

2352057

SANTA FE

BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING

January 7, 2003

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

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBER COUNTY ADMINISTRATION BUILDING

SPECIAL MEETING
January 7, 2003-7:30 pm

2352058

Amended

Notice of Special Meeting & Agenda

Notice is hereby given that the Santa Fe Board of County Commissioners, Santa Fe County, Santa Fe, New Mexico, will hold a Special Meeting on Tuesday, January 7, 2003, at 7:30 p.m. in the Commission Chambers at the County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico.

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. Discussion of Process to Select Santa Fe County Manager and Appointment of Interim County Manager
- VI. Appointment of RPA Members
- VII. Appointment of State Representative District 45-TABLED
- VIII. 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
SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS

January 7, 2003

This special meeting of the Santa Fe Board of County Commissioners was called to order at approximately 7:30 p.m. by Chairman Paul Duran, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

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

Members Absent:

[None]

CHAIRMAN DURAN: Today starts a new era in County government. We have two new Commissioners, Commissioner Mike Anaya and Commissioner Harry Montoya.

COMMISSIONER ANAYA: Thank you very much.

COMMISSIONER MONTOYA: Thank you, Commissioner.

COMMISSIONER ANAYA: It's good to be here.

III. APPROVAL OF THE AGENDA

CHAIRMAN DURAN: Estevan are there any changes to the agenda?

ESTEVAN LOPEZ (County Manager): Mr. Chairman, Commissioners, good evening. I guess before I get into that, just in terms of fair play I'd like to wish Commissioner Anaya a happy birthday, since I did that to you last time.

CHAIRMAN DURAN: Oh, great.

COMMISSIONER ANAYA: Thank you.

2352060

MR. LOPEZ: And welcome to the new Commissioners. Anyway, here's the agenda. First of all, after we published the original agenda we added items V and VI to discuss the process for selection of a County Manager and appointment of an interim County Manager. And second, the appointment of RPA members, given that there's going to be a facilitated session this weekend.

Also, yesterday we checked at to whether there had been actually an official resignation with the Secretary of State with Representative Trujillo-Knauer and as of yesterday, it had not been done. Given that, that item was tabled for tonight. All of the candidates for that were advised that it would not be considered today. I heard this afternoon that in fact Representative Trujillo-Knauer had submitted her resignation to the Secretary of State this afternoon. I don't know if we've verified that yet though. Our attorney says we have. But anyway, we had already note that item as tabled so I think that it's probably inappropriate to act on it at this point. That's the agenda.

CHAIRMAN DURAN: Estevan, since that appointment has been tabled, can we pick a date some time in the next week or so to make that selection or make that appointment? We can do that tonight, right?

MR. LOPEZ: I believe we can set a date for that meeting. Yes, sir.

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER ANAYA: I'd like to see if we could make this appointment fairly quickly. I know we've got a legislative luncheon on Friday and I believe we need a 24-hour notice so I'd like to maybe make a motion to have a special meeting for Thursday evening.

COMMISSIONER SULLIVAN: Mr. Chairman, what about adding some time onto the Tuesday meeting. We have a regular meeting Tuesday, right? That's starts at 4:00?

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, that's correct. We do have a meeting on Tuesday. Also I think that the notice provision for a special meeting requires 72 hours of notice prior to calling a special meeting. So Tuesday might work and possibly move the administrative items to a little bit earlier and deal with this item then.

COMMISSIONER SULLIVAN: Does this have to be -- it's not a public hearing. It could be done, we could start that meeting at 2:00 instead of 4:00, couldn't we?

MR. LOPEZ: Mr. Chairman, that's right. You could start the meeting earlier and deal with -- if you wanted to wait and deal with the selection of the State Representative you could still go ahead and deal with some of the administrative items and whenever you're done with that just move into that item and then deal with the land use items after that, after five or whatever the case may be.

COMMISSIONER CAMPOS: Well, I guess the question I have is how big of an agenda do we have for Tuesday? Moving it up two hours may work, may not work.

STEVE KOPELMAN (County Attorney): Mr. Chairman, Commissioner Campos, the land use agenda is fairly lengthy. There aren't a lot of real major issues, but there are quite a few land use cases. The thought was if you expect perhaps that the appointment and

2352061

the discussion would take a couple of hours at least, the administrative agenda is very short and I think that can be done in an hour. So if you did start, for example, at 2:00, you could probably go from 3:00 to 6:00 on this issue if you needed three hours, or three to five or move it up even an hour earlier. Start at one and begin the selection process and discussion at 2:00. It would be a long day but it certainly is something you could do if that's the wishes of the Commission.

CHAIRMAN DURAN: So the Thursday wouldn't work because of the 72 hour requirement, right?

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

CHAIRMAN DURAN: So then the earliest would be Tuesday? So the question is, is it at 2:00? Do we start early?

COMMISSIONER CAMPOS: We'd start the regular meeting at 2:00 and then, are we going to want this to be done after 5:00 so we can have some public attendance? I think at the last meeting the Commission voted to limit the amount of public input, is that right?

CHAIRMAN DURAN: I think we're not going to allow public input.

COMMISSIONER CAMPOS: No public input except in writing. Was that the consensus?

CHAIRMAN DURAN: I think so.

COMMISSIONER CAMPOS: Do you want to have this advertised? I think that's the only question I had, if we have it after 5:00, 5:30.

CHAIRMAN DURAN: It doesn't matter to me.

COMMISSIONER SULLIVAN: I think, Mr. Chairman, we need to have it a littler earlier than that because we really need to get the land use items going no later than 5:30, 6:00. So why couldn't we start at 2:00, do the administrative items for an hour from 2:00 to 3:00, do this from 3:00 to 5:30, something on that -

CHAIRMAN DURAN: Do you want to make that as a motion?

COMMISSIONER ANAYA: I second it.

COMMISSIONER SULLIVAN: I didn't mean to butt into your motion, Commissioner, but I knew there was a problem with that Thursday.

COMMISSIONER ANAYA: That's fine.

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

The motion to have discussion of the appointment of a State Representative for District 45 on January 14, 2003 at approximately 3:00 passed by unanimous [5-0] voice vote.

CHAIRMAN DURAN: Any other discussion concerning the agenda then?

COMMISSIONER CAMPOS: I would move to approve the agenda as amended by the proposal of the County Manager.

COMMISSIONER MONTROYA: Second.

CHAIRMAN DURAN: Any further discussion?

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

V. Discussion of Process to select Santa Fe County Manager and Appointment of Interim County Manager

CHAIRMAN DURAN: I must say that I think we are all happy that you are pursuing a new career but we're sad that you're leaving us.

MR. LOPEZ: Mr. Chairman, I guess this is probably the appropriate time to do it. I just want to publicly thank this Commission for the opportunity to serve in this capacity. In particular I want to thank you for all of the support that I've gotten over the last year. There's very few times where I've felt like I've been all alone on issues. The support has been great from the Commission and the staff here is second to none. I really am kind of ambivalent about leaving given leaving such a good team. So, thank you.

CHAIRMAN DURAN: Estevan, you've made everyone here, you've made all the Commissioners feel that you were working for them as well as for the other four. I think I can say this for all of us, none of us ever felt left out. We also felt that you dealt with us fairly and kept us informed, and I know that everyone here at the County has a great deal of respect for you abilities and your ability to manage and help them find that common ground and solutions to their problems. So, you did a great job.

MR. LOPEZ: Thank you, Mr. Chairman.

CHAIRMAN DURAN: Okay, Commissioners, does anyone have a suggestion or an idea on how we go about selecting the County Manager, or should we appoint the - maybe we should appoint an interim first and then go through the process of how we're going to select. Anybody have any ideas. I'm open.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Does staff have any presentation at this point as to the selection process?

MR. LOPEZ: Mr. Chairman, I do not. I do have a recommendation relative to an appointment as an interim but that's as far as my recommendation would go at this point.

COMMISSIONER CAMPOS: Mr. Chairman, as far as the process to select a County Manager, you can publish or not publish. I think that's our option. Is that the issue you wanted to discuss?

CHAIRMAN DURAN: I don't know. I guess we need to establish a process. In the past we've tried to find someone in-house that could take the baton and start running with it. I think that continuity and familiarity with the issues is pretty critical and if we don't hire from within and find someone here that has those qualities then I think that we might want to consider giving - if we hire outside of the County that that person is going to have somebody

2352063

that's available to them on an ongoing basis to keep them abreast of all the issues. I don't know. I'm open for suggestions. I don't know how you all want to do it. I know we'd talked about appointing Mr. Kopelman as an interim County Manager. I think that he's expressed an interest to be appointed the County Manager full-time and I know that there are other people that have expressed an interest.

Maybe what we should do is appoint Steve interim for the time being and then just put the word out and maybe even do an advertisement indicating that we're looking for a County Manager and go through the same process that I think we are pursuing with the Representative. I think that that individual that rises to the top based on our goals and vision should be the one that we select.

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER ANAYA: With that, I'd like to make a motion to put Steve Kopelman in as the interim County Manager and I don't think that we need to make a decision right away on a County Manager but we could see how Steve does as County Manager and as time goes on maybe we can have applicants come forward and we can look at that. I don't want Steve Kopelman to lose touch with his department.

CHAIRMAN DURAN: Right.

COMMISSIONER ANAYA: Because I know that's very important. There are a lot of issues out there. So that would be my motion.

CHAIRMAN DURAN: I would second that for discussion. And Steve, would you then – you would then have to appoint someone to be interim County Attorney, right?

MR. KOPELMAN: Mr. Chairman, members of the Commission, I would probably want to check with Gerald Gonzalez and see whether he'd be willing to put in a little extra time and maybe, if not officially, be acting County Attorney, at least work on a higher level and work real closely with me as time progresses on the legal issues. I don't know that I would need to formally appoint somebody but if that's the wishes of the Commission certainly we can do that.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER SULLIVAN: Should we put some kind of a time certain on the process so that we don't have an interim manager for months and months and months. Either 30 days or 60 days or 45 days or something when we make that final decision and move forward. I think that would only be fair, not only to Mr. Kopelman but to any candidates who may have submitted. I don't know. Did you, Commissioner Anaya, have some time period in mind?

COMMISSIONER ANAYA: I didn't plan on having a time period.

COMMISSIONER SULLIVAN: Would we leave him as the interim until we got tired of him?

CHAIRMAN DURAN: We could put it until he quits.

COMMISSIONER SULLIVAN: Then we wouldn't have to fire him. We could

2352064

move him back to the attorney. Not a bad idea.

CHAIRMAN DURAN: You can be it until you decide you want to quit. How's that?

COMMISSIONER SULLIVAN: A test drive, as it were.

CHAIRMAN DURAN: What about 60 days? How about we revisit it in 60 days? But at any time prior to that I think if we have, if somebody has approached us maybe we could have it placed on the agenda for some discussion. I think that we have the ability to go into executive session also to discuss these issues.

COMMISSIONER ANAYA: Mr. Chairman, we could put 60 days on it. That's fine.

COMMISSIONER SULLIVAN: I think for those people – already I've received applications as I know the other Commissioners have from individuals who have expressed an interest in the position. So we need to get a message out to them as to whether they should continue to apply or whether we'll look at applications at a later date. So I think what we're saying here is we're going to have a 60-day period. Continue to submit the applications if you're interested and at the end of 60 days we'll make a determination as to whether we're going to go through a formal process or whether we're comfortable with making decisions some other way.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: Mr. Chairman, I think having a 60-day period is too long. I think it's better to settle the question sooner than later. I think it's a good idea to have Mr. Kopelman as our interim but I think it's up to you how we do this and perhaps we should have this issue discussed at executive session if that's appropriate, at the next regular meeting. But I think 60 days is too long. I think we need to make the decision so that we can settle the issue of County Manager and at legal. Otherwise, everything is going to be kind of suspended for 60 days. I think that's too long. I would like to have a more firm decision made earlier.

CHAIRMAN DURAN: What date would you suggest?

COMMISSIONER CAMPOS: I would suggest Tuesday. We could have executive session to discuss this subject, this Tuesday, the 14th.

CHAIRMAN DURAN: I think that is on the agenda. But you mean to make the decision as to who –

COMMISSIONER CAMPOS: Make an interim appointment tonight and then we can discuss how we want to handle it. Would that be appropriate?

MR. KOPELMAN: Mr. Chairman, members of the Commission, you can go into executive session to discuss limited personnel issues, which really means discussing individuals for the position. So if it's a process that you're talking about it probably needs to be done in open session. If you're dealing with the individuals, that certainly is appropriate to do in a closed session.

CHAIRMAN DURAN: Commissioner Montoya.

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. Based on you past

2352065

experience, you've filled it a couple times already, what was the Commission's time frame?

CHAIRMAN DURAN: We were made aware of someone very qualified. It was Sam, actually. Actually, what happened is that when Domingo left we hired David Wolf, and he was the Finance Director. And when David Wolf left we hired Sam Montoya who had just finished working for I think one of the Representatives here. The timing was perfect. He was just there and he had a background in that. So there really hasn't been any real policy. It's just kind of been who the majority of the Commission wanted to appoint and what we tried to do is just make sure everybody felt comfortable with that appointment.

COMMISSIONER MONTOYA: Then what about when Estevan took over for Sam?

CHAIRMAN DURAN: Oh, yes. How did you get there?

COMMISSIONER SULLIVAN: Mr. Chairman, as I recall, to answer your question, we had applications that came in and there was also a consideration of in-house personnel, more than one. We met in executive session and reviewed everyone whose name had come forward, both inside and outside, and picked one. It was all done, I would say, within a two to three-week period.

CHAIRMAN DURAN: I think what we really did when we got Estevan though is that I think there was more of a process there. I really think that we all participated in that selection process and everybody felt good about it and Estevan was able to ensure us that he was going to be representing all of our ideas and all of our goals. I think that's the kind of person we want to get, actually.

COMMISSIONER CAMPOS: Mr. Chairman, I would suggest that we appoint Mr. Kopelman as interim and that we just publish notice that we're looking for a County Manager and have them make their application within two weeks and make a selection, hopefully, by the end of the month. I think -

COMMISSIONER MONTOYA: So at the first meeting in February?

COMMISSIONER CAMPOS: Maybe. Yes.

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER ANAYA: I believe we could make, we don't have to wait the 60 days. We can make the appointment earlier. But the motion was to appoint Steve and within 60 days appoint a new County Manager and revisit it. And we had a second.

CHAIRMAN DURAN: Right. And we can bring it up at any time.

COMMISSIONER CAMPOS: But we didn't discuss the process and that's what I'm raising. Should we give notice sooner than 60 days to have applicants -

CHAIRMAN DURAN: We could put it out tomorrow. We could let them know tomorrow.

COMMISSIONER CAMPOS: Tomorrow we start?

COMMISSIONER ANAYA: Now we start.

COMMISSIONER CAMPOS: Okay, if that's part of the motion, that would be fine.

2352066

CHAIRMAN DURAN: So the motion is that Steve's the interim manager. We immediately go out and let the public know that we're looking for a new manager. Start accepting applications and if at any time prior to that 60 days, the Commission decides that there is someone worthy of being considered we could go into executive session to discuss that individual, the merits of that person. Okay. Is that okay with everybody? Estevan.

MR. LOPEZ: Mr. Chairman, I would recommend that I think the process that you've laid out is workable. I would recommend that you try and make the appointment as quickly as possible. I think that for the good of everybody that's affected by this, it would help the organization if you can make the decision quickly.

CHAIRMAN DURAN: What about if I just didn't accept your resignation?

MR. LOPEZ: I guess I'd have two jobs to do.

COMMISSIONER ANAYA: Mr. Chairman, I agree with you but I disagree. This is a very important position and I want to take our time, make sure we get a person in there that we can work with. So I don't want to rush into this one. Thank you.

CHAIRMAN DURAN: Well, the motion stands.

The motion to appoint Steve Kopelman interim County Manager and begin accepting applications for the position immediately passed by unanimous [5-0] voice vote.

MR. LOPEZ: There's another question relative to this, if we're going to publish notice of this, is there any certain time that we want to say that we'll accept applications through a given time or just leave it open?

COMMISSIONER CAMPOS: End of the month?

COMMISSIONER MONTOYA: End of the month.

CHAIRMAN DURAN: Yes, let's say 30 days.

COMMISSIONER CAMPOS: To the end of January.

CHAIRMAN DURAN: And if we haven't received an application or someone that we think is appropriate we can extend that period of time.

COMMISSIONER SULLIVAN: January 31.

COMMISSIONER MONTOYA: Mr. Chairman, excuse me, before we leave that, I'd just like to thank Estevan for what you've done during the transition time in helping educate me and I want to wish you well and hope everything goes good for you with the new governor. Thank you.

MR. LOPEZ: Thank you, Commissioner.

CHAIRMAN DURAN: Maybe you can help Santa Fe County in their regional planning efforts at that level. Maybe. Don't forget who your friends are.

VI. Appointment of RPA Members

2352067

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I understand that Harry Montoya would like to serve on the RPA to replace José Varela López. We're having some very important meetings coming up this week and we've been working up to these meetings for about a year, so I would like to nominate the three existing members, Sullivan, Duran and myself and Harry Montoya to be the four regular members and have Commissioner Anaya be the substitute member to the Regional Planning Authority.

COMMISSIONER SULLIVAN: Second.

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

The motion to appoint Commissioners Sullivan, Duran, Campos and Montoya to the Regional Planning Authority, with Commissioner Anaya as alternate passed by unanimous [5-0] voice vote.

COMMISSIONER SULLIVAN: I think it's important too, as we've seen in the RPA, Commissioner Anaya, that if at all possible you could attend the workshop that's coming up. Because we, in the past – recently it's been a lot better, but in the past we've had trouble getting attendance at the RPA meetings. This was in the past, a year ago in the past, but it's really good to have alternates that know the issues and can step right in if someone's not going to be there and carry on the discussion. Because it really is coming to, as Commissioner Campos said, a head now and we're really getting into some of the tough issues and it's going to set the direction for a long time.

CHAIRMAN DURAN: It's really water policy and stuff. I think we need to be kind of unified on that also.

COMMISSIONER MONTOYA: Mr. Chairman, to that point, Commissioner Sullivan, I have a conflict on Friday afternoon. I can be there on Saturday but Friday afternoon I had a previously scheduled conflict.

COMMISSIONER SULLIVAN: So already we need Commissioner Anaya. Already. My concern is coming true even as we speak.

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER ANAYA: I would also like to thank Estevan and congratulate him. I look at it as a win-win situation for the County and the state, and I also want to congratulate Steve Kopelman. Thank you.

COMMISSIONER SULLIVAN: Good luck to you both.

MR. LOPEZ: Thank you.

2352068

ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 8:02 p.m.

Approved by:

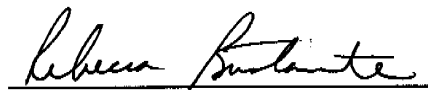


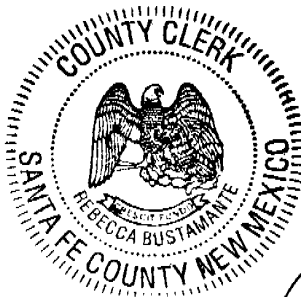
Board of County Commissioners
Paul Duran, Chairman

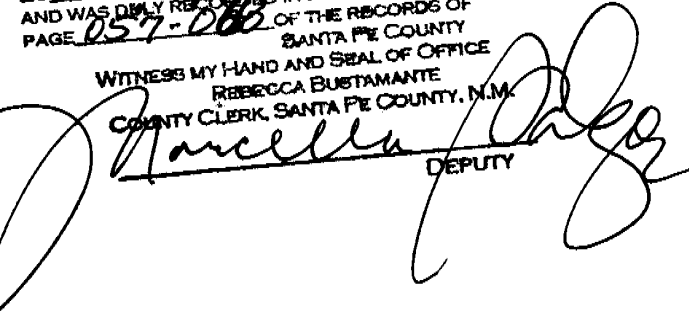
Respectfully submitted:

Karen Farrell, Commission Reporter

ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1251.572
COUNTY OF SANTA FE
STATE OF NEW MEXICO } ss
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 27 DAY OF Feb A.D.
20 03 AT 11:12 O'CLOCK A.M. 2352
AND WAS DULY RECORDED IN BOOK
PAGE 257-065 OF THE RECORDS OF
SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.

DEPUTY