calendar items B, C, D, E, F, G, I, M, and O passed by unanimous [5-0] voice vote.

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IX. K. Request Approval of Easement Agreement Between Santa Fe County and the New Mexico State Land Office for 45.55 Acres of Trail Easement Along the Santa Fe River Near Airport Road and Highway 599 (Project & Facilities Management)

MR. OLAFSON: Thank you, Mr. Chairman. I'll try and be brief, and we do have some representatives from the State Land Office if there's any questions you'd like to ask about this. This is a project that was developed together with the open space program, the Camino Real River Connection and the State Land Office. And it really resulted a lot out of the work of the Camino Real River Connection and the State Land Office doing some river preservation/restoration work down on the State Land Office property. There are some maps attached at the back of this packet which outline this area. Basically, what we're asking for is the Board to approve \$22,631 in County open space bond monies to go toward the easement, which would be an easement for so long as the property is used for river restoration, open space and similar issues. They're listed out in the attached agreement.

The easement would provide a grant of easement on 45.55 acres and that's 44.03 is open river corridor area and 1.52 is access corridors from Constellation Drive and San Felipe Road. This project was developed together with the State Land Office and the Camino Real River Connection and they will be contributing approximately \$7,000-plus, almost \$8,000 to the project and COLTPAC open space funds will be approximately \$22,631 dollars. And I would stand for questions and also to note that there are representatives from the River Connection as well as the State Land Office if you have any questions.

CHAIRMAN DURAN: Commissioner Sullivan, you had questions?

COMMISSIONER SULLIVAN: I just had one and if anyone who is here wanted to add to it I think this would be a good time to do it. It's just a clarification. This \$22,000 payment, as I read it, is a one-time payment. This is not an annual lease payment. Is that correct?

MR. OLAFSON: Mr. Chairman, Commissioner Sullivan, that's correct. All the payments are one-time.

COMMISSIONER SULLIVAN: Right. Thank you.

CHAIRMAN DURAN: Are there any other questions on this item?

COMMISSIONER CAMPOS: Question. What about maintenance on all the properties that we're requiring? Maintenance costs, long-term costs?

MR. OLAFSON: Mr. Chairman, Commissioner Campos, of course maintenance is something that we assume under this agreement as well. Part of this agreement also spells out a memorandum of agreement between the County and the State Land Office about how the property will eventually be managed with the goals that are stated in the agreement. Cost and money, it is a long-term incurrence. And of course we have the five percent fund, but if you're looking over a very long period of time, that's not

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going to cover everything. That is a thing that I think we, programmatically at the County are beginning to look at and focusing on management plans that were discussed earlier, and also focusing on these types of collaborative projects also might help in those efforts. But I can't give you a dollar figure. I can tell you that it is an obligation that we will incur.

COMMISSIONER CAMPOS: I'm not asking for a dollar figure. I'm asking about maintenance and who's going to pay for it. I assume it's going to be general fund money is what you're saying?

MR. OLAFSON: Mr. Chairman, Commissioner Campos, I don't think we've decided that. We do have the five percent maintenance fund and we do have the ability through the bonds that have already been passed to provide some maintenance funding. We can do maintenance and improvements with those funds, as well as the gross receipts tax that will be coming on line this next year, we'll also have some revenue streams from that. Also, this kind of goes back to that earlier discussion too about the gross receipts. The joint City/County aspect of that tax also focuses on this river restoration and river corridor protection as one of the issues that have been identified for joint City/County under the RPA arrangement work on this. So that might be another funding source.

But in the long-term, it's always going to be a need and that's something we haven't come to that bridge yet. Thank you.

COMMISSIONER TRUJILLO: Mr. Chairman, along those lines, I think this Commission has impressed on COLTPAC that they need to work on a maintenance program that can be specifically budgeted, if you will, for maintenance purposes. What is the status of that? Is COLTPAC working on a maintenance program? Like Commissioner Campos says, we continue to buy open space properties and how is the public going to utilize them? How are we going to maintain them? What is the program for maintenance? How are we going to budget that program? Where are we at?

MR. OLAFSON: Mr. Chairman, Commissioner Trujillo, of course, since I've come on working with open space that has been one of our focuses. Also, just handling the work that was accumulated up to the point. What we're trying to do is put together a strategic plan, actually, and start looking at long-term budgeting for management and maintenance over time. And developing maintenance plans, then management plans that will then help us determine what these actual costs might be to implement it as well as then maintain it. And hopefully, around the beginning of the year, we're going to have this strategic planning as well as some longer range budgeting attached with that. So the most direct answer is we are focusing on that and it is a very important concern for us over time.

COMMISSIONER TRUJILLO: Can we use GRT monies for maintenance purposes?

MR. OLAFSON: Mr. Chairman, Commissioner Trujillo, yes, you may. Or we may.

COMMISSIONER TRUJILLO: Then it will be timely to develop that

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strategy, that strategic plan because those monies are going to be available pretty soon.

MR. OLAFSON: Mr. Chairman, Commissioner, we are really focusing on that. That is a strong idea that we want to bring forward.

COMMISSIONER TRUJILLO: Thank you.

CHAIRMAN DURAN: Even if that money isn't available, we bought the property and we need to do whatever it takes to get it to a point where the public can start enjoying it. If it requires general fund money to do it, I don't think we have any other option. But it's nice to know that we have that GRT money to be able to use.

Okay, any other questions on item K? Is there a motion to approve?

COMMISSIONER TRUJILLO: So moved, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the easement agreement between Santa Fe County and the State Land Office passed by unanimous [5-0] voice vote.

IX. L. Request Approval of a Memorandum of Understanding Between Santa Fe County and El Camino Real River Connection for Collaboration and Cooperation on Special Appropriations Grant No. 02-L-NR-I-3-G-910 in the Amount of \$100,000 to Acquire Land and Make Necessary Improvements to Secure a 50 Ft. Protective Corridor for the Camino Real River Trail in Santa Fe County (Project & Facilities Management Department)

CHAIRMAN DURAN: Commissioner Varela, you had a question on that item?

COMMISSIONER VARELA: Yes, Mr. Chairman. I didn't see here in the packet what lands specifically this group was looking to acquire in cooperation with Santa Fe County. I'd like to know what lands they're talking about acquiring for the 50-foot protective corridor.

MR. OLAFSON: Mr. Chairman, Commissioner Varela, I think what we're aiming at with this, and this language that appears in the caption is the language from the legislature. The Camino Real River Connection helped generate this funding and it's passed through the County. The point of this agreement is to have them work with us to develop this project. Specifically, the lands we're probably focusing on were some of the areas we were talking about before, between the State Land Office and say, the San Ysidro Crossing. And possibly further upstream or in towards town. We're looking at that general reach. And because there's no agreements or direct—it's kind of a negotiation we can't really say this exact property.

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COMMISSIONER VARELA: Right. But you're not looking at any properties at this time that are west of 599 going down towards La Cieneguilla?

MR. OLAFSON: I don't believe we're looking at this funding to purchase easements in that area other than we have looked at using some of this funding for determining the floodplain in part of the Airport Development District and for the idea of creating a river preserve through that area as well. So that would be roughly the sewer treatment plant to 599.

COMMISSIONER VARELA: So then it is a possibility that some of this funding could go for some of those properties?

MR. OLAFSON: Yes.

COMMISSIONER VARELA: Okay. Well, I guess since it's not anything specific the only thing I wanted to say was that as you move forward in trying to get properties that are further down towards the traditional communities, that I would encourage you strongly to talk to those communities before you try to implement any type of trail programs or anything like that. I understand that it's a reasonable thing to do where you're in the more urban area but I would hope that there would be communication with the communities because I don't think that a lot of people in traditional communities look at trails the same way that people in the urban area do and I think that there might be some conflict in there. There would have to be some sort of dialogue that would occur before you get down to the traditional communities.

MR. OLAFSON: Mr. Chairman, Commissioner Varela, we are very aware of that and we will definitely follow that direction.

COMMISSIONER VARELA: Thank you.

CHAIRMAN DURAN: Maybe we should try and stay within already established rights-of-way as much as we can.

COMMISSIONER TRUJILLO: Even though, Commissioner Varela, the Veredita, the trail system in a traditional community is the circulation, if you will, of life in that community and that probably has existed for hundreds and hundreds of years. Those little paths have been eroded and exist and they have a destination. But I agree with you that the community needs to participate in the process.

COMMISSIONER VARELA: Commissioner Trujillo, what I was trying to bring up was not the fact that we haven't had trails in the traditional communities but that they were used for a different purposes, as opposed to what trails are being promoted as today. And then the other concern that I had was that we identify trails where they're appropriate and be able to complete a section of trail from one area to another without leaving out a certain property where the trail would not be functional. As far as this group, the CRRC group, in the past I've seen literature where they talk about bringing the trail all the way down to Cochiti, acquiring trail easements through private property in one manner or another, and that bothers me. When you're going to have a trail that's right next to people who have lived a rural way of live and then all of a sudden you have all this influx of people adjacent to your property, etc. It kind of changes the nature of the way that you

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live, in a sense.

CHAIRMAN DURAN: Okay. Any other questions?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just one comment. Earlier I brought up an issue about some type of an agreement between the County and the Arroyo Hondo non-profit and I just wanted to point out, since there seemed to be some confusion about that, or what I was referring to is that this is a similar type of agreement where we have a non-profit that's providing services and it indicates that they're doing it, by the way, at no compensation whatsoever to themselves. And equally, in the item that we just passed, the State Land Office piece, as Paul pointed out, there's a stipulation in there that the County and the State Land Office will develop a memorandum of agreement to outline specific roles, responsibilities and goals for future management.

So I think it's important that we have those things in writing when we work with these community groups because very often, the membership of these groups changes over time and people move and so forth. Again, because they're voluntary, they have other commitments. That's what I was getting at I think. A document like this is very useful to outline the responsibilities. We have this \$100,000 grant and we have a committed group of people that want to implement it for the corridor purpose. I think we need to follow that same technique when dealing with these other properties. That's all that I have.

CHAIRMAN DURAN: Did you get a copy of that yet?

MR. OLAFSON: Because of these issues I haven't had a chance to go in. I'll probably get it at lunch. And I just wanted to add one brief thing about the discussion along the trails. These funds and our whole open space programming is predicated on willing landowners participating, and also community-based planning and management as well. So I do believe that we are not going to run willy-nilly. And we're also focusing on adjacent areas and that's why I mentioned earlier the area from the State Land Office piece more upwards and that there is a process and a thought that goes into this process.

CHAIRMAN DURAN: I think our open space acquisition program does not provide for eminent domain or condemnation.

MR. OLAFSON: Mr. Chairman, we have definitely avoided that directly and conscientiously.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Motion and a second. Any further discussion?

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

IX. A. Resolution No. 2002-158. A Resolution Requesting a Decrease to the ²³¹⁵¹³⁰ General Fund (101)/CRAFT Grant Budget to Reduce the Fiscal Year 2002 Cash Balance for Expenditure in Fiscal Year 2003 (Community & Health Development Department)

CHAIRMAN DURAN: Robert.

ROBERT ANAYA (CHDD Director): Mr. Chairman, Commissioners, this request simply brings in line the federal budget with the County budgeted expenditures, because the federal budget is on a different fiscal year than our fiscal year. We have to make projections for our budget and then after our fiscal year gets going then we go back and realign our budget to be in line with the federal budget. I stand for any questions.

CHAIRMAN DURAN: Any questions of Robert?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Varela.

COMMISSIONER VARELA: The only reason I isolated this was on page 2 of the resolution, item 3, it says "this budget increase." Should that be "decrease"?

MR. ANAYA: Mr. Chairman, Commissioner, that's should be decrease. Thank you, Commissioner.

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

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

COMMISSIONER CAMPOS: Second.

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

COMMISSIONER SULLIVAN: Is that as amended?

CHAIRMAN DURAN: As amended.

The motion to approve Resolution 2002-158 passed by unanimous [5-0] voice vote.

IX. H. Request Approval of Price Agreement #23-0118-FD with Artesia Fire Equipment, Inc. for the Purchase of a CAFS Pumper for use in the Hondo Fire District (Fire Department)

STAN HOLDEN (Fire Chief): Mr. Chairman, I stand for questions.

CHAIRMAN DURAN: Any questions of Stan?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just two questions. Stan, first of all on page 2 of the agreement, we have a total, a base bid for this pumper of \$231,547 and then there's an options bid list there. Are you accepting that option?

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CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, I believe that when the bids—

KATHERINE MILLER (Finance Director): Mr. Chairman, Commissioner Sullivan, the way that this agreement is set up it's actually a price agreement and all of the options are awarded with the vehicle. Depending on when they actually place an order for the vehicle. It's just a price agreement that's in effect until the expiration date, but when they place an order for a vehicle they can select the options that go with the vehicle.

COMMISSIONER SULLIVAN: So we are approving the option to select the options.

MS. MILLER: Yes. The whole unit is approved. But the way that we evaluate for award is based upon options.

COMMISSIONER SULLIVAN: Okay. So that was another question that I was going to get to. The award is based on both the price of the options and the base bid.

MS. MILLER: Yes.

COMMISSIONER SULLIVAN: It's whoever's lowest. Now, you're only listing—then I'm confused. Let me go back. On page 2, if you add the base bid and the options, I think you have an arithmetic error here. It says \$228,770. Have you got a copy of this?

MS. MILLER: I don't.

COMMISSIONER SULLIVAN: We want to approve the right amount of money is what we want to do here. I come up with \$238,770. I think there's a typo there.

MS. MILLER: Is there a typo? Okay. We can correct that.

COMMISSIONER SULLIVAN: So what we need to approve is the \$238,000 and then my question is why doesn't that jibe with the tally of the various bidders that you list on the cover page? Artesia Fire Equipment, whom you're recommending, has a bid of \$231,547, that's just the base bid, right? You said you awarded on the base plus the options.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, what we're actually awarding today is just the overall agreement, price agreement. But the selection of who that individual is is based upon the Fire Department's request of their base bid plus the options that they want for their vehicle. But the overall agreement is out there for other entities to order off of, and the options that they choose. So the total that you're seeing that we're asking for an award for is from they're going to cut a purchase order for for the one item. But this is a price agreement that allows other entities, other counties, cities and whatnot to order off of it, so all the options are there.

Off the top of my head I don't know which options, when they're giving you the price but that's based upon what the Fire Department requested to order on their order.

COMMISSIONER SULLIVAN: It appears at least with regard to Artesia Fire Equipment it's just a base bid.

MS. MILLER: Correct.

COMMISSIONER SULLIVAN: Stan says that's right. But what you're

saying is that's not how you do the procurement. The procurement is done based on the base bid, plus the options. So although we don't have that information here, what you're telling me is that this company was lower than the others with regard to both the base bid and the options if you totaled them up together.

MS. MILLER: Yes.

COMMISSIONER SULLIVAN: Am I right?

CHIEF HOLDEN: As long as they're deemed responsible.

COMMISSIONER SULLIVAN: I understand. There was another one that says non-responsive and that one, there's not a price associated with that. This is the first one but only the base bids are listed here. That was going to be my question. How do you deal with the options so they don't overload the price of the options but your answer is that you include that in the base bid.

MS. MILLER: Yes.

COMMISSIONER SULLIVAN: So then the only other thing we need to do is just get the dollars corrected in the price agreement that we're agreeing to, which should read \$238,770 in stead of \$228,770. That's all the questions I had. Does the Commission have any other questions of Stan or Katherine? If not, then could we hear a motion?

COMMISSIONER TRUJILLO: Move for approval as amended, Mr. Chairman.

COMMISSIONER SULLIVAN: Motion.

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: And a second for approval of item H on the Consent Calendar as amended.

The motion to approve the price agreement with Artesian Fire Equipment passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

IX. J. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder for IFB #23-18 the Re-Stucco of Rio en Medio and La Cienega Community Centers (Project & Facilities Management Department)

COMMISSIONER SULLIVAN: This has to do with the stucco project. And I asked this to be isolated just because I was the one that brought up the issue at the last meeting about a one-year warranty on the stucco and I see now on the staff's report that that is a five-year warranty.

STEVE ALARID (Project Manager): Yes sir. GMB Construction, who is the contractor who was awarded—will be awarded the low bid, offers a one-year warranty against cracking, and that's usually what they disclose when we ask them for a warranty. But they've also extended that to three years for delaminating or peeling. And the Sto

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Corporation, upon their completion of the job will offer a five-year warranty against the same, cracking and delaminating for a five-year period from the completion of the job.

COMMISSIONER SULLIVAN: Okay. That was my question. So the five-year warranty is cracking and delaminating.

MR. ALARID: Yes, sir.

COMMISSIONER SULLIVAN: Because that's not a warranty that Sto honors on residential projects. But you have that in writing or that will be in writing as a part of this contract.

MR. ALARID: Yes, sir.

COMMISSIONER SULLIVAN: Okay. Are there any other questions on this item regarding restucco of the Rio en Media and La Cienega Community Centers.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER VARELA: Second.

COMMISSIONER SULLIVAN: Motion and a second.

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

[The Commission recessed from 12:10 to 1:30.]

X. Administrative Items

A. Request removal of member from the Santa Fe County Maternal and Child Health Planning Council

CHAIRMAN DURAN: Who's that. Doesn't sound too good.

EDIE POWERS: Mr. Chairman and Commissioners, Sherie Chavez was appointed to the Council at least a year ago and at that point she was working at the hospital. She was never able to attend any meetings and since has left the hospital's employ. I have written to her and not received any mail back so the chair of the council, according to our operations, procedures and policies is requesting her—what do you call it? rescinding?

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: And that's for the removal of what was her name?

MS. POWERS: Sherie Chavez.

CHAIRMAN DURAN: Sherie Chavez from the Maternal and Child Health Planning Council. Is there a second?

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to remove Sherie Chavez from the Maternal and Child Health

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Planning Council passed by unanimous [5-0] voice vote.

X. A. 2. Resignation from the Santa Fe County DWI Planning Council

DAVID SIMS (DWI Coordinator): Mr. Chairman, Commissioners, there are two members that are no longer available to serve on the Planning Council. One is Mary Pacheco who has moved out of Santa Fe County and Katrina Kain who was representative of our high school students and she has graduated from high school and also moved away. So these are the two recommendations.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to accept the resignations from Mary Pacheco and Katrina Kain passed by unanimous [5-0] voice vote.

X. B. Committee Appointments and Reappointments

1. Appointment to the Santa Fe County Maternal and Child Health Planning Council

MS. POWERS: Mr. Chairman and Commissioners, the Council is recommending the reappointment of Madelyn Krassner who is program manager for the Children's Medical Services, District 2, Public Health Department, and Patricia Gallegos, who's program director for Healthy Families First, Primeros Pasos, and Ron Hale, health planning consultant and the Maternal and Child Health Council's representative to the Health Planning and Policy Commission.

There are three other requested appointments. Toby Chavez, supervisory social work at the US Indian Hospital, Sandra Rodriguez, assistant chair of the Education Department at the College of Santa Fe, and Laurie Holmes, a certified nurse/midwife with Women's Health Services.

COMMISSIONER TRUJILLO: And all of these people have requested interest.

MR. POWERS: Yes. I think you have in your packet a letter of interest from each of them and a resume from the new one.

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

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER CAMPOS: Second.

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

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The motion to approve the appointments and reappointments to the Maternal and Child Health Planning Council passed by unanimous [5-0] voice vote.

MS. POWERS: Thank you.

COMMISSIONER SULLIVAN: And thank these people for their time and offers to contribute. There's some pretty impressive resumes there of people on the organization.

X. B. 3. Appointments to the Santa Fe County DWI Planning Council

MR. SIMS: Mr. Chairman, Commissioners, we have five recommendations. One of them is actually a reappointment, Kevin Henson with our EMT/Fire Department group who has already been serving for two years and has expressed interest in continuing to do so. Some of the other representatives are individuals that represent entities or groups that have been either suggested or not quite mandated by our funding sources but certainly representatives of different areas. Anthony Gonzales, to represent media, Father Nick Nichols from the Cathedral to represent the faith community, and to replace the high school student whose resignation you just approved, Any Vanderlaan, who is also someone who has gone through and been a part of our teen court program and because of our concern to address the issue of binge drinking and other activities on college campuses we've also included a representative who is a college student. I'd be glad to answer any specific questions that you have.

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

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: There's a motion to approve.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Second.

The motion to approve the appointments and reappointment to the DWI Planning Council passed by unanimous [5-0] voice vote.

X. B. 4. Reappointments to the Road Advisory Committee

ROBERT MARTINEZ (Public Works Deputy Director): Mr. Chairman, Commissioners, Area 9 of the Road Advisory Committee encompasses the La Cienega and La Cieneguilla areas. This area has been represented by Larry DesJarlais for the last five years and his term expires this month and he has volunteered to serve an additional term. Area 14 encompasses Edgewood, Cedar Grove, and the Golden area. Ms. Rita Horton has been on this committee for the last 14 years. As a matter of fact, she's been on this committee since the Road Advisory Committee has been created. And her term expires this month also and she has volunteered to serve another term.

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So Public Works is recommending the reappointments of these two individuals to the Road Advisory Committee

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

COMMISSIONER TRUJILLO: Move to approve, Mr. Chairman.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I just had a question. I guess not so much for Robert, but for us. Was there any input from the Commissioner-elect from this area, Robert, with regard to these appointments?

MR. MARTINEZ: Mr. Chairman, Commissioner Sullivan, I did bring up these reappointments to Commissioner-elect Anaya and he was agreeable.

COMMISSIONER SULLIVAN: Okay. I just wanted out of courtesy to offer him that opportunity. That's all the questions I had.

CHAIRMAN DURAN: There's a motion to approve. Is there a second?

COMMISSIONER CAMPOS: Second.

The motion to approve the two reappointments to the Road Advisory Committee passed by unanimous [5-0] voice vote.

X. B. 5. Appointments to the Corrections Advisory Committee

GREG PARRISH (Corrections Coordinator): Mr. Chairman, Commissioners, what you have before you is a recommendation of appointing Mitch Buszek as the City representative to the Correction Advisory Committee. He was recommended by the City. As you know, that resolution calls for a City representative and enclosed in your packet was a letter from the City nominating him.

CHAIRMAN DURAN: Any questions of Mr. Parrish? What's the pleasure of the Board?

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: There's a motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: A second.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Discussion. I just wanted the Board to know that I can't support this nomination. I don't feel this is the proper person to work on this particular committee having known him on previous committees and so I just let you know I don't support this nomination.

CHAIRMAN DURAN: Who is this member?

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COMMISSIONER CAMPOS: Buszek. Is there any specific reason, Commissioner Sullivan, that you'd like to state?

CHAIRMAN DURAN: Something shy of slander.

COMMISSIONER SULLIVAN: It's difficult to be specific but when you're looking at committee make-ups you look at the dynamics of the committee and the personalities and having had prior experience with this particular person I don't feel that his personality would be, would help to create the cohesive committee that we want this Corrections Committee to be.

COMMISSIONER CAMPOS: This is a City appointee and they're saying please appoint this gentleman to fill the City position on this committee.

COMMISSIONER SULLIVAN: That's correct. This is City recommendation to the County and I think my understanding is that it was kind of the only individual that they had at hand that had expressed an interest. It wasn't to my knowledge a solicitation by the City for it or an active attempt to I think explore a great number of people that the City could come forward with.

CHAIRMAN DURAN: What if we asked them to send us someone else?

COMMISSIONER SULLIVAN: I think that would be appropriate.

CHAIRMAN DURAN: Or at least open up—you said this was the only—they did this without advertising?

COMMISSIONER SULLIVAN: I don't think there was any advertising. Maybe Gregg can—

MR. PARRISH: There was advertising of the initial committee, and he was one of the people that applied initially. And then we asked for confirmation from the City via a letter which they provided us. But we did have advertising for the committee itself last year. Or actually this year in March.

CHAIRMAN DURAN: Was this appointment confirmed by the Council?

MR. PARRISH: The City Council? I don't know. I can't answer that.

COMMISSIONER SULLIVAN: No, it was just a letter from Jim Romero, the City Manager.

COMMISSIONER TRUJILLO: Mr. Chairman, I think that because it's a City recommendation, even though this individual was the only applicant ostensibly for this position, I feel that the City feels that this individual would be the best person to serve their—to fill their slot in the council, so I would support this appointment and let the chips fall where they fall.

CHAIRMAN DURAN: I think it would be an act of good faith to accept the Mayor's appointment.

COMMISSIONER TRUJILLO: I would too.

COMMISSIONER SULLIVAN: As you sow, so shall you reap.

CHAIRMAN DURAN: He's only one of how many on the board?

MR. PARRISH: He'll be the seventh member, Mr. Chairman.

COMMISSIONER TRUJILLO: So we have a motion and a second?

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CHAIRMAN DURAN: Just don't let him know where the meetings are being held and you won't have a problem. Any further discussion?

The motion to approve Mitch Buszek's appointment to the Corrections Advisory Committee passed by majority [4-1] voice vote with Commissioner Sullivan casting the nay vote.

XI. Staff and Elected Officials' Items

A. Administrative Services Department

- 1. Resolution No. 2002-159. A Resolution Authorizing Legal Holidays and Closing of County Offices for the Calendar Year 2003**

BERNADETTE SALAZAR (Administrative Services Department): Mr. Chairman, members of the Commission, the Administrative Services Department is requesting approval of Resolution 2002-159. This calendar is consistent with what we've done in the past, and I stand for any questions.

CHAIRMAN DURAN: This is exactly like last year's?

MS. SALAZAR: We follow the same holidays, yes.

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

COMMISSIONER CAMPOS: Move to approve Resolution 2002-159.

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any discussion?

The motion to approve Resolution 2002-159 passed by unanimous [5-0] voice vote.

XI. B. Community and Health Development Department

- 1. Resolution No. 2002-160. A Resolution Supporting the Santa Fe County Maternal and Child Health Planning Council's Participation in Improving Maternal and Child Health in Santa Fe County and in New Mexico**

MS. POWERS: The council has come before you every year for the last five or six years asking for your support of the legislation in the New Mexico legislature that funds the County Maternal and Child Health Plan Act around the state. We're coming before you again having approved the position paper by, it was created by the Association of Maternal and Child Health Councils, to ask that you would again pass a resolution in support of that position paper.

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However, we will be asking for a change in the wording.

The sixth paragraph down, Be it resolved that the Santa Fe County Board of County Commissioners supports the value of legislation intended to strengthen families in New Mexico through—and the change is support legislation which will enable financial sustainability to the 27 existing county Maternal and Child Health Councils in New Mexico and supporting legislation which will enable additional counties to form county Maternal and Child Health Councils and plans.

CHAIRMAN DURAN: And you've dropped "who are not currently funded through the County Maternal...." Did you drop that part of it? It's the last part?

MONICA ONTIVEROS (Assistant County Attorney): We just clarified the language, Mr. Chairman. Would you like us to read it back into the record?

CHAIRMAN DURAN: So the balance of that paragraph still remains?

MS. ONTIVEROS: Yes sir.

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

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Motion to approve, a second. Any discussion?

The motion to approve Resolution 2002-160 passed by unanimous [5-0] voice vote.

CHAIRMAN DURAN: Thank you very much. Thanks for all your hard work.

XI. C. Fire Department

1. Resolution No. 2002-161. A Resolution Providing for the Transfer of Fiscal Responsibility for the Office of Emergency Preparedness from the City of Santa Fe to the County of Santa Fe.

CHIEF HOLDEN: Mr. Chairman, members of the Commission, this document should look somewhat familiar to you. It's very similar to a proposed resolution that we sent over to the City back in June for their adoption. The City has made some minor changes and has adopted it and now sends it back to us for Commission approval and ratification. This resolution moves the Office of Emergency Preparedness, now the Emergency Operations Center, to the Regional Communications Center out at the Public Safety complex. The existing director has been working out of the new building since July when we opened the new Public Safety building and this changes now the status with the City and the County. The County will now become the fiscal agent for the office and it will no longer reside with the City. And I stand for any questions.

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COMMISSIONER TRUJILLO: Mr. Chairman, Stan, this continues to be a regional effort?

CHIEF HOLDEN: Mr. Chairman, Commissioner Trujillo, that's correct. This is a position that's both for the City of Santa Fe and for Santa Fe County.

COMMISSIONER TRUJILLO: But now it falls under the auspices of Santa Fe County.

CHIEF HOLDEN: Mr. Chairman, Commissioner Trujillo, that's correct.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Is the resolution that's in the packet, the one that we're dealing with or the one that was just know passed out?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, the one that we just passed out to you was the one that was signed by the City Council and Mayor, or adopted by the City Council and signed by the Mayor for adoption. We apologize for not getting it to you in your packets but we had difficulty getting the original delivered to us. As a matter of fact it was just delivered earlier this morning for signature by the Chairman.

COMMISSIONER SULLIVAN: What are the differences? Has this been reviewed by legal?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, yes it has.

COMMISSIONER SULLIVAN: What are the differences between—

CHIEF HOLDEN: I can cover them real quickly. This is how minor the changes are. In Section 3 for instance, which is on page 3, the changes are instead of reading in paragraph B, the Emergency Management Director, it now says the Director of Emergency Management, and those changes were made both in Section 3 B, C, D, E and F.

COMMISSIONER SULLIVAN: That's what it says in the other one.

CHIEF HOLDEN: That's what it says in the old one. I believe the new one now says the Director of Emergency Management and not the Emergency Management Director.

COMMISSIONER SULLIVAN: The one that's in our packet says the Director of Emergency Management.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, is that the one you just received from Hank?

COMMISSIONER SULLIVAN: No, it's the one that was in the packet.

CHIEF HOLDEN: Okay, then maybe they got one delivered to you just in time then, to get entered into the packet.

COMMISSIONER SULLIVAN: Try us on one more. Try us on one more change and see if—

CHIEF HOLDEN: That's it.

COMMISSIONER SULLIVAN: Oh, that's the only difference?

CHIEF HOLDEN: Those are the changes. Other than in the articles, on the

first page the City added some whereases. The first six whereases on page one were also added, and on the original there were no whereases proposed. So those are the changes.

COMMISSIONER SULLIVAN: I've got five whereases on both copies, so this copy must be the current one. The question I had, Chief Holden, was before the City and the County were each putting in 25 percent and the state was contributing 50 percent to the funding of this. How does the funding work now, or how will it work under this joint resolution?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, it will be exactly the same. There's no difference. The state will continue to kick in 50 percent of the funding and the City and the County will share the remaining 50 percent equally.

COMMISSIONER SULLIVAN: Okay. So it doesn't get funded through the formula in the memorandum that we used to operate the center because that has a different funding formula as I recall. It's 60/40 or something like that.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, you're correct. You're referring to the Regional Emergency Communications Center. This position is the Emergency Operations Center. This is the center that gets opened anytime there's a disaster declared either in the City or in the County.

COMMISSIONER SULLIVAN: So it doesn't come under the Regional—

CHIEF HOLDEN: It does not.

COMMISSIONER SULLIVAN: So it's funded with a separate document. And this is an employee of the County of Santa Fe.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, it will be, once the fiscal agent status changes.

COMMISSIONER SULLIVAN: Okay, right now—

CHIEF HOLDEN: He's a City employee.

COMMISSIONER SULLIVAN: He's a City employee. And as I recall reading it, he reports to you. Is that correct?

CHIEF HOLDEN: It does. Through the authority of the County Manager specifically and it goes to me and the chain of command is the County Manager, myself and then the Director of Emergency Management.

COMMISSIONER SULLIVAN: And then finally, what was the reason for making the change?

CHIEF HOLDEN: The City has been the fiscal agent since the inception a decade ago and because we agreed on the consolidation of the communications. We also believed at the time, the public safety officials, that we needed to build an emergency operations center in the same location. So we built the offices for this position in the County building itself. So it only makes sense to house the position there, have the responsibility for the director be with a County department instead of with a City department.

COMMISSIONER SULLIVAN: Okay, so it's more of a physical location consideration than it's the fact that the county is now larger than the city or anything like

that.

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CHIEF HOLDEN: That's correct.

COMMISSIONER SULLIVAN: Okay. Thank you.

CHAIRMAN DURAN: Any other questions of Stan?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

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

COMMISSIONER SULLIVAN: Second.

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

The motion to approve Resolution 2002-161 passed by unanimous [5-0] voice vote.

XI. D. Land Use Department

1. Request Authorization to Enter into a Joint Powers Agreement with the New Mexico Energy, Mineral and Natural Resources Department for a Grant of \$190,000 to Assist in Development of the Spur Trail Connecting the Rail Trail to Richards Avenue (next to the Santa Fe Community College)

MR. OLAFSON: Mr. Chairman, Commissioners, I'm presenting for Robert today. He was just married last week. I'd like to recognize that and he's on his honeymoon. So I'll be presenting this. The issue today is that the County has entered into a joint powers agreement with the Energy, Minerals and Natural Resource Department, the State Parks part of that, to build a trail from basically Richards Avenue to the rail trail. And we're calling it the spur trail and that will connect then to the rail trail to that Richards Avenue area.

The grant requires, the grant is for \$90,000 for design and construction of the trail, and then there's \$100,000 matching, which is largely covered through a land donation of the trail easement area. That's been worked out. The original idea was for about 1.3 miles but by working with Rancho Viejo and designing it around basically the Community College property it's ended up being about three miles. The reason we're bringing this forward is that the grant also requires the County to agree for maintenance over a 25-year period as part of the JPA. And we just wanted to bring it forward to ask you all to be aware of that and to ratify that so we can begin budgeting it and just understanding that there's a responsibility on the County's end that make take this over the \$100,000 mark. And at that point then the Board is required to approve any grant.

So we're kind of foreseeing that over the next 25 years there's going to be some maintenance and we can't really give you a dollar number specifically until there's a design on it but we're anticipating over that time period that there will be an additional financial contribution that will probably—requirement from the County and that would most likely come from the open space funding. We want to bring that to your attention and ask for

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your approval and direction to move forward with the project.

COMMISSIONER TRUJILLO: Mr. Chairman, Paul, how does this fit into the overall trails and open space program? Is it something that the County or the community wants to designate as open space and trails anyway, and we're saving \$190,000? Are we doing, are we contributing the maintenance funds, if you will? Because it fits into the overall program.

MR. OLAFSON: Mr. Chairman, Commissioner Trujillo, it definitely fits into the program. And it does provide a very useful connection from the Community College area to the rail trail, which then has the connection north into the City and then south into Lamy, as well as into the various subdivision community areas along the rail trail. So it certainly fits in with our overall programming and trail ideas.

COMMISSIONER TRUJILLO: So the County's coming out ahead by participating in this grant acquisition if you will?

MR. OLAFSON: Mr. Chairman, Commissioner Trujillo, I think that's exactly correct, that we're getting a pretty good bargain on this.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Paul, who maintains the other trails in Rancho Viejo?

MR. OLAFSON: Mr. Chairman, Commissioner Sullivan, I believe that Rancho Viejo does, or possibly through the homeowners. I don't know exactly. But we are not maintaining those.

COMMISSIONER SULLIVAN: So you feel—what's the rationale that the County should maintain this one?

MR. OLAFSON: Well, again, the rationale is it provides a service and it connects our existing trail alignment and provides a new alignment. I think it provides a good public service and we're designing it or we're attempting to design it as a lower maintenance. More of an equestrian, bicycle, pedestrian trail and the rationale is that we benefit by pursuing this and we're getting all the initial construction as well as the land donation through it.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Any other questions of Paul?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: There's a motion to approve. I'll second it. Any further discussion?

The motion to enter into a JPA with the New Mexico Department of Energy, Mineral and Natural Resources passed by unanimous [5-0] voice vote.

XI. D. EZ CASE M 02-4860 Steaksmith. Steaksmith Ltd. Company, LLC- Herbert G. Cohen, Applicant is Requesting a Transfer of Ownership for an Existing Liquor License. The Property is Located at 104 B Old Las Vegas Highway within Section 7, Township 16 North, Range 10 East, Commission District 4

JOE CATANACH (Review Specialist): Thank you, Mr. Chairman, Commissioners. The State Alcohol and Gaming Division has granted preliminary approval of this request in accordance with state statute 60-60-4, Liquor Control Act. Legal notice has been published in the newspaper. The Board of County Commissioners are required to conduct a public hearing on whether or not the proposed transfer of ownership for an existing liquor license should be granted. The request is for a transfer of ownership for an existing liquor license.

Alcohol beverages have been sold continuously at the restaurant and lounge and certainly the applicant will be able to address who the new owner, what's the make-up of the new ownership.

CHAIRMAN DURAN: So it's staying at the same space, right? Same slot?

MR. CATANACH: Same place. It's just a transfer of ownership only. And I believe they brought in another partner and that's why they had to restructure the ownership.

CHAIRMAN DURAN: So if we don't approve it that means that Mr. Cohen has to stay there, has to continue working? Any questions of staff? Do we need the applicant to come forward or is it pretty straightforward? Oh, it's a public hearing. Is there anyone out there that would like to address the Commission concerning this issue? Are there any questions of the applicant.

COMMISSIONER SULLIVAN: I'd just like the applicant to let us know who his new owners will be of the license.

CHAIRMAN DURAN: Please step forward, Mr. Cohen and state your name for the record and your address and let the recorder swear you in.

[Duly sworn, Herbert Cohen testified as follows:]

HERBERT COHEN: Herbert Cohen, 1907 Calle de Sebastian, Santa Fe, 87505. Yes, in answer to your question, Commissioner Sullivan and to you, Mr. Chairman, I still have to continue working. We're going into our 30th year here in Santa Fe and Santa Fe County and one of my managers has purchased 40 percent of the business and hopefully the balance in some years to come. So I'm still involved. We're staying where we are and this is strictly a corporate kind of change. Nothing else is happening. Any other questions?

CHAIRMAN DURAN: Is the food going to stay the same?

MR. COHEN: It's going to just keep getting better and better.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

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COMMISSIONER CAMPOS: Public hearing?

CHAIRMAN DURAN: Anyone out there like to address the Commission concerning this matter? Okay, there's a motion and there's a second. Any further discussion?

The motion to approve the Steaks Smith liquor license passed by unanimous [5-0] voice vote.

MR. COHEN: Thank you very much.

COMMISSIONER SULLIVAN: Good luck.

XI. E. Project and Facilities Management Department

1. Discussion of Term Limitations for Members of the County Open Lands and Trails Planning and Advisory Committee (COLTPAC)

MR. OLAFSON: Mr. Chairman, Commissioners, we're bringing this forward today to discuss the term expirations on COLTPAC and the main issue is that COLTPAC had written into its rules when the committee was formed that there would be a two-term limit or a maximum of four years of service on the committee. And there's three members that are due to expire this year at the end of their second terms. In some of the discussions about COLTPAC membership, and we were discussing creating a permanent chairperson as well for the committee, it came up that there's a lot of new members on the committee and the committee as a whole has asked that we go to the Board of County Commissioners and ask if you would consider eliminating the two-term limit on COLTPAC membership. That would be a four-year limit, two terms. And the reason being is that they would like to retain some of that institutional memory, the experience, and the background that goes with those people who have been with the program basically since its inception.

Another idea is that there has been recent staff turn-over and that he experienced members provide some continuity and some background foundation to work from in moving forward. And a third issue is COLTPAC, to my knowledge is the only committee that has this mandatory cut.

CHAIRMAN DURAN: No, we're term-limited also.

MR. OLAFSON: Of course, there's the elected officials.

CHAIRMAN DURAN: Probably for the same reasons.

MR. OLAFSON: What I've prepared in this memo—that's just a brief summary. So what we're asking, first of all, staff is, would the Commission consider extending or eliminating the term limit and allowing these people to be brought forward to you to be reappointed? The second issue then is talking about there's some other members who are also leaving. So generally, overall, there's about eight members who could be leaving at the end of this year and that could leave a tremendous hole in the program. There's three people who are

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up—they've served one term and they would be eligible for a second term if reappointed. There's three people who are at the end of their second term, and then there's two vacancies that still need to be filled.

So we're kind of asking for some help and direction as to how you feel as a policy decision it would be best to move forward. And on the second page of the memo I did lay out a couple options. One would be amending the resolution to allow the opportunity for second-term members to serve beyond two terms.

CHAIRMAN DURAN: Who are those individuals?

MR. OLAFSON: If you look on the front, it's Mary Louise Williams, Robert Romero and David Gold. And they're not—David serves through March. His expiration is March. And Mr. Romero and Mary Louise are done at the end of December or their expiration date is the end of December. So we're also in a bit of a pickle since technically these positions could be expired and we don't have new replacements. So if I go back to the options, one is to amend the ordinance to allow for more than two terms. The second option is to allow the three committee members who have only one term so far, reappoint those members, maintaining their two years of experience to continue on. The third option would be select—don't amend the resolution so the three people who have served two terms would not be eligible for re-up, reappointment, but maintaining the three that are up for reappointment. And the fourth option is extending the term of all the COLTPAC members through January and asking for applications, basically, to serve on the committee and then evaluating all of those applications also at that point.

CHAIRMAN DURAN: January of—

MR. OLAFSON: Of 2003. So that's approximately 60 days from now. Does that make sense?

CHAIRMAN DURAN: Yes, it makes sense. I think this should be—you said there are some that expire at the end of the year?

MR. OLAFSON: Yes.

CHAIRMAN DURAN: How many?

MR. OLAFSON: Six.

CHAIRMAN DURAN: Oh, six by the end of the year.

MR. OLAFSON: Three of the six are at the end of the two terms and three others are at the end of one term.

CHAIRMAN DURAN: My vote or opinion is that we should extend it to the end of January and let the new Commissioners work on the selection process of new—how they want to deal with it would be my thought.

MR. OLAFSON: Yes, and that's kind of what we're coming forward with. One idea is requesting applications and resumes and comparing them all and then having that comparison and deciding who stays and maintains.

CHAIRMAN DURAN: Well, I don't know how we're going to work it here but I know at the City when a new Mayor takes office he asks for the resignation of every committee member and then they go through that whole process again of appointing new

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members. So I don't know if this Commission is going to end up doing that or not, but they might.

COMMISSIONER CAMPOS: Mr. Chairman, I guess, you're saying let's defer the discussion completely as to whether we should maintain term limits and all appointments to January? Are you saying defer everything?

CHAIRMAN DURAN: I think we should extend the ones that are going to expire in January.

COMMISSIONER CAMPOS: To January 30?

CHAIRMAN DURAN: Right. Those from December to January 30th so there's at least that continuity. And the other thing is there's really only a couple million dollars left in that.

COMMISSIONER TRUJILLO: Don't forget the GRT. That's for the next ten years.

CHAIRMAN DURAN: Is COLTPAC tied into the GRT money also? They are?

COMMISSIONER TRUJILLO: Open space acquisition.

MR. OLAFSON: My understanding is exactly that the funding that comes from that open space passes through COLTPAC.

CHAIRMAN DURAN: In addition to all of the continuity and all of the knowledge and everything it's the same old politics too. Like I said earlier, we're term-limited out, which I think is probably a healthy thing for the world, so why can't it apply to them?

COMMISSIONER TRUJILLO: There's always a continuity even if we're term limited. Somebody always sticks around from a—

CHAIRMAN DURAN: There's only six from how many on the committee?

MR. OLAFSON: Six of 13.

CHAIRMAN DURAN: That's 50 percent.

MR. OLAFSON: My sense is that it would be a detriment of the committee to lose that large of an experienced population.

CHAIRMAN DURAN: Why do you say that?

MR. OLAFSON: Then that other six would largely be newer members as well. I think the way this program has evolved in its very young evolution to date there is some validity to having people who have had at least two years.

CHAIRMAN DURAN: The ones that are leaving were new at one point in time too.

COMMISSIONER CAMPOS: Mr. Chairman, the other issue is that there's a lot of really qualified, very well qualified people in the community who would like to be on this committee and cannot be. They just have to take their turn. I think that has to be looked at as well. New blood has a benefit and I think we need to look at that also.

CHAIRMAN DURAN: Hey, we agree. Maybe. So what do you guys want to do? This isn't an action item, right?

MR. OLAFSON: No. One thing that we'd like some direction on is at least

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extending the terms through January so that they're not ending, all of them in December and I'm not sure if there's going to be another administrative meeting to even address that by this body.

CHAIRMAN DURAN: I think I talked to Estevan earlier today and I think we're going to try and have one, at least one for sure, one more meeting to do some of those end of the year things we need to do and this could be one of them. Because we can't act on it tonight, today, right?

MR. LOPEZ: Mr. Chairman, that's correct. I will be talking to you a little bit later about doing one final meeting before the end of the year.

CHAIRMAN DURAN: So is there a consensus that we want to extend it at least until the end of January?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I think that's fine. I would agree that we only have three that are term-limited out of the six, three of the others are just at the end of their first two-year term. So we're really only losing three of the total committee and that doesn't seem to be too radical a thing to deal with and I think new blood is good and particularly, this is an extremely sensitive committee because they're dealing with real estate, they're dealing with buying real estate, recommending. We've taken, as far as I can recall, every recommendation that COLTPAC has made. So I think we need to have that circulation of fresh blood in there. The only thing I want the staff to think about is some of these, would they include time that the individual spent being a substitute member, or a full member?

I think we've had some members that were substitute members for a year or two and then eventually were appointed as full members. And I don't know how active their participation may have been but I guess my feeling would be that substitute membership wouldn't count in that time period.

MR. OLAFSON: It would or would not?

COMMISSIONER SULLIVAN: Would not. Would not. Because you weren't a full member of the committee. You were in essence an observer who's ready to jump in if he or she is needed. Other than that—

MR. OLAFSON: And if I might, the substitute, or it's called alternate, actually they pretty much attend most every meeting and when someone else is unable to attend a meeting they are able to step into that place for that meeting. That's just a point of clarification that some have participated pretty actively as an alternate or as a regular member.

COMMISSIONER SULLIVAN: They vote is someone that they're substituting for doesn't show up or do they just vote if the committee is short one person?

MR. OLAFSON: If the committee I guess is short of a person then that person is appointed at that meeting to serve in that seat.

COMMISSIONER SULLIVAN: Oh, I see. So they're kind of at-large then. I see.

MR. OLAFSON: Yes.

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COMMISSIONER SULLIVAN: So maybe they would be pretty active.

MR. OLAFSON: I think we can talk to Legal and try and get a definition on that.

COMMISSIONER SULLIVAN: I think Legal has it's hand up. Or her hand up.

MS. ONTIVEROS: Mr. Chairman, Commissioner Sullivan, I just want to point out that the resolution is very clear about the extent of the terms and the two members that are at the end of their second terms, their terms could not be extended until the resolution is amended. So if you notice on Paul's page, his memo, the first page, Mary Louise Williams and Robert Romero, their terms could not be extended through January 31st until the resolution gets amended. And I would refer you to the resolution which is attached.

MR. OLAFSON: So that being the case, if there is another meeting this month, the resolution could be addressed at that point?

MS. ONTIVEROS: That's correct.

CHAIRMAN DURAN: So I guess the question is do we feel that those two individuals would be a major loss.

COMMISSIONER SULLIVAN: Well, if we're all in agreement, I think everyone's contributed to the committee and it's not a matter or is anyone indispensable. They've all been great participants from what I've understood from the staff. It's just if we feel that it's good to retain term limits we should just retain them, period and those individuals, those two individuals would be off and the third one would be off in March when his term expires and then the only question would be, do we want to do reappointments in December, or do we want to do those in January. And I'd agree with the Chairman that we should do those in January. I think the new Commission—

CHAIRMAN DURAN: So we just won't amend the ordinance at all?

COMMISSIONER SULLIVAN: My recommendation would be to leave the ordinance as is.

CHAIRMAN DURAN: I agree.

COMMISSIONER SULLIVAN: And take it from there in January to allow the new Commission to have input into that committee.

COMMISSIONER TRUJILLO: Sounds good.

COMMISSIONER SULLIVAN: Does that provide adequate direction?

MR. OLAFSON: Yes, if I understand the direction then it is keep the term limits, extend the three members who are at the end of their first term, and bring new appointments at the beginning of the new Commission.

CHAIRMAN DURAN: Right.

COMMISSIONER TRUJILLO: Good.

CHAIRMAN DURAN: And I need to wave to Sheriff Montano. I guess he's watching us on TV.

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XI. F. Matters from the County Manager, Estevan Lopez
**1. Discussion and Action on the Proposed County Provided
Transportation for Discharged Inmates from the Santa Fe
County Adult Detention Facility**

MR. PARRISH: Mr. Chairman and Commissioners. You have before you a memo. This was requested as an action item and I was requested to provide some information regarding what it would cost the County to provide transportation. As you can see by the memo it ranges from basically, if we would use a seven-passenger shuttle, at four trips at \$35 a trip, to \$140 per day or \$51,100 per year. Or a proposal by Capitol City Cab where they would provide service for \$9 per individual from the jail to Villa Linda Mall. And that has basis by the actual passengers that are actually transferred per year. It could go up to \$11 if there were less than 750 passengers per year. And then Santa Fe Trails bus service indicated that they would provide three trips in the morning and three trips in the afternoon and that would basically cost us \$113,695 per year. And that would be eligible for possible federal matching funds through a commuter grant. All these proposals were based on providing transportation from the jail to the Villa Linda Mall area.

Basically, the cost break-down as you can see, would be Capitol City Cab, though in addition to providing them with transportation to the mall, we would probably have to provide them a pass for a bus to go somewhere other than just the mall from that location. I also did some checking at some of the other counties. As you can see in the memo, Tarrant, Bernalillo, Sandoval, Dona Ana and Rio Arriba do not provide any transportation. San Miguel provides it on a basis where if they have a van going from the jail to the city they'll take some inmates back with them.

As you can see, I think some of the things we have to consider in this period of limited resources is where we put our money and I think some of this problem would be addressed by the fact of the new treatment center on Galisteo because a lot of the inmates that we would be transporting would be individuals that don't have anywhere else to go and they would need transportation. They don't have family or friends that can pick them up. And these are the same individuals that we usually pick up for protective custody or mental holds that are held at the facility for a time period and then released.

Unfortunately I don't have any facts or statistics to base this on. This is basically how many people walk from the jail is a guesstimate. My guesstimate is that it's a very small percentage of the total population. I think, I would be concerned about starting a precedent where we provide transportation and it being limited to such a small population. I think you can see from my memo and my recommendation that at this time I think we have other things that we could maybe better use our limited resources on, and some of those would be some security matters, visitation, food service and possibly in staffing at the facility. So I will stand for any other questions at this time.

CHAIRMAN DURAN: What happens if someone gets smacked by a car? What value are we going to put on that?

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MR. PARRISH: That's a very difficult question. I would have to defer to Legal if we have an legal responsibility. This facility has been operating for five years and luckily we haven't had anything like that. If we provide them with transportation, I don't know if we are then extending our liability also from the jail to where we transport them. I'd have to defer to the Legal Department on that.

CHAIRMAN DURAN: I have another question. Couldn't we somehow generate some revenues to help offset the expense? Can't we have some of these inmates when they're there have some kind of prison industry thing? Pick up trash and charge the private sector for a sweep of the area?

MR. PARRISH: We do do some limited, through the County work crew. That's a very small group that are approved by the Sheriff to participate in that program. That facility is not designed for industry, like building desks or something like other facilities are. That was one of the issues when we accepted the Department of Corrections inmates. Most of the prisons due have a facility designed for some type of trade; we don't. We house individuals short term, provide them with recreation and housing and food and medical treatment.

COMMISSIONER SULLIVAN: Mr. Chairman, what about the Inmate Welfare Fund? Don't we still have an Inmate Welfare Fund?

MR. PARRISH: We do have an Inmate Welfare Fund.

COMMISSIONER SULLIVAN: How much money is in there now?

MR. PARRISH: I believe we transferred \$38,000 from the other operator. But that is a very limited—that goes generally for the inmates' welfare for recreation, things like that.

COMMISSIONER SULLIVAN: My understanding, my recollection is when we switched over from Cornell, almost none of that money was spent. It was close to \$100,000 at the time of the transfer, and this is certainly—and I don't know that the things it can be used for are specifically spelled out. Recreational equipment, basketballs, things of that nature, but we could get a legal reading on it but it certainly seems to me that this is a potential inmate welfare.

MR. PARRISH: Mr. Chairman, Commissioner Sullivan, as I recall it was \$38,000 that was transferred from the facility, from Cornell. Where the rest went, if it was \$100,000, I don't know. We have very limited income now. It used to be that they would make money on the telephones. They no longer are able to do that by state law. So that the Inmate Welfare Fund probably could not now pay for the inmate pay that we pay the individuals that work the facility, in food service and other areas.

COMMISSIONER SULLIVAN: But the Inmate Welfare Fund comes from the sale of the commissary items, doesn't it still?

MR. PARRISH: Yes. To a large degree, right.

COMMISSIONER SULLIVAN: And that's well over \$9,000 a year, isn't it?

MR. PARRISH: I don't really know for sure what it is right now.

COMMISSIONER SULLIVAN: I would venture a guess. But that certainly seems to be a point. The Inmate Welfare Fund wasn't used effectively before and then I'm not

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dealing with revenues that are inmate-generated revenues that can go for the total benefit if needed. I just make a suggestion too as we think about this that you could, I believe you estimated about three a day that you see when you're out there, which kind of generated into the 1,000 a year possible trips at \$9 a trip. And the issue of how to get, if they want to go to Edgewood or Galisteo or something like that. But I would structure it, perhaps for six months and see how it works using the cab and only taking them—negotiating a fixed fee with the cab company that takes them to some point within Santa Fe, within the city boundaries of Santa Fe. It may not necessarily be the Villa Linda Mall. It may be their house or a relative or something, and see how it works.

I think, Mr. Chairman, the issue here is, and I know the corrections advisory committee has been looking at other issues which you've just raised and I attended their public meeting a couple of weeks ago. I think they're looking and quite rightfully at interior issues and what we have here is an exterior issue at the prison. The two things the public sees about the prison is, number one, unless they have someone in the prison that's a family member, they don't go there. The two things they see are number one, the break-outs and the escapes, and they see it on TV or they see the activity. Number two, they see the people walking along the road. That's kind of the total public exposure to our jail environment.

So this is an exterior issue. I certainly agree, it's not a major one in terms of some of the other issues, but that doesn't mean that we can't deal with it even if it is a minor one because it is a public perception one. And if we have a funding mechanism to do that and if that mechanism could be used, Mr. Chairman, I think some system could be tried.

CHAIRMAN DURAN: I think there are a lot of ways of dealing with this. Maybe when you check them in you charge them \$5. If they don't have it then I guess they don't have to pay it but I can't imagine that every inmate that goes in there doesn't have—I'm sure there's a lot of them that, just make it mandatory that they have to pay five dollars or something. The other thing, getting back to that work program, why couldn't we use the inmates to help our COLTPAC maintenance program? Maybe we could get money from COLTPAC to pay for—we've got to pay somebody to maintain those roads, why don't we try and pay our inmates then would offset this cost of transportation.

MR. PARRISH: Mr. Chairman, the inmates now that are assigned to the County work crew, they're assigned by the Highway Department. We leave it up to the Highway Department to decide what roads and where they're going to be directed. I think that's probably something that we could address in the future looking at that. Using the money from the Inmate Welfare Fund, once again, I think it would just impact on such a small population that I don't know if it's fair to everyone else. I don't know if that's—

COMMISSIONER SULLIVAN: Not everyone plays basketball.

MR. PARRISH: Absolutely.

COMMISSIONER SULLIVAN: If you buy a basketball, does everyone in the 700-member prison plays basketball?

MR. PARRISH: But everyone has the opportunity to play basketball if they want.

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want.

COMMISSIONER SULLIVAN: Well, everyone has the opportunity to take the taxi. Most of them will have a family member pick them up, I'm sure. It just seems that this is something we can at least make an attempt to deal with. If it doesn't work, or, as you say, once—and I am hopeful that the Galisteo facility does get going within a year. If that happens and the number of rides decreases we may just eventually opt to phase it out.

CHAIRMAN DURAN: It's going to cost us money to do this. One way, either way you look at it, it's going to cost us money to do this. I think the question is, I think we're being challenged now to figure out a way of how we're going to pay for it and I think there's a number of ideas that have been mentioned. I just think that these people deserve to be—they're not dogs. You don't just take them out there and take them to a place and drop them off. What's wrong with taking them to their house?

MR. PARRISH: Where do we draw the line, then, Mr. Chairman? Do you take them to their house in Eldorado or do we take them to Tesuque. I think there's a dangerous precedent setting in limiting the transportation to one area. An individual arrested from Pojoaque—does he have the same rights then to be transported there?

CHAIRMAN DURAN: Okay, then I guess you're right. Then we have to find a site that is in the city limits that is accessible to everybody.

MR. PARRISH: That was one of the, Mr. Chairman, one of the problems we had when I was talking to—when we picked the location. Obviously, these are just estimates on the proposal. If we transport them anywhere other than that it could increase that cost too.

CHAIRMAN DURAN: Then let us make the decision where to drop them off. Give us some options and we'll vote on it.

MR. PARRISH: That's exactly what I'm looking for, some proposal on how you want me to proceed with a resolution, or to provide transportation—

CHAIRMAN DURAN: Let's hear from Katherine Miller.

MS. MILLER: Mr. Chairman, Commissioners, one of the things that I have spoken to Greg just real briefly about is one of the reasons the Inmate Welfare Fund, we have an issue there. We're already kind of in a negative cash flow situation with that. We currently pay the inmates for working inside the facility. We used to receive funds back on phone calls; we no longer do that. So it's only, it's kind of a Catch-22. You're making money off of the inmates in the facility and paying the inmates in the facility when they buy commissary items. We make money off of that and then they're paid to actually work in the facility, so that they can buy things at the commissary so that there's money to pay them so that they can buy things at the commissary.

Unfortunately, we don't generate enough funds off of that Inmate Welfare Fund to have anything additional to what we already have going out of it. If we want to look at whether to pay inmates that are working within the facility, and I'm talking like fifty cents an hour and things like that, then there may be some money in the Inmate Welfare Fund. But one thing that I thought we might be able to do, when they're actually booked into the facility, if they have money on hand and will need to take a taxi or something like that, at that time perhaps we

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could work with them to see that they pull out a portion of those funds and give them a taxi chit or voucher or something like that to be used at the time they're released, so that it's taken out of their money right up front. Then we don't have to worry about when they get their check the following day after they're released. It would already be deducted from that. But when they're released they could be given that.

So that might be a possibility, but it doesn't address people who have absolutely no money. But perhaps it could, if they work in the facility and have made something off of the Inmate Welfare Fund, the fact that we pay them to work in the facility, perhaps it could be deducted from their inmate trust account when they are issued a check. It may address a lot of them that actually have money but can't access it until the day after they've been released. And perhaps we could work out something with the taxi companies so that they would then be able to be taken anywhere in town, like at a flat rate.

For instance, if an inmate has a taxi voucher it would allow them to be dropped somewhere within the city limits. Something like that we might be able to do. The issue, the one other thing that we probably can't do is the ones who have absolutely no money because then we get into a whole other area.

CHAIRMAN DURAN: Then they are welfare clients.

COMMISSIONER TRUJILLO: My concern, Mr. Chairman, is that our we really addressing or fixing the problem? If we're providing transportation from the jail to the Villa Linda Mall and somebody needs to get to Pojoaque or to Edgewood or to Chimayo, then they still don't have any transportation. We're just bringing them from the jail to another place where there's no transportation and nobody can pick them up. How are they going to get home? It's either at the jail, going home or Villa Linda Mall, going home or Galisteo going home. Are we really fixing the problem? Are we addressing the issue? I don't think we are.

CHAIRMAN DURAN: So you're saying they're going to hitch-hike—

COMMISSIONER TRUJILLO: They're going to hitchhike either from the jail or from Villa Linda Mall or from the Plaza. They're going to hitch-hike.

CHAIRMAN DURAN: Why don't we adopt a no hitch-hiking ordinance.

COMMISSIONER TRUJILLO: Unless we take them home. Unless we take them home. And are there enough monies to take them home? We're not addressing the issue.

COMMISSIONER SULLIVAN: Commissioner Trujillo, one of the things that it does, it gets them to a point where they have access to phones and public transportation and other things which they don't have out at the jail. So it's true, we don't get them to their door.

COMMISSIONER TRUJILLO: But public transportation does not go to Pojoaque.

COMMISSIONER SULLIVAN: That's true.

COMMISSIONER TRUJILLO: It does not go to Chimayo. It does not go to Edgewood. And they have phones at the jail.

CHAIRMAN DURAN: Why don't we just make them stay? We'll make them stay until they get a ride.

MR. PARRISH: Mr. Chairman, that's more expensive than providing them

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transportation.

COMMISSIONER SULLIVAN: I think the problem is not necessarily getting them home to Galisteo or Edgewood. The problem is getting them off Route 14, which is a safety hazard. We're not providing any way, there's no sidewalks. There's no pedestrian safety provisions on that route because we're so far out. So we need to get them somewhere where they're in a safe environment. As I've mentioned before, some of these inmates are taken to the jail. They're not guilty. We took them out there. They have an arraignment. They are determined to be not guilty and then we put them out on the highway.

COMMISSIONER TRUJILLO: We're going to put them in a safe environment for a limited period of time. And if they stay there it's going to be long term at the Villa Linda Mall. But they're going to have to get on I-25 or 285 North and that's not any more safe than State Highway 14. They still have to get home.

COMMISSIONER SULLIVAN: It may not address every situation. I don't know how many go to Edgewood and how many go to Galisteo and Tesuque. But for the majority of them, just based on the population of Santa Fe, I think we would have probably addressed 50 to 80 percent of the situations.

COMMISSIONER TRUJILLO: Is that right? Is that right, Mr. Parrish? That 80 percent of the inmates are from the City of Santa Fe?

MR. PARRISH: On our arrest statistics, Mr. Chairman and Commissioner, about a third of our inmates are from the City of Santa Fe originally.

COMMISSIONER TRUJILLO: So we've got 2/3 that—

CHAIRMAN DURAN: Where are the other 2/3?

MR. PARRISH: The other 2/3 are arrested by the City of Santa Fe and they could be from anywhere in the county. I'm just going by who's the arresting agency. But over a third of our arrests, I'm sorry, more than that, are brought in by the Santa Fe Police Department.

COMMISSIONER TRUJILLO: So for the majority of the people we're not fixing the problem. If we're expending \$50,000 a year or whatever.

CHAIRMAN DURAN: How many people end up hitch-hiking?

MR. PARRISH: Mr. Chairman, I apologize. I don't have hard figures on that. I'm basing my observations and I know other people's observations. I on occasion see people walking up State Road 14 which I assume are from the jail. I've never done a study of when they come out of the jail. We release 35 to 40 people a day from the facility.

CHAIRMAN DURAN: This is too hard for me. It seems that we're talking about a small percentage of the people that are being released that don't have anybody to pick them up. The perception is that people are constantly walking down the street. I don't think that's true. There's a few people that don't have the money. I can't imagine that it's more than 30 percent that end up walking. It's probably even ten percent.

MR. PARRISH: Mr. Chairman, I believe it's much less than that, actually. It's a very small percentage of the population that actually walks. One or two a day, perhaps, I've observed. Because most of the releases are during the day. There's very few after—

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CHAIRMAN DURAN: So what would it cost us? \$52,000 a year if somebody said I don't have any money to get to town?

MR. PARRISH: Mr. Chairman, with the proposal, if we had three a day, and the proposal with the cab going to Villa Linda Mall, a thousand a more, three times 365, would be \$9 per individual for transportation costs. That's to Villa Linda Malls. So that would basically come out to \$9,000, plus once we get to the mall are we going to give them a bus pass then so they can go somewhere else? Anything other than the mall would be more expensive then.

CHAIRMAN DURAN: What's wrong with that? Drop them off at the mall.

COMMISSIONER TRUJILLO: They're not home. If you drop them off at the mall it's like if they were at the jail. They're stranded.

CHAIRMAN DURAN: Yes, but they're a lot closer to nowhere.

MR. PARRISH: Mr. Chairman, one of our concerns is that people who don't have a ride are going to go to the mall and be rearrested. We had one individual that was arrested 33 times in one month. And those are the type of people we're going to be transporting to the mall. And I think that raises an issue with the merchants, also. Because a lot of these people have nowhere else to go, so they end up wherever we deliver them. And if they don't have a home to go to, they're going to come right back in a matter of a few days. We have some people that reoccur at the jail quite frequently. Because they have no other alternative and there is no alternatives in the Santa Fe area for a lot of these people, the homeless.

CHAIRMAN DURAN: It seems to me that we could probably think of something other than shooting them on the spot.

COMMISSIONER TRUJILLO: No, don't shoot them on the spot. But take them home. Take them home.

CHAIRMAN DURAN: But like you said, what if they live all the way up in Chimayo?

COMMISSIONER TRUJILLO: How about homeless shelters? Somewhere where they can have a roof over their heads for the next two days and work on arranging some sort of ride to take them home or talk to somebody that's there with them that has a family member coming for them, rather than throwing them out on an island where they land up in jail anyway.

MR. PARRISH: Mr. Chairman, Commissioner Trujillo, this is a real dilemma, because the person I was mentioning to you has been excluded from the homeless shelters. They won't allow him in there because he's so disruptive. You run into that type of population. Now this isn't everyone, granted. But they have limited room. Last year, I know the case managers on several occasions made phone calls trying to locate a particularly male inmates because they're homeless. And they had a very difficult time. In fact we kept some people voluntarily overnight at the facility because they had nowhere to go. There just aren't a lot of facilities in the area that we can address if they don't have family or friends to go to.

CHAIRMAN DURAN: But you know, you're portraying this that it's, of the ten percent or even less that don't have a place to go when they get out, how many of those

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aren't allowed in the shelters, don't have a home? It can't be everyone that ends up walking.

MR. PARRISH: Yes. Mr. Chairman, unfortunately, I don't have hard figures. Like I said, my estimate on who's walking is just that, an estimate. And how many of those people don't have somewhere to go, I don't know. We've never had a study done to that effect. How many people walk out of there and don't have transportation, or where they go when they do leave the jail. How many go to family or friends. I don't have the answer to that, I'm afraid.

CHAIRMAN DURAN: Estevan, you're the County Manager. What do you advise?

MR. LOPEZ: I advise Greg's recommendation.

CHAIRMAN DURAN: Which was that?

MR. LOPEZ: In essence, do nothing on this issue right now. I think we have more important issues to deal with at the jail.

COMMISSIONER CAMPOS: I'll make that motion.

COMMISSIONER TRUJILLO: Second.

COMMISSIONER SULLIVAN: Well, for discussion, I disagree with that. I think we have more important issues but we also have a public perception issue and we also have the issue of once the individual is out, they've done their debt, whatever it may be, a week, two weeks, thirty days, six months, whatever it may have been. Several of the inmates I've talked to in the jail there have been there six, eight months. And we're saying to them, you're a person. You're a human being and you've been incarcerated. You're no longer incarcerated and we're going to treat you like a human being when we release you. And I don't think letting them walk out the door and out onto Route 14 is treating them like a human being.

CHAIRMAN DURAN: I agree. I think that these are people who are less fortunate than most of us and I think they need our help.

COMMISSIONER TRUJILLO: They surely need our help but we need to extend ourselves a little bit more than what we're doing with this. It seems like a Band-Aid. It's not addressing the issue. They're human beings, but if we're taking them from the jail because they don't have transportation to the Villa Linda Mall, and there, they don't have transportation, how are we fixing the problem? We're not fixing the problem.

CHAIRMAN DURAN: Well, why don't we build a facility—Estevan, let's build a facility in this RFP on our business park, let's make sure that there's some kind of a facility there to deal with this inmate problem and have the people that are going to build this thing for us have maybe a half-way house there. Maybe we can give them, find them, build in some kind of program where the people in the place have a program where they help us find these people jobs if they can't—I think there's a lot of solutions to it. It's just that we need to come up with some ideas.

COMMISSIONER SULLIVAN: Mr. Chairman, here's another, working off of Katherine's idea. What if we ask, have the intake personnel ask at the time that they do the intake paper work, whether they have transportation at release. So right away we've quantified the problem. They either do or they don't. And if they don't, then there's some time for the

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case managers to address that particular problem. If it's a problem, then we have a solution, we have a fund that, at the discretion of the case managers, within some parameters that we give, no more than \$20 fare or whatever. Something like that. Could then take them to Pojoaque or take them somewhere on a case by case basis. The case managers would have that fund to work with.

COMMISSIONER TRUJILLO: That's a very good point.

COMMISSIONER SULLIVAN: Does that work better?

CHAIRMAN DURAN: Why don't we pass an ordinance that anybody that gets admitted to the jail has to pay ten dollars. Period. Then they pay ten bucks. If they can't pay it, they have to prove to us that they can't pay it. And then they don't have to. But those that can afford it have to pay \$10 and we build this fund and all the money's in there to take them anywhere they want to go after a year.

COMMISSIONER TRUJILLO: I think Commissioner Sullivan's solution is the most humanistic one, because that would give ample opportunity to try and find transportation for those inmates who don't have transportation in the long term.

COMMISSIONER SULLIVAN: Even if the case managers have to call a relative.

COMMISSIONER TRUJILLO: Even if the case managers, even if whoever has to call a relative—

COMMISSIONER SULLIVAN: And say are you available.

COMMISSIONER TRUJILLO: So that these people are taken somewhere.

COMMISSIONER SULLIVAN: Right. The bottom line is not providing the inmates transportation. The bottom line is not having them out walking. So if we can do it by contacting a relative for them—but in the end, at least we have a fall-back, which is a small pot of money that has an exclusive arrangement with the cab company that for x-dollars or up to certain distances and certain monies that you work out with them that are reasonable, we'll pay out of this fund to take them to Tesuque if it's \$20 or Galisteo. I don't know about Edgewood, but maybe even Edgewood. I don't know how many do that.

It just seems like if we address that problem right at the outset then we would have quantified it.

MR. PARRISH: Mr. Chairman, Commissioner Sullivan, I would hate to be negative on everything. Unfortunately, a lot of the people we're dealing with are there for 24 hours. They never see a case manager. They're held there for a time frame that's designated by the Police Department and then they're released, usually because they're there for protective custody. Now, long term, that's a very good possibility. A long-term individual that's sentenced there for three months where you could develop that case manager rapport and do something. We do allow anyone leaving to make a phone call at this time. They can call, make a local call to arrange transportation. But someone that's just held there for eight hours or 24 hours or until they're legally sober, till they can be released. They don't necessarily get a case manager.

COMMISSIONER TRUJILLO: Even if they're there for 24 hours, that could

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be a part of the admission process. Up front you ask, do you have transportation home? If not, then right away the case manager or somebody tries to find transportation for this individual, locate a family member, tell somebody that this guy's going to be released in 24 hours, for somebody to be there to take him home. But that should be part of the up front admission process. Rather than having these people released in 24 hours and on the highway where you don't know what's going to happen.

CHAIRMAN DURAN: Well, do you want to turn yours into a motion? Do you want to withdraw yours?

COMMISSIONER SULLIVAN: I'll try to make a motion if you want me to.

CHAIRMAN DURAN: There's a motion and a second already.

COMMISSIONER SULLIVAN: Oh, there's already a motion and a second.

That's right.

COMMISSIONER TRUJILLO: Do you want to withdraw yours?

CHAIRMAN DURAN: Do you want to give his a try?

COMMISSIONER CAMPOS: I would like, instead of making a motion and forcing something on staff at this point, I'd like to maybe give them an opportunity to come up with some more options.

CHAIRMAN DURAN: We've had six months. This is six months of work.

COMMISSIONER CAMPOS: We can sit up here and do whatever we want. They have to implement it. They have to do the hard work. We can just do anything we want.

CHAIRMAN DURAN: They don't want to do it.

COMMISSIONER CAMPOS: Well, maybe they don't feel there's a good way of doing it. We have a thousand demands on our time and energy and money and we keep saying, Here's another one. There's only so much money. There's only so many people on staff. So why don't we just—I would stay with my motion. I would stay with the motion. I guess Commissioner Trujillo can withdraw his second.

COMMISSIONER TRUJILLO: I rescind my second.

MR. LOPEZ: Mr. Chairman.

CHAIRMAN DURAN: Estevan.

MR. LOPEZ: I perhaps have a new appreciation for the importance of this issue to you, to the Commission as a whole. And I would appreciate the opportunity for us to go back with this new appreciation and really try and come up with some more, some other options that might work for us. And even if it's another month that you would give us, we'll work diligently at trying to get a solution to this.

CHAIRMAN DURAN: Sheriff-elect Solano. How are you?

GREG SOLANO: I was kind of waiting to weigh in on this but just yesterday I had, Mr. Chairman, Commissioners. Just yesterday I had a meeting with Greg Parrish, the warden, the major, to discuss issues at the jail and these were some of the things that were brought up. Some of the things that we looked at was trying to mitigate or cut down on the number of people that were walking. And one of the problems as some of you may well know is they were having, when they're processed into the jail, their money is taken and they have to

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come back for a check, sometimes the next day. Sometimes they'll get a check that day but what can you do with a check on the middle of Highway 14. And other times you even had to come back the next day for a check. So we started discussing that issue as to whether or not these people could maybe have any kind of money for rides, for a place to stay, for anything that they need, if they even have money of their own.

And what the jail has told me that they'd look at doing is setting up a kind of a petty cash fund that if people come in and they check in and let's say they have less than \$25 on them, they would get that all in cash, rather than a check. And then if they have say, more than \$25, say, \$100, they would get \$25 in cash and \$75 as a check. That would give them some body to be able to maybe get their own taxi. To have a place to stay if they get released and they want to stay in a hotel or something. Because I think there are some people being released that have no money because they're being handed this check that they can't do anything with.

And then the other thing that was brought up was phone calls. My understanding was that up until recently, that if you were released during 8 to 5 Monday through Friday, then they would let you use the phone at the front desk to make a phone call, a local call, but if you were released after five or on weekends, then that same opportunity wasn't always afforded to you based on whoever was working the booking area and whether or not they let you use a phone to make a phone call. So in some cases I think these people were either being forced to either make collect calls from the pay phone outside or walk down to Allsups and try to call somebody from there. So we worked on a couple of these issues and they've assured me that from now on, anyone that wants to make a local call will be able to do so.

And then this petty cash idea that I think will come into effect in January will help mitigate some of this. Another think that I'd like to look at, but I would need some time to even be in office before I could really do anything, is whether or not, if we have deputies who are there already dropping off someone or taking care of business, and there is somebody that's being released that we could give them a ride to some point in town.

Now I cannot bring a deputy from out in the field to just give someone a ride, but I feel that if we have them there and if we know that they're going to be a ride that we may be able to look at that. So these are some things that I was looking at as trying to cut down on the number of people walking and I think if we were able to implement some of these things we may be able to cut down on it and then we could look at whether or not a taxi cab or something would work for the rest of them. As far as money being charged for inmates and their stays, Albuquerque, I'm well aware of Albuquerque and Bernalillo County's program that they set up where they tried to charge inmates for their stays and its failed pretty miserably over there. What's happened is that they've had to pay staff to try to collect this money and that staff is costing more than the money than they're collecting from the inmates. So in that way it's turned out to be a failure.

But I would like to work with the County Manager on this issue and it very much concerns me as somebody who's lived out on Highway 14 for the last nine years before I just recently moved to town, I saw people walking to town. And actually, the first time that I came and met with Greg Parrish months ago, and I brought it up, he said, Oh, have you talked to

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Commissioner Sullivan? I said, No, I haven't. It was something I had. It was also a concern of mine. So it's also a concern of mine. So I'd like very much to look at it also and while I realize that you've been waiting for quite a while for this report and for something to happen, I think that we could come up with something. And I'd like a chance to be a part of that.

CHAIRMAN DURAN: Well, I'd like to make a motion to table this until our February meeting.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Sometime in February, maybe the first of March, so that you would have some time, Estevan, to meet with the Sheriff. I think he understands the concerns that we have and we welcome his input. There's a motion and a second.

The motion to table action on transportation for released inmate passed by unanimous [5-0] voice vote.

CHAIRMAN DURAN: Thank you, Greg. I know it's a tough issue.

XI. F. 2. Discussion and Approval of Resolution No. 2002-__ . A Resolution Creating the Santa Fe County Housing Authority [Text of resolution attached at Exhibit 1]

MR. LOPEZ: Mr. Chairman, Commissioners, several months ago staff was directed to consider and bring options forward relative to the possibility of creating Santa Fe County Housing Authority, or perhaps a better term is recreating it since it existed once before and it was in essence disbanded.

CHAIRMAN DURAN: Do you know why it was disbanded?

MR. LOPEZ: Basically, it had to do with prior operations and there being some fiscal issues and really some pretty serious financial issues associated with that Housing Authority. I think that the controls really weren't in place at that point.

CHAIRMAN DURAN: So they were pretty much in charge of their own budget and expenditures?

MR. LOPEZ: That's my understanding. But those, any fiscal impacts that were associated with that Housing Authority extended to the County, so if there was fiscal mismanagement by the Housing Authority, that impacted County operations as well. So for that reason, we took all of those things into account in trying to think through a proposal that we would present to the Commission at this point. And what we've come up—

COMMISSIONER TRUJILLO: Mr. Chairman. I'm sorry Estevan. Are we being a little premature on this issue to implement a resolution or a restructuring of the Housing Authority that the new Commission will have to live with? Wouldn't it be better for the new Commission to have a voice in whether they want to make the Housing Authority autonomous and separate from the Board of County Commissioners or status quo, that it remain like it is. I think there's two new Commissioners coming in. I think that they should have a voice in how

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this authority is structured.

MR. LOPEZ: Mr. Chairman, Commissioner Trujillo, that certainly is a possibility. And at this point I wasn't sure whether this Commission would be ready or willing to act on creation of a board at this point or not, but I wanted to make sure we followed through on the direction that was given a few months ago in bringing something forward to you and at least initiate the discussion at this point. And if we're on the right track, get direction to continue on that track or if you feel ready to make such a decision, whatever. I think all of this is certainly within your discretion, either to make a decision now to delay until the new Commission is in place, whatever the case might be, but in any regard, that we follow through with the direction that was given to us a few months ago and bring back some of those rationale that we've talked through at this point.

COMMISSIONER TRUJILLO: My concern is that the discussions will be all for naught because the dust hasn't settled, and that might be some changes in the Housing Authority. There might be some changes elsewhere that will not—I don't know how to say this—will not require the Housing Authority to be separate from the Commission. So I don't know. If we make a decision now on the Housing Authority and when the dust settles it is determined that there is no need to have a separate entity. The discussion is all for naught.

MR. LOPEZ: Mr. Chairman, Commissioner Trujillo, that's certainly a possibility. And I guess one way that we could proceed is kind of to lay out at least a rationale for even creating such an authority and let the Commission then mull it over and it's not necessary that action be taken today or not. It's just a matter of whether we're on the right track with what the Commission wants to do or whether we want to hold off.

COMMISSIONER TRUJILLO: Is this something that staff is advocating?

MR. LOPEZ: Mr. Chairman, it is.

COMMISSIONER TRUJILLO: It is something that staff is advocating. From the County Manager.

MR. LOPEZ: Yes. I've worked together with a team of senior staff to try and think this thing through and if it's all right, I'd like to explain some of the rationale as to why we're even bringing something forward.

The primary thing at this point is this Board, your Board serves right now as the Housing Authority, with one resident of the housing facilities added to it. Given all of the other issues that the County Commission deals with, there's, even if you have a strong interest in housing issues, there's so many demands on your time and on your energy for you to really focus on this issue, it's quite a drain. At least that's my view of things, given the number of meetings that you have and all of the range of issues that you deal with.

So in essence, at this point you probably don't give it the amount of attention you'd like to, or that's my supposition. And I would think that, and I've seen some of this in some of the advisory boards that you've got, where you put out, you solicit people if they're interested in serving on some committee or another, and you get some pretty talented and able individuals. So our thought was that we could probably do the same with such a Board and relieve this Commission of some of its outstanding duties without diluting its overall ability to have

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oversight of the financial operations of the authority and so forth.

So our thinking was that if you were to create a board that you could have still one of the residents of the housing services, at least one city resident, at least one non-city resident, then from the four members that wouldn't be residents of the housing, that they have expertise and/or experience in specific professions that would be beneficial to the Housing Authority overall. Specifically, professional fields such as affordable housing, finance, real estate, construction, architecture, civil engineering, or social services. And that those fields of expertise be spread out throughout that area.

So that's really the crux of the matter, to try and create a body that might relieve you of some of your duties, provide interested expertise and oversight of a very important program for the County, but yet maintain fiscal, primarily fiscal control within the existing County structures. In a nutshell, that's what it is. And I'd be willing to entertain questions.

CHAIRMAN DURAN: Estevan, I'd just like to kind of piggy-back on that. I think another reason for me to be supportive of this is that about four or five years ago we adopted an affordable housing ordinance. No one has ever done anything about it. No one's ever made application. And about two years ago or a year ago, we adopted another ordinance. We amended that ordinance and still, no one has made an application. And I don't think that the County has ever done anything to really enrich that idea or to put some kind of affordable housing program together that actually works and that the development community tries to take advantage of. And my understanding in talking to Robert that we could try, we could implement some of these ideas and programs relative to affordable housing with this Housing Authority Board. Is that correct, Robert?

We have four million dollars that Robert has used from that HUD money to develop this low-income project and some affordable housing, but I think that we really need to spend more time and money on it and I think that with the limited amount of time that this Board has to deal with it and the limited amount of time that Robert and his department has had in the past to deal with it, this effort has gotten nowhere. And if this Commission elects to adopt this resolution and create the Housing Authority, I think that we would do so with the understanding that affordable housing is going to be one of the priorities of the authority so that we can, so that the Housing Board can help us implement some of our ideas and goals relative to providing the community affordable housing.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I had a question I guess of Robert. There was an article in the *Journal North* that quoted you in saying that the second reason was that with an independent board, the authority would be able to apply for additional funding. "Anaya said the authority can work with non-profit housing organizations to secure more money in its attempt to tackle affordable housing. There are things we can do to access new resources." Now, getting new money wasn't mentioned in the County Manager's memorandum. Why aren't we doing these things now? What could an authority board that your department can't do now?

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, that's an excellent

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clear.

COMMISSIONER SULLIVAN: And you think also, I notice that they've got ten-year terms on this housing board. It even says that the members shall serve for two terms unless removed. That seems a bit stagnant to me.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, the language for that particular section was taken directly out of the Municipal Housing Act, which is state statute. State statute allows you to create a Housing Authority if you want to, and they also spell out certain things that you do in the creation of that. That particular language wasn't crafted by staff. That language is in the statute itself and I would defer to Gerald who spent quite a bit of time researching that information if you have any more specific questions.

COMMISSIONER SULLIVAN: So once we've appointed a member, unless there's some gross negligence, we don't have an opportunity to de-appoint them for ten years.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, no. That's not correct. If you appoint, and this is very clear in statute, if you create a Housing Authority and you create, appoint those positions and there is negligence by any of those board members, then it's in this body's purview and responsibility to remove and replace those individuals. The way the appointments are set up is if you set up a Housing Authority the initial terms are one, two, three, four and five years, respectively, and then after that they would be five-year terms as per statute.

COMMISSIONER SULLIVAN: I understand that. I read that. But proving negligence is often a fairly tricky legal mechanism. You really have to have the smoking gun to do that and I think in many cases in our committee appointments we're able to mold these committees a little more easily and without extensive legal challenges and so forth. If that's the state law I don't think it's a good one. I think it's that inbredness that we had before that is exactly what caused the Housing Authority's problems before, that caused us to take it over, that caused the Commission prior to my time to take it over.

MR. ANAYA: Commissioner Sullivan, if I could just—

CHAIRMAN DURAN: Robert, before you do that, let me just offer a suggestion here. Why don't we just change that to say that unless removed, members shall serve at the pleasure of the Board?

COMMISSIONER SULLIVAN: Because we can't.

CHAIRMAN DURAN: Why?

COMMISSIONER SULLIVAN: State law.

GERALD GONZALEZ (Assistant County Attorney): Mr. Chairman, Commissioners, Section 3-45-7 of the New Mexico statutes is very specific about removal of Commissioners and states: The Commissioner in authority may be removed by the Mayor—in this case the BCC—but only for inefficiency, neglect of duty or misconduct in office, and only after he has been given a copy of the charges at least ten days prior to the hearing thereon, and has an opportunity to be heard in person or by counsel. So there's a specific path that's carved by the housing laws as Robert pointed out with respect to removal of Commissioners. And that was part of the challenge in terms of doing the drafting, one of only a few.

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CHAIRMAN DURAN: How many Housing Boards are there in the state of New Mexico?

MR. ANAYA: Mr. Chairman, there's 46 Housing Authorities in the state and half of the Housing Authorities, one over half, actually, are administered by Housing Authority Boards and the remaining are administered similar to the structure we currently have here in Santa Fe County.

CHAIRMAN DURAN: Half are by boards?

MR. ANAYA: That's correct, Mr. Chairman.

CHAIRMAN DURAN: And they have the same requirement?

MR. ANAYA: That's correct.

CHAIRMAN DURAN: How long has this law been in effect? It seems a little—

MR. GONZALEZ: Mr. Chairman, the Housing Law was enacted in 1965. There is another tier or Housing Authorities which are the regional Housing Authorities but they operate with even greater independence than the municipal or county Housing Authorities do.

CHAIRMAN DURAN: And how does that affect the ability to limit the terms, this regional approach?

MR. GONZALEZ: They have their own statutory provisions that they abide by and they differ from the statutory provisions that govern municipal and county Housing Authorities.

CHAIRMAN DURAN: Could we use that?

MR. GONZALEZ: Then you'd have to create a regional Housing Authority and that means that it would have to cover more than one county. We already have a regional Housing Authority designated covering Santa Fe County and so I don't think that we'd be permitted to go forward with that.

CHAIRMAN DURAN: So my last question then I'll turn over the floor, is that members of the board shall serve for five-year terms. And then it says, members shall serve for two terms. Does that mean that after they complete their five-year term that we have the option of not renewing it? Or should they have said, Members shall be appointed for ten years?

MR. GONZALEZ: Mr. Chairman, there's a little bit of ambiguity in the statute, which gives, I think the Commission, this Commission, some leeway with respect to how they structure the appointments. It does require that the initial appointments for the first five commissioners be staggered so that you have one, two, three, four and five years. It also is permissive in that it says that commissioners may serve for two or more terms. So you could decide not to have them serve for more than two terms, or more than one term and simply have a rotation on a one, two, three, four, and five year basis. That would be possible.

Otherwise, terms are set at five years following the first staggering. So if you had the initial set of commissioners serving for two terms, you would have one commissioner serving for six years, another for seven, another for eight, another for nine, another for ten. If you wanted to sort of clean the slate or start again with respect to appointments at the end of first term, then after the first year you'd have to appoint a new commissioner. After the second year

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you'd have to appoint another new commissioner, but you could build in the flexibility so that you could reappoint someone as well. I'm not sure exactly why they drafted it that way. They could have just said that the Commission may, at its discretion set term limits for the board members.

CHAIRMAN DURAN: We could change that through legislation?

MR. GONZALEZ: You could actually, well, you could change it through legislation, but keeping in mind that after the first set of terms that they serve for five years, you could decide that you want to have the power to appoint at the end of each of those terms, either appoint or reappoint.

CHAIRMAN DURAN: So we'd be okay with that? We'd be safe?

MR. GONZALEZ: That's correct.

CHAIRMAN DURAN: And we could also just decide to disband the whole thing all together if we didn't like what was going on, right?

MR. GONZALEZ: That's what occurred, as you may recall, as a result of the fiscal difficulties that the first Housing Authority had. I did have the opportunity to deal with some of those issues at the state level as opposed to the County level when I was at the Attorney General's office.

CHAIRMAN DURAN: Any other questions of staff? Commissioner Sullivan, do you have any?

COMMISSIONER VARELA: Mr. Chairman, I was just going to say that I would think that the state law that we have here, saying that the members would be on for five years, I would think that because they're professional people in different trades and dealing with housing and stuff that the program would feed off of the energy and the expertise that they have and I think that's probably why the terms are five years as opposed to something that's a lot shorter, because if you're doing affordable housing or any of this other type of stuff, under a Housing Authority I think you have to have continuity, unlike some other boards where it's not necessary but I think that's probably the reason the law was drafted that way.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Just a quick question for Mr. Gonzalez. This language, as far as the two five year terms in paragraph 2, page, I guess it's 2, it says unless removed. That language, unless removed, that's not statutory? That's something that was done here at the County?

MR. GONZALEZ: That language was put in but it really does refer back to the removal requirements in the statute. We didn't spell it out because we didn't want to reincorporate the statutes in what we had drafted for the Commission. But if you really wanted to remove, then you'd have to go back to the statutory authority and remove for those causes that are set out in the statute.

COMMISSIONER CAMPOS: So basically the statute says you appoint someone for five and then they have another five unless there's cause at the end, unless there's a hearing.

MR. GONZALEZ: The statute does not require that you appoint them for

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another five. It says you may, but you are not required to.

COMMISSIONER CAMPOS: But here it says unless removed, the member shall serve for two terms.

MR. GONZALEZ: That was sort of a drafting liberty and I want to re-emphasize that the County Manager had asked me to put together a structure that would be a basis for discussion among the Commissioners, to try and put some structure to this that worked from the standpoint of the Commission. So this was my best effort to take, and in working with the group at the senior staff level, to take their comments, my experience with dealing with Housing Authorities, the statutory requirements, and try to weave together a structure that would work, or at least provide the basis for seeing a way to create it from the standpoint of the Commission in a way that worked.

COMMISSIONER CAMPOS: The question is, the language, unless removed, they automatically have a second term. Is that required by statute? Is that required by your draft?

MR. GONZALEZ: No, the second term is not required by statute. That was a drafting option that I exercised.

COMMISSIONER CAMPOS: Okay. A question for Mr. Anaya. Affordable housing ordinance, the Chairman implied, maybe correctly that the affordable housing ordinance that we have would be administered by the new Housing Board. Is that what the law permits?

MR. ANAYA: Mr. Chairman, Commissioner Campos, correct me if I'm wrong, Mr. Chairman, but I think the intent there was that if you had a Housing Authority Board that you could utilize, that you could ask them as part of their charter to assist you and make recommendations to you relative to that specific issue. Not absolutely that the Housing Authority would take that function on but that they could be a tool in addition to their existing responsibilities to assist you with other housing related issues.

COMMISSIONER CAMPOS: But this resolution gives you authority pursuant to 3-45-1. That's statutory. That doesn't talk about an affordable housing ordinance like we have here. Is that correct?

MR. ANAYA: That's correct.

COMMISSIONER CAMPOS: Okay. Now, as far as the executive director. Let's assume this happens. You don't automatically become the new executive director. It would be up to the Board to hire an executive director?

MR. ANAYA: Mr. Chairman, Commissioner Campos, I don't want to respond to that particular question because I don't know the right answer to that. I know that there's some legal issues related to that particular issue and without being an attorney I'm not going to make that statement.

COMMISSIONER CAMPOS: You were present I think recently at the Affordable—were you at the Affordable Housing Summit or whatever it was called, recently at the City?

MR. ANAYA: Mr. Chairman, Commissioner Campos, I helped coordinate it

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and put it together but I was out of town during the actual summit.

COMMISSIONER CAMPOS: One of the ideas discussed was perhaps we should have a unified County/City Housing Authority Agency. What are your thoughts about that?

MR. ANAYA: Mr. Chairman, Commissioner Campos, as I stated before the last time I came before this body, I think that in the long run, that for Santa Fe County to truly serve the citizens relative to affordable housing issues that it would be a good idea, in my professional opinion, to move in that direction. After the meeting I had with this body, in which you gave me direction to look into it further, I have done that and have gone and made a presentation to the Santa Fe Civic Housing Authority Board, which Mr. Tafoya works under, and they have asked us to provide some additional information to them regarding how it is our Housing Authority operates and how our business functions. But I think that in the long term, to serve this community, that will probably be the best possible solution will be to have a joint board.

COMMISSIONER CAMPOS: If it is the best solution, when do you think it could be implemented.

MR. ANAYA: Mr. Chairman, Commissioner Campos, I think just thinking back historically on some of the things that this Commission and City Council have talked about and have actually posed that issue, I think it could happen. It could happen, but as far as putting a specific date on it, I don't think that I have the background or input from the entire Commission and entire Council and the Housing Board, who are fundamental and very key, primary piece of that to be able to give you an accurate response. I could just say that I think that there's some discussion and that board expressed some interest in looking into it, but any further than that I really can't comment at this time.

COMMISSIONER CAMPOS: Thank you.

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, just to elaborate slightly on one of the questions that you asked. The language in 3-45-5, where it governs, talks about the creation of the authority, indicates the City and in this case the County, may delegate to such authority the power to construct, maintain, operate and manage any housing project or projects of the City, and may delegate to the authority any or all powers conferred on the County by the Municipal Housing Law. So the County would have the option to delegate the BCC if it so chose the authority to administer affordable housing projects and so forth. It would be your choice. That's something that probably needs to be thought about a little bit in terms of structuring the resolution. You may want to think about what specific kinds of projects you'd like to delegate to the Housing Authority if that's the direction in which you chose to go.

And there probably will be some additional afterthoughts, but I think the discussion here is helpful. Certainly I hope it's helpful to you but I know it's helpful to us in staff to see what kinds of pieces we need to continue to think about in presenting something like this.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I guess a concern that I would have is that I

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like the idea or the potential of a regional Housing Authority. I think the Commission has made some good progress in terms of the Regional Waste Authority, in terms of dealing with the emergency center regionally and there are just other logical issues and I think ultimately we're going to be talking about regional water. We're going to be talking about a lot of regional things together over the next couple of years. My only concern would be is if we set up this formal authority, that we then create a turf issue, the turfdom issues of them, of it being more difficult. I think I would prefer to explore the regional authority issue first while we still have that flexibility as a Commission. We haven't created this formal authority. Then if that's not getting anywhere and it doesn't look like that's in the immediate future, then perhaps we take a look at this and say, well, okay, we're going to create our own "regional" authority and be very specific about their terms and be very specific about their authority.

I'm just afraid by creating this now we almost, we create another impediment to that regional authority happening.

CHAIRMAN DURAN: I think that if by doing this now it actually puts us ahead of the regional effort. If we let the Housing Authority Board define the needs of the community in the county, I think then we're better prepared to sit down with our City counterparts to discuss how we could deal with the housing needs on a regional basis. I don't see it as drawing any lines in the sand at all. I think that we do this with the understanding that we welcome the City's input at this level at any time that they want to jump in and deal with it on a regional basis. But my major concern with this was the fiscal responsibility and Mr. Anaya and Ms. Miller and Estevan and Mr. Kopelman have worked hard to provide us a document here that allows us to move forward in this effort and it protects us financially.

The other thing is if it doesn't work, we can just pull it back and abolish the authority. But I think this is a big step forward and I think that it provides us with a mechanism to spend more time and energy and to find other funds to provide the community with affordable housing, low-income housing and I would suggest that we adopt this resolution.

COMMISSIONER TRUJILLO: Mr. Chairman, I still think we need the voice and the comments, the opinions of the new Commission because they are the ones that are going to be implementing the program and working with the authority to carry the initiatives forward. So I would like to afford them the opportunity to work not only on the resolution but on the charter that will delineate the dictates of the new authority.

CHAIRMAN DURAN: Have you had the opportunity to discuss this with either Commissioner-elect Montoya or Anaya?

COMMISSIONER TRUJILLO: No, I haven't.

CHAIRMAN DURAN: I have, and my understanding is that they don't really have a problem with creating this authority. I understand your concern that they need to be involved in it but I think that if we adopt this resolution there's no way that they wouldn't be involved after they take office because this is just one step in that direction. What would happen, if we adopted this resolution, what would happen next? In January, what would be the next process? The next step in the process?

MR. GONZALEZ: Mr. Chairman, members of the Commission, depending on

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the effective date that you made this effective, then what we would do is proceed at that staff level to set up the conditions required to carry out the oversight of the fiscal operations, the transfer of employees in ways that comply with the County personnel regulations, deal with the paperwork necessary for risk management kinds of issues, bonding issues and those sorts of things, just to make sure that those are all in place. And then there would be the next step of the selection of the initial Commissioners which would be up to this Commission.

CHAIRMAN DURAN: Don't get me wrong, Commissioner. If you feel that we need more time to do this, that's fine with me too. I still advocate that I believe that this authority provides us with some fresh and new ideas to deal with our housing needs.

COMMISSIONER TRUJILLO: And I don't advocate against the resolution. What I'm saying is that I would like to give the incoming administration the opportunity for the record to establish a position regarding this new authority. And I'm not, like I said, I don't have any problem with it.

COMMISSIONER CAMPOS: Mr. Chairman, I concur with Commissioner Trujillo. I think this is a major move. I think it should be dealt with by the new Commission with the two new Commissioners. It implicates long-term action. There is no hurry.

CHAIRMAN DURAN: How about making a motion?

COMMISSIONER CAMPOS: To do? Would it be tabling? It's an action item. We don't have to do anything, do we?

CHAIRMAN DURAN: Make a motion to table until after the first of the year.

COMMISSIONER CAMPOS: It has to be a date certain, doesn't it, to table?

MR. GONZALEZ: It should be.

CHAIRMAN DURAN: The first administrative meeting in January.

COMMISSIONER CAMPOS: It's kind of a rough month. Don't you think February might be better? January, the new Commissioners, a lot of things happening.

CHAIRMAN DURAN: Oh yes. Okay. I'll make the motion to table to February.

COMMISSIONER CAMPOS: The first administrative—I'll second it.

The motion to table consideration of a Santa Fe County Housing Authority passed by unanimous [5-0] voice vote.

MR. ANAYA: Mr. Chairman, if I could just make one closing comment.

CHAIRMAN DURAN: Please.

MR. ANAYA: Mr. Chairman, members of this Commission, I want to make a comment relative to what was printed in the paper on Monday and just say that the staff at the Housing Authority has been very instrumental and the staff at the County in really turning the Housing Authority around and moving it in the right direction. And I'm committed as somebody who's been the executive director to carry forward the agenda of this County Commission whether or not it's a Housing Board or not. I'll continue that dedication and I just want all of the Commission and people in the public to really know that, that it's the staff, the

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direction of this Commission that's gotten it here and I think that as time goes forward, there's a lot of decisions that will have to be made. Bottom line, I'm committed to keeping things moving forward and doing the right thing for the citizens of the county.

CHAIRMAN DURAN: Thank you, Robert.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I'd like to also, I'd like to congratulate Robert for everything. He and staff have done a really good job. As you said earlier, when you compare this organization to any in the state, this ranks certainly at the top. They're doing a good job. I see it at all the meetings with the board. So I congratulate all of you. I think it's a great job and we appreciate it very much. Thank you.

CHAIRMAN DURAN: Likewise, Robert. I think you and your staff have put a lot of time and energy into this thing and I think you recognize the need to take one big step for the community in this effort and hopefully, after the first of the year, the Commission would have had enough time and the new Commissioners will support this effort and understand the real meaning of having a concerted effort put together towards meeting the needs of the housing—the community's housing needs.

MR. ANAYA: Thank you.

COMMISSIONER TRUJILLO: Thanks for the hard work, Robert.

MR. GONZALEZ: Mr. Chairman, from the staff standpoint in terms of carrying this forward to the next step, would it be appropriate, is there a consensus of the Commission that we should take the remarks in the discussion that was had here today and try to incorporate any additional details that seem appropriate based on that discussion in what would be brought forward the next time before the Commission?

CHAIRMAN DURAN: Is that relative to the term limits?

MR. GONZALEZ: That would be one of them. That's correct. Shifting the term limits so this Commission would have the option of either one term, two terms, or whatever they wanted to do and possibly, also, in thinking about this, this discussion was helpful. One of the thoughts I had, the control that the Commission has in terms of what the Housing Authority board would deal with has to do with delegation. So you might want also to have staff, and we'd be happy to draft it that way, some language about they would deal with the issues specifically delegated to them by the BCC. That way it gives you some control over what oversight they have over housing issues without at the same time disrupting the kind of structure that we've drafted here. It would nevertheless keep some stability in terms of housing issues.

CHAIRMAN DURAN: I think that's fine except that I don't want to create this authority only to end up doing the same things that we're doing right now. I want to give them some flexibility and I would like for them to have the ability to make some decisions based on I think a vision that the community has.

COMMISSIONER TRUJILLO: That can be built into the charter.

MR. GONZALEZ: I think that artful drafting could satisfy the Commission in

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terms of trying to satisfy that thought that you have.

CHAIRMAN DURAN: Obtaining truly affordable housing and providing low-income housing, I don't think there's many roads to get there. Commissioner Sullivan.

COMMISSIONER SULLIVAN: I just wanted to add that between now and February 2 I'd like to ask and suggest that the staff work in a little more detail with the City Housing Authority so when you come back you've also got a pretty good recommendation about whether a regional Housing Authority would ever be in the cards for the future, so we could consider that as an alternative. I don't think—it would be useful to consider a resolution creating a Housing Authority, thumbs up or thumbs down, but looking at some other innovative approaches. A Regional Housing Authority is one. There are other mechanisms for affordable housing that the City is using, affordable housing roundtables and things like that, that we may or may not want to get involved in. I'm still not convinced from the discussion today, and I'd like to be, I'd like to hear more information on it, that by creating this board we do a better job of affordable housing. It sounds good but I don't see that yet. And I'd like to see that. And I'd be the first to vote for it if that could be shown and was in fact true.

MR. GONZALEZ: Mr. Chairman, if I could just in the hopes of preparing the Commission for the next level of discussion, I probably should have been a little clearer before. The Regional Housing Authorities that are created by statute currently exist and there are six or seven of them scattered across the state with specific regional authority. In order to construct a min-regional authority if you will, our authority and the City's or whoever else participated would have to key off The Municipal Housing Law. Therefore there are probably some gyrations that we'd have to deal with in terms of structuring a joint powers agreement or something like that. That could get fairly complicated fairly easily but we'd be happy to think about that and present some thoughts to the Commission.

COMMISSIONER SULLIVAN: Well, creating the SWMA Board wasn't a simple task and creating the Emergency Communications Center obviously wasn't a simple task either. But the net effect, I think saved taxpayer dollars and provided better service. So if we can meet those two goals, if consolidating the Housing Authorities through some mechanism is a workable think I'd like to hear about it, at least hear some discussion and debate about it as an alternative. If it's just not feasible for whatever reason, then we set that aside.

CHAIRMAN DURAN: I'd just like to say one thing. You're a short-timer here, Commissioner Trujillo, and I just wanted to tell you I appreciate you and I know that you'll have the northern part of the county always in your heart and if we can ever help, you make sure you come and let us know and I can't believe you've put up with me for six years.

COMMISSIONER TRUJILLO: Thank you, Commissioner.

MR. LOPEZ: Mr. Chairman, there are two items that I'd like to talk to you about that aren't on the agenda, specifically some probably additional meetings is what it comes down to. We've got a meeting next Tuesday, our regular land use meeting is next Tuesday, the 10th. And for the last several months, some of staff has been working with Commissioner Trujillo and some representatives of the New Mexico Acequia Association regarding some self-determination ordinance, a possible self-determination ordinance. We've made a lot of headway

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on that and we feel like we're at a point right now where it would be appropriate to bring it forward to a study session and I for one, given Commissioner Trujillo's involvement in that effort would like to do a meeting if possible before he leaves.

And one option, if the Commission is willing to consider it is to just do a work session on the afternoon of the 10th, say about 1:30 on the afternoon of the 10th. It would probably take, I anticipate that it probably wouldn't take any longer than about two hours. Then we could take a break and go into the evening land use meeting.

COMMISSIONER TRUJILLO: Can we do it about 2:30 or 3:00, because I've got a doctor's appointment on the 10th at 2:00. Or maybe earlier.

MR. LOPEZ: Perhaps in the morning might be better, if that were the case, to make sure that we had enough time to do justice to the discussion. I'm wondering how the rest of the Commission would feel about a work session on the 10th.

CHAIRMAN DURAN: How about 9:00?

MR. LOPEZ: Nine o'clock? I understand it would take probably 20 to 25 minutes for us to give a presentation of the content of what we've drafted to date and then I anticipate considerable amount of discussion and questions and so forth. I think we could cover the entire thing in two, 2-1/2 hours.

COMMISSIONER CAMPOS: One thing I would suggest is that the Commissioners-elect be asked to be here so that they can [inaudible]

MR. LOPEZ: That would be our intent.

COMMISSIONER TRUJILLO: Very good.

CHAIRMAN DURAN: Or would you rather do it at 8:00? Okay, 9:00.

MR. LOPEZ: Then I have one final one. The regularly scheduled administrative meeting for December is scheduled for December 31st. I haven't spoken to any of you about this but I suspect that you might want an opportunity to reschedule that. I've inquired with our staff as to whether there's any issues that really need to be dealt with before the end of the year and there probably are a few of them.

One of the things that we've thought of amongst some of the senior staff is the possibility of doing a meeting on maybe Friday the 20th or Friday the 27th, one of those two dates, if that would—

CHAIRMAN DURAN: The 20th is my birthday. I can't think of anything better that I'd like to do.

MR. LOPEZ: How could you better celebrate your birthday than being here?

CHAIRMAN DURAN: I agree. That's what I just said.

COMMISSIONER SULLIVAN: What about a January 7th?

MR. LOPEZ: January 7th? I think there are a couple of things that need to be—

COMMISSIONER SULLIVAN: What's so pressing?

MS. MILLER: There's a couple issues. One was the fiscal impact study that we've been asked to get that awarded and going as quickly as we can for the Community College District. There's a fiscal agent agreement which is up December 31st.

CHAIRMAN DURAN: Which fiscal agent?

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MS. MILLER: The County's fiscal agent. And then for our bank. And then also what we do as far as the cost of living increase effective January 1. They would all have to be retroactive or pushed out. So those were three of the things that were brought up by staff for sure that we were hoping to get done before December 31st.

CHAIRMAN DURAN: I don't see any reason to have one, do you? What bank are we going to use?

MS. MILLER: We haven't selected one yet. We still have to negotiate that agreement. We're in the process of negotiating the fiscal impact study and there's a couple others too. But those were the ones we were really trying to get awarded as soon as possible but they will not be ready for the December 10th meeting.

CHAIRMAN DURAN: Have you sent out RFPs to all the banks?

MS. MILLER: Yes. They're being evaluated right now.

CHAIRMAN DURAN: When was that sent out?

MS. MILLER: A few months ago.

CHAIRMAN DURAN: Because I recall that you sent one out and you had to recall it or something.

MS. MILLER: We resolicited. In fact this is the resolicitation.

CHAIRMAN DURAN: Are they local banks? Am I asking you some tough questions here?

MS. MILLER: I really can't discuss that at this time.

CHAIRMAN DURAN: Okay.

MS. MILLER: I think we had three or four respondents and they're all banks
[inaudible]

COMMISSIONER TRUJILLO: Let's have a short meeting on the 20th.

CHAIRMAN DURAN: I'd do that. I don't care. I'd love to see you all for my birthday.

MR. LOPEZ: We'll bring you a cake.

CHAIRMAN DURAN: Okay. Chocolate. Chocolate chocolate.

MS. MILLER: We'll buy you an ice cream and cake.

CHAIRMAN DURAN: No, just cake. That's so I can have my cake and eat it too.

MR. LOPEZ: Friday morning at 9:00?

COMMISSIONER TRUJILLO: Ten o'clock.

MR. LOPEZ: At 10:00.

COMMISSIONER TRUJILLO: The 20th.

MR. LOPEZ: Friday the 20th.

CHAIRMAN DURAN: Okay.

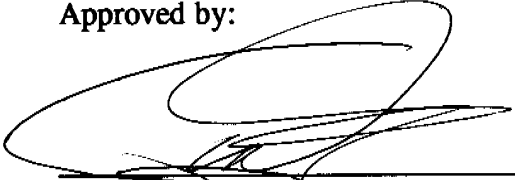
MR. LOPEZ: December 20th, 10:00. Thank you, Commissioners.

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ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 3:50 p.m.

Approved by:



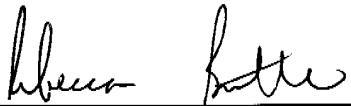
Board of County Commissioners
Paul Duran, Chairman

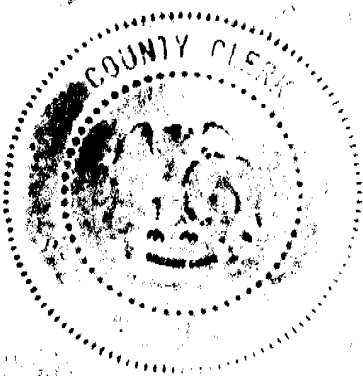
Respectfully submitted:



Karen Farrell, Commission Reporter

ATTEST TO:



REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK

SANTA FE COUNTY

Resolution No. 2002- *2315177*

A RESOLUTION CREATING THE SANTA FE COUNTY HOUSING AUTHORITY

WHEREAS, on July 1996, Santa Fe County assumed direct responsibility for and management of the Santa Fe County Housing Authority on an interim basis; and

WHEREAS, on August 1996, Santa Fe County assumed continuing operational oversight of the Santa Fe County Housing Authority as a result of the Santa Fe County Housing Authority's "troubled status;" and

WHEREAS, operational efficiencies can be attained at the same time that the Santa Fe County Board of County Commissioners ("BCC") maintains appropriate oversight functions if the Santa Fe County Housing Authority is reconstituted and reauthorized pursuant to appropriate guidelines;

NOW, THEREFORE, BE IT RESOLVED by the Santa Fe County Board of County Commissioners that pursuant to §§3-45-1 through 3-45-25 NMSA 1978, as amended, and in accordance with Section 2(b) of the United States Housing Act of 1937 as amended by the Public Housing Reform Act of 1998, and the federal regulations issued thereunder:

- 1. Creation of Board.** Santa Fe County housing authority is hereby created pursuant to §3-45-5 NMSA 1978. The Santa Fe County housing authority shall be known as the Santa Fe County Housing Authority (the "Housing Authority"). The Board of the Housing Authority ("Board") shall exercise all powers and authority provided for under the Municipal Housing Law except as otherwise provided for in this Resolution. The Board shall consist of five Members. The initial Members shall be appointed by the BCC. Of the five Members, one shall be a person who is directly assisted by the Housing Authority. Of the remaining four Members: at least one shall be a person who resides in the City of Santa Fe; at least one shall be a person who resides in the County of Santa Fe but outside of the City of Santa Fe; at least one Member shall possess experience and expertise in the area of affordable housing, and the remainder shall possess professional experience and expertise in a field related to either affordable housing, finance, real estate, construction, architecture, civil engineering or social services, provided that no more than two Members shall possess professional experience and expertise in the same field or fields.

2. **Terms.** The Members of the Board shall serve for five year terms, except that the initial Members shall be appointed for terms of one, two, three, four and five years, with the length of the initial term to be determined by lot. Unless removed, Members shall serve for two terms, including their initial term. Thereafter, or in the event of a vacancy on the Board, successors shall be chosen by the BCC from a list of at least two qualified candidates submitted to the BCC by the Board. Candidates may include an incumbent Member. Members may be removed from the Board by the BCC pursuant to the provisions of only for misconduct, neglect of or failure to perform their duties, or conduct inconsistent with their duties.
3. **Fiscal Operations.** The Housing Authority shall operate on the same fiscal year cycle as the County of Santa Fe and, in conjunction with the County Manger and the County Finance Director, shall develop and submit an annual budget to the BCC for approval. The annual budget shall be submitted by the Board through the County's regular budget cycle and shall be incorporated as part of the County's budget for the fiscal year for which submitted. In addition, all procurement, purchasing and day-to-day Housing Authority financial transactions shall be processed by the County Finance Department in accordance with the applicable County policies, procedures and regulations. Otherwise, the Board, through the Executive Director, shall provide oversight for the Housing Authority's fiscal operations.
4. **Board Employees.** The Board shall provide policy direction and management through the Executive Director for the personnel, officers, agents and other individuals as are necessary for the sound operation of the Housing Authority. The Housing Authority's employees shall be subject to the personnel rules and regulations of the County except as otherwise provided for in this Resolution. The initial Housing Authority employees shall be those individuals currently employed by the County Housing Department and those employees shall continue in their present capacity until such time as the personnel organization and structure are changed. The initial Executive Director of the Housing Authority shall be the present director of the County Community Health and Development Department who shall be removable by the Board only for cause. Future Executive Directors shall be appointed by the Board.
5. **Organization.** With the approval of the BCC, the Board shall adopt an organizational structure for the Housing Authority. Employees shall be hired in accordance with the County's hiring policies. Changes in future organizational structure shall be made with the approval of the BCC.
6. **Other.** The Housing Authority and its employees shall be an agency of the County for purposes of PERA, liability, bonding, insurance, bond issuance, and other similar purposes.

APPROVED, ADOPTED AND PASSED this 3rd day of December, 2002.

BOARD OF COUNTY COMMISSIONERS

By _____
Paul Durán, Chairman

ATTEST:

Rebecca Bustamante, County Clerk

Approved as to Form:

Steven Kopelman
Santa Fe County Attorney