

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 23, 2016

Miguel Chavez, Chair - District 2
Henry Roybal, Vice Chair - District 1
Robert A. Anaya, Chair - District 3
Kathy Holian - District 4
Liz Stefanics - District 5

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

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I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:48 p.m. by Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Miguel Chavez, Chair
Commissioner Henry Roybal, Vice Chair
Commissioner Robert A. Anaya
Commissioner Kathy Holian
Commissioner Liz Stefanics

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Phillip Salazar, the State Pledge by Stephanie Perea and the Moment of Reflection by Estrella Martinez of the Clerk's Office.

Commissioner Holian asked for a moment of silence in honor of the life of Dale Ball.

F. Approval of Agenda

1. Amendments.

2. Tabled or Withdrawn Items

CHAIRMAN CHAVEZ: Manager Miller, do you want to walk us through the agenda?

KATHERINE MILLER (County Manager): Mr. Chair, yes. In front of

you there are some amendments to the agenda but I also want to add to that. So on page 2 under Action Items, item III. B. 1, Ethics Board appointments, request that that be tabled.

CHAIRMAN CHAVEZ: That's III. B. 1?

MS. MILLER: Yes, III. B. 1, tabled to a future meeting. Then under Action Items, III. C. Resolutions, number 7, 8 and 9 were added to the agenda since we posted last Tuesday. Those are budget resolution for mid-year budget is item 9, a resolution four our County roads is item 8, and item 7 is identifying the greater Santa Fe fireshed.

CHAIRMAN CHAVEZ: And for item III. C. 9, we have additional information on our dais on III. C. 9 that's not in our packet.

MS. MILLER: Mr. Chair, yes. Thank you for reminding me of that. That is the mid-year budget adjustment information and Carole will walk you through that when we get to that item.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner.

COMMISSIONER ANAYA: Mr. Chair, I wanted to ask if we could have VII. B. 2, the PROTEC presentation moved to after the Consent Agenda.

CHAIRMAN CHAVEZ: VII. B. 2. Are we there? Manager Miller was on page 2. Let's go through the rest of the agenda and then we'll come back to that.

MS. MILLER: Okay, then, Mr. Chair, on page 5, item VI. Treasurer's Office County Board of Finance meeting, VI. C has been added and that was just discussion and overview of proposed changes to the investment policy. Then under VII –

COMMISSIONER STEFANICS: Mr. Chair, on that item.

CHAIRMAN CHAVEZ: Yes.

COMMISSIONER STEFANICS: So there's no action on C?

MS. MILLER: Mr. Chair, Commissioner Stefanics, no. This is just the first round of looking at proposed changes that have been discussed in the Investment Committee.

COMMISSIONER STEFANICS: Thank you.

MS. MILLER: Then under item VII. Discussion and Information Items, under Presentations, number 4 has been withdrawn. It was added and now it's been withdrawn, so it's in red but it actually should be in blue. It's withdrawn.

And then I believe Commissioner Anaya, you were asking if item VII. B. 2 could be moved up after Consent?

COMMISSIONER ANAYA: Correct.

MS. MILLER: So we could do that, have that presentation put after Consent. And then on page 5 as well, under Matters from the County Attorney, VIII. A. Executive Session, all of the pending or threatened litigation and discussion of competitive sealed proposals under item 2 have been added, and then additionally, item C any potential action that the Board may want to take to those items discussed in executive session have been added. And those are all the changes that I have.

CHAIRMAN CHAVEZ: So and then Manager Miller, we have also item IX. Information items and these are all the monthly reports. So I'm thinking that we don't want to keep staff here because we have a lengthy executive session. So I think if we have any questions for the directors we should ask those now or save them for later.

MS. MILLER: Mr. Chair, what we could do is under Matters from the Manager, if there's any questions that the Board members have we could address it then if you'd like. That would be before executive.

CHAIRMAN CHAVEZ: I think that would be good because staff could go back and do other important work or spend time with their families because executive session, I'm thinking is going to take at least an hour and a half.

MS. MILLER: Mr. Chair, I think that's probably a pretty good estimate.

CHAIRMAN CHAVEZ: So the other thing I would like to do at this time is just for clarification, we have an ordinance that's a request authorization to publish title and general summary on an ordinance establishing a solid waste collection district. And so that vote will not be taken until our March 29th meeting, I believe.

MS. MILLER: Mr. Chair, that, what we're requesting is just to publish title and general summary in the newspaper for the actual public hearing which would be – I believe that is the March 9th meeting that we are anticipating the public hearing for that.

CHAIRMAN CHAVEZ: So it seems that there is interest in having some limited public comment on this ordinance even though it's just authorization to publish title and general summary.

MS. MILLER: Mr. Chair, typically we don't do discussion then, but that's at your discretion. But all we're asking to do is publish the actual title of the ordinance and a general summary of that and announce when the public hearing would be.

CHAIRMAN CHAVEZ: Well, that was my understanding but I'm yielding to others that seem to want to have some limited discussion on this item this afternoon. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, my preference is to be consistent with what we've done previously. Go ahead and publish title and general summary as we've done with other cases and then afford public comment at that time. Because we've had similar requests in the past and we've deferred until after publishing title and voting on that. If it's your will as the chair I would respect that.

CHAIRMAN CHAVEZ: Well, I would be more comfortable following that protocol again. I was just trying to be sensitive to others that wanted to deviate from that. So –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I think that when we publish title and general summary that it's more an administrative vote. If we come to the ordinance in a public hearing and there's quite a bit of discussion, we always can defer to a second public hearing.

CHAIRMAN CHAVEZ: Right.

COMMISSIONER STEFANICS: And take comments at the first one if we're going to make changes. So we have had two public hearings many times on ordinances, so I would like to see publishing title and general summary as an administrative vote and then leave all of the general comments to the next public hearings. Thank you.

CHAIRMAN CHAVEZ: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I would like to bring up something that would be a possibility to be added to that ordinance, and so I would like to at least discuss that today among us, if that is okay with the rest of the Commissioners.

COMMISSIONER ANAYA: I'm fine with that, Mr. Chair.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN CHAVEZ: Okay, so I think that clarifies the agenda. So do we have a motion to approve the agenda then as amended?

COMMISSIONER STEFANICS: I'll so move.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: There's a motion and a second.

The motion passed by unanimous [5-0] voice vote.

- I. G. **Approval of Minutes**
 - 1. **Approval of January 26, 2016, Board of County Commissioners Meeting Minutes**

COMMISSIONER HOLIAN: Mr. Chair, I'll move for approval.

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: There's a motion and a second to approve the minutes of the January 26th meeting.

The motion passed by unanimous [5-0] voice vote.

- H. **Honoring Our Veterans and Service Men and Women**

CHAIRMAN CHAVEZ: This afternoon, we don't have official proclamations that we're going to give to individuals but we do want to recognize the employees who work at the Santa Fe County Adult Detention Center who are also veterans, and it's a long list. Louis Sanchez, Lisa Leiding, Audrey Maestas, Tracy Hightower, Pauline Esquibel, Wade Ellis, Mark K. Caldwell, Anthony Martinez, Mark Currier, Terry Johnston, Josh Ortiz, Joey Romero, Abbie Corriz, Tino Avila, Daniel Solis, Sr. Michael Lepic, Thaddeus Chapman, Robert, Ortiz, Dominic Le Doux, Sisal Ornelas, Phillip Martinez, Troy Wood, Leonard Garcia and Christopher Salas.

So to all our County employees, especially these County employees who work tirelessly in the County Adult Detention Facility, it's non-stop, 24/7 – I don't know how these individuals do it? It takes a special individual to work in a facility like that, so my hat's off to them. Thank you, Commissioner Anaya, for bringing these employees to our attention.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would respectfully request, if we could have – and Chris, you could help with this as well, if you could work with Commissioner Chavez' and Commissioner Roybal's liaisons and come up with a draft

letter that basically – and this is if it's okay with you, Mr. Chair – but just basically articulates that we read their service into the meeting record and that the Chair and Vice Chair maybe sign the letter thanking them for their services as veterans and we can follow suit with different departments throughout the course of the year. But I think it would be an appropriate gesture to state that you read them in as the Chair and then the Chair and the Vice Chair maybe sign a letter and send it to them, if that's okay.

CHAIRMAN CHAVEZ: Fine with me.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya.

I. I. Employee Recognitions
1. Recognition of Years of Service for Santa Fe County Employees for February 2016

MS. MILLER: Mr. Chair, I just wanted to point out that we have a few employees that hit their five years of service. We started a recognition program and recognize employees on a monthly basis that complete service in five-year increments. Last month we had – or this month, Heber Garcia in the Public Safety Department in our Youth Development Facility. He's a life skills worker with ten years of service. He's been with us since February 16, 2006.

Mathew Martinez in Growth Management, Building and Development, he's a development review specialist, 15 years of service since February 12, 2001. Then Paul Kavanaugh who's in Public Works Project and Facilities Management, project manager II, with 20 years of service since February 29, 1996. And then Johnny Gonzales in Public Works, Road Maintenance, a heavy equipment operator with 25 years of service since February 19, 1991, which we really appreciate the expertise the equipment operators gain over that many years of service. I can tell you they're pretty amazing. If you haven't gone to one of the road-eos and seen what they can do with backhoes, it's incredible. So I just want to recognize them and thank you for their dedication to Santa Fe County.

CHAIRMAN CHAVEZ: I'm just wondering if any of them would be here by chance this afternoon. No, they're busy working. But this is another example, I think of Santa Fe County being – it's a career; it's not just a place to work. We really have committed and dedicated employees. So congratulations to all of these employees. Any other comments from other Commissioners? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I just think it's important to recognize that it's actually County staff who provide all the services to our community that are in fact the responsibility of the County government. And so I think it's really great when employees decide to make a career at the County and commit to years of service because the longer they work here the more they learn, the more experienced they become and the more they can give back to our community. And I just want to say that I'm very proud of the professionalism of our staff at the County. And so anyway, congratulations to all of you for reaching the milestones that we are recognizing here today. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Holian.

II. **CONSENT AGENDA**

A. **Final Orders**

1. **CDRC Case No. S 15-5041 La Entrada Master Plan, Preliminary Plat, Final Plat and Development Plan Amendment.** Univest-Rancho Viejo, Applicant, James W. Siebert and Associates, Inc., Agent, Requested an Amendment of the Master Plan, Preliminary Plat, Final Plat and Development Plan for La Entrada Phase 1 to Sub-Phase the Previously Approved La Entrada Phase 1 Residential Subdivision into Four (4) Sub-Phases. Sub Phase 1 will Consist of the 500 Series Lots (58 Lots), Sub-Phase 2 will Consist of the 600 Series Lots (24 Lots), Sub-Phase 3 will Consist of the 700 Series Lots (35 Lots), and Sub-Phase 4 will Consist of the 800 Series Lots (49 Lots) for a Total of 166 Lots. The Property is Located North of Rancho Viejo Blvd and West of Avenida del Sur, within the Community College District, within Sections 19 and 20, Township 16 North, Range 9 East (Commission District 5) Vicente Archuleta, Case Manager (Approved 5-0)
2. **CDRC CASE # MP/DP 13-5000 Amma Center.** Amma Center of New Mexico, Applicant, Liaison Planning Services Inc., Agent, Requested Master Plan and Preliminary and Final Development Plan Approval to Allow Existing Structures to be Utilized as a Religious Institution on a 40+ Acre Site. The Property is Located at 48 Stone Cabin Road, via Old Santa Fe Trail, within Section 27, Township 16 North, Range 10 East (Commission District 4) Jose E. Larrañaga, Case Manager (Approved 5-0)
3. **BCC CASE # APP 13-5062 Robert and Bernadette Anaya Appeal.** Robert and Bernadette Anaya, Applicants, Karl H. Sommer (Sommer, Karnes & Associates, LLP), Agent, Appealed the County Development Review Committee's Decision to Reject a Submittal for Master Plan and Preliminary and Final Development Plan as it Was Deemed Untimely. The Property is Located at 2253 Ben Lane, within Section 31, Township 17 North, Range 9 East (Commission District 2) Jose E. Larrañaga, Case Manager (Appeal Denied 5-0)

B. **Resolutions**

1. **Resolution No. 2016-19, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Grant Funds from the US Marshal's Office/\$10,000 (Finance Department/Carole Jaramillo)**

C. **Miscellaneous**

1. **Approval of County Health Care Assistance Claims in the Amount of \$39,533.04 (Community Services Department/**

Patricia Boies)

2. **Ratification of Letter Supporting City of Albuquerque's Application to US Foreign Trade Zones Board for Alternative Site Framework Foreign Trade Zone (County Manager's Office/Tony Flores)**

CHAIRMAN CHAVEZ: Was there any discussion needed on these items?

COMMISSIONER ANAYA: I'll move for approval, Mr. Chair.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: Okay, we have a motion and a second for approval of the Consent Calendar. There's a motion and a second. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

[Clerk Salazar provided the numbers for the approved resolutions throughout the meeting.]

VII. B. 2. **Presentation on and Recognition for the PROTEC (Professional Readiness and Technical Experience for Careers) Pilot Project, a Workforce Training Collaboration Between Santa Fe County, Northern Area Labor Workforce Development Board, and Santa Fe Community College**

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'm going to turn over the floor to Mr. Griscom but before I do, I want to thank the Board of County Commissioners. We had a discussion during the budget process regarding how we might get more involved in workforce development. We provided some seed money for this pilot project that is through the Northern Area Workforce Development Board and the Santa Fe Community College and the participants and their actions and the efforts of the instructors speak volumes. So I just want to thank the Commission for taking what I would call a leap of faith to maybe move some dollars in a little bit different direction for a very large benefit. So Mr. Griscom's here, Mr. Barela and others that I know he'll introduce, so Mr. Griscom, the floor is yours.

DAVID GRISCOM (Economic Development): Thank you, Mr. Chair, Commissioner Anaya. Actually, we appreciate you moving this up on the agenda but I don't think that they are here yet, Mr. Chair. Oh, okay. Great. They are here. So as you noted, this is the PROTEC program. This is kind of a unique, innovative program for the County. It's a workforce training program and it was a partnership between the County, Northern Area Workforce Development Labor Board, the Santa Fe Community College and SER Jobs for Progress. I'm going to turn it over to my colleagues.

COMMISSIONER ANAYA: And if all of you would just come on up to the front row here.

MR. GRISCOM: So they're going to do a short power point presentation for you but I just wanted to, from an economic development standpoint state that this program showed that private sector-public sector education can work together to create innovative workforce training programs. Essentially what we did was we put out a call for unemployed or underemployed individuals within Santa Fe County. They had to be residents of Santa Fe County, who were looking for additional training. In this aspect it was Microsoft certification training. And we put together – again, they'll go into more detail, but we put together a two-week training program. One week of Microsoft certification, second week of basic life skills – how to write a résumé, how to do an interview, those things.

And then after those two weeks those individuals – there were 20 in total – entered into a two-week internship, some of which were here at the County. So without further ado, I'm going to introduce Jeff Barela who is the executive director of the Northern Area Labor Workforce Development Board.

JEFF BARELA: Mr. Chair, Commissioner Anaya, I'd like to also thank you guys for putting these funds available so we could actually bring this out to the community and really help our community. As Mr. Griscom said, my name is Jeff Barela. I'm the executive director for the Northern Area Workforce Development Board. The PROTEC program, it stands for professional readiness and technical experience for careers. We developed this program with the Community College as well as a need we identified within the county to help train individuals with basic computer skills, get them the skills needed to get them into the door and be employed eventually.

So as Mr. Griscom said, it was a collaborative effort on various levels and in the workforce development world we often here that everybody's working in silos, and unfortunately that's the case a lot of the time. But this program really demonstrated that we could break down these silos and collaborate and innovate together to develop a program and implement it and be successful. So really it was a collaborative effort and it was extremely successful from many different levels.

We had a short timeframe from kind of concept to implementation, so there are some things we would have liked to have done differently, but the opportunity was there and we set the foundation for future programs and future efforts. With that being said I would like to turn it over to Monique Anair and Ann Black from Santa Fe Community College and they'll go into more detail as far as what the program entailed and how it was delivered.

MONIQUE ANAIR: Hi. My name is Monique Anair.

ANN BLACK: And I'm Ann Black. We're both from Santa Fe Community College.

MS. ANAIR: So this is sort of the outline of the pilot program. The idea was that within the two-week classroom session we were doing training to prepare the students for the Microsoft certification exams. We also did, as Jeff stated, soft skills training and we worked with different businesses in the area to create internship opportunities for these students to try out their skills in the workplace.

So we had 20 participants that were accepted. We had 35 that were screened through the work of the labor board and SER Jobs for Progress. Then we had within that cohort, we had five pass the Microsoft Excel certification exams in that two-week period,

which was actually a very aggressive plan as we learned as we were doing this. So as Jeff said, there's different things that will change as we move forward with this.

But the great thing for us being teachers is that all 20 of the participants who started with us actually completed their two-week training in the classroom and they were there every day and they were all engaged, which was a wonderful opportunity, and we have a couple of the participants here today that you can hear from as well.

And then 15 of the students decided to participate in the internships and the other reason why the other folks did not is either they were already applying for work and into work, or had other work opportunities so they didn't need the internship at that time.

MS. BLACK: As Jeff mentioned before this was really such a great opportunity for us at Santa Fe Community College to partner with both the County and the Northern Area Local Workforce Board and SER Jobs for Progress. And as a result of not only working and helping individuals find employment and upscale we felt the other positive outcome is that we really became stronger partners. And as a result of that we're currently working on two federal department labor grants together that are due in a couple weeks and we feel really good about us all coming together and working towards workforce development initiatives in the future.

MS. ANAIR: So these are the different businesses in our community that helped participate and offered these internships. And as you guys probably know, a lot of businesses, it's some work on their part to offer these internships on their sites and be able to mentor the different participants. So you can see we had a wealth of variety from the medical area to the film industry and the County of course, so it was very interesting to see how the different businesses worked with the internships. We had a lot of positive response. More people saying when are you going to provide more interns? We'd like to see more of these folks gaining these skills in our community as well. So we're very lucky to have these different employers work with us. And to me that was a very exciting part of this program because normally when we're working in a classroom setting we don't get to do as much of the on-the-job training which is very exciting for the students.

So this just gives you some of the demographics that we were working with, so you can see the employment history. Some of these folks were already employed full time. Or no one was employed full time at this time but they were able to get some full-time employment during that two-week process, which was very exciting. And we had some part-time employees. We had a lot of people that were upscaling and Ann stated, trying to get more skills to find better employment in Santa Fe County.

So our age demographics, you can see we had across the board, but a majority of our students or participants came from the 55+ area and a lot of that also has to do with the fact that we are working with AARP as well at the Community College. We had a lot of folks that were coming through that area as well. And you can see the demographics for the amount of people that we served. I think it's sort of telling for a group of 20 how many people actually got engaged. So people who were actively seeking work, there were 13, and we were able to get some of them employed, and that was in a month period, so that's pretty good.

So basically, that was our quantitative research. This is our stories. As you can see all these happy faces. So what was great for me was I was able to go out and do job site visits and see the students working at the different job sites. I get to talk with them, hear

what their successes were or what they thought we could do better. Also the employers, talking with the employers to see what we could do as well to make this a better program. You can see that blog spot there, you can hear about the individual stories of each of the participants if you go to that blog and so you can get the stories of each of the people who were affected by this pilot program.

MS. BLACK: So some of our next steps is we bought a large amount of Microsoft Office certifications and tests and those are all still available to the participants who were not able to test at the time. And again, two weeks was a really short time to get some of the individuals prepared to take some of these high level tests. We're working with employers to identify future training needs and trying to zero in on some short-term training that employers need in these different sectors across our community. And then also looking at demographics, future demographics just to serve for trainings. And then of course we're looking to coordinate with the County and others to help fund this training. And as we mentioned we're working on some federal grants as well.

But I do want to say I've worked in a lot of training programs at the Community College and I've never had 20 participants start a training program and 20 participants finish. And I think that really speaks to the quality of the participants and their commitment to this program, as well as the quality of our instructors and the people involved.

MR. BARELA: As they said, the training was quite intensive and we really demanded a lot out of the individuals that were accepted into the program and we have two individuals that are here today that went through the program, successively completed it, and are currently working full time. This is Andrea Herrera. She works for SER Jobs for Progress, who is actually our contractor for adult and dislocated worker services. And this is Carla Hyatt. She's employed with Vista Therapeutics, a small business here in Santa Fe.

CHAIRMAN CHAVEZ: Either one of you, would you like to share a few words with us at this time? Would you encourage others to participate in a program like this?

CARLA HYATT: I most definitely would encourage others to participate in a program like this. I graduated in May and I'm a non-traditional student, so I've been between schools and back and forth between different types of jobs. I'm a single mom. This program actually gave me the jump start I think to get into the workforce, how it is nowadays, with all the technology that's involved. It just kind of gave me that jump start and the confidence that I needed to move forward and get a full-time job. So I'm very happy right now and I definitely would recommend the program to future participants.

CHAIRMAN CHAVEZ: Good. Thank you.

ANDREA HERRERA: Hi. My name is Andrea Herrera and I would definitely recommend funding for the PROTEC program again. For myself it was a huge success. I was unemployed at the time, scared to kind of get back into the work field. I didn't know what it had to offer me and I stumbled upon the PROTEC program and it opened up numerous doors for me that just went to possibilities I thought I couldn't even ask for. Now I'm working with SER Jobs for Progress and I couldn't ask for anything more. It gave me the boost of confidence like Carla said to get you back out there, to do what it takes to be successful and I think a lot of individuals need that to get back out

there. It was a huge success.

CHAIRMAN CHAVEZ: Good. Thank you for being here this afternoon. Commissioner Anaya, did you have anything else you wanted to add?

COMMISSIONER ANAYA: Mr. Chair, I would defer to any other comments from Commissioners, but I do have two certificates we'd like to provide to those two participants here and get a picture of them if we could, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I do think that the technology that's in the workplace today is a stumbling block for people, even if they've been in the workplace and continuing on if they haven't kept pace. And I appreciate very much that we supported the program, that we have some success stories and that the college is one of our partners on this. The collaboration is very important and anything we can do for economic development and also to help people get back into employment we really, really support. So thank you that we did this.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I think this program sounds like a stunning success and I'm really glad to learn about it, and I have to say that I'm going to have to sign up for it at the end of this year because I'm going to be out of a job.

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I too just want to say thank you to the individuals that run the PROTEC program. You guys did a great job and again, congratulations to Andrea and Carla. Great job. Keep it up and we're glad to see the success story. Thank you guys.

CHAIRMAN CHAVEZ: So we have some certificates for the two of you. We'd like to go down and take a photograph with you before you leave.

COMMISSIONER ANAYA: And Mr. Chair, I just wanted to also add – Mr. Barela brought it up earlier, but the Board got some positive feedback from the other boards in the state of New Mexico and the push is to expand, as was said earlier and seek federal funding and even state dollars, but there's interest in modeling the program and I know we share our information and I know that the Community College and the SER Jobs for Progress and the board has been open to sharing the initiative so that we can broaden its effort here but also expand it to other parts of New Mexico. So thanks to all of your work and dedication and Dave, thanks for your perseverance and helping see it through to a positive outcome. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya.

[Photographs were taken.]

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. Appointment/Re-Appointment of Two Santa Fe County Ethics Board Members **TABLED**
2. **Appointment of Santa Fe County Representative to the Regional Economic Development Initiative Broadband Network Board (REDI Net Board)**

TONY FLORES (Deputy County Attorney): Thank you, Mr. Chair. As many of you know, Mr. Miller, Hvtce Miller, who was the former Santa Fe County representative to the REDI Net board is unable to complete his assignment on that board due to his appointment to the Tesuque Pueblo Council. As such, it allowed us to take a look at the resolution, the joint powers agreement that established REDI-Net and the local parties that were making up that board. At this point in time, Mr. Chair, I would recommend that the Board consider appointing Mr. David Griscom to fill the Santa Fe County seat on the REDI Net board, and I stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'd move for approval, hope for a second and add some comments under discussion.

CHAIRMAN CHAVEZ: I would second. Everybody's going to second that one. Commissioner Anaya.

COMMISSIONER ANAYA: So Mr. Chair and Mr. Griscom. I don't know if he's left the building or not. He might be out there. But Mr. Flores and Ms. Miller, I think one of the things along with this particular item that I'm highly motivated and interested to get more detailed information on is actually hard costs to delivering broadband services into the county. And so as we sit on this Board, and I know that there are many things that are discussed and I know that all of the Commissioners have previously stated their respective and our collective interest to make sure that we try and get broadband throughout the county.

I think we need to elevate the discussion and begin to look at hard costs and modalities to get broadband service into various communities. And community by community, I know we have a lot of coverage because of the initial initiatives up in the northern part of the county and the linkage to Kit Carson and that area, but in the rest of the county I think we need to just isolate what the costs are going to be so that as we move forward with potential bonding that we do as a County in future years, that we put this on the radar and that we understand what those costs are and begin to actually move towards putting the service in place that it needs to occur.

And we know it can't happen through the whole county at once, but like we do with roads and other initiatives, we need to start chipping away at the projects. So if we could make sure that we progress with Mr. Griscom and the board in aggressively pursuing not only costs through the board but then bringing those back to us during the budget cycle so that we can start to allocate specific dollars to get coverage in areas throughout the county. That's all I have, Mr. Chair.

CHAIRMAN CHAVEZ: Did you have a specific question of Mr.

Griscom?

COMMISSIONER ANAYA: No, I just want to make sure that when he's there representing us on the board that we begin to isolate pockets. I know we've talked about corridors around La Cienega, going in Eldorado, down Highway 14. I just think we need to isolate our towns and make priorities as to how we're going to tackle funding those areas. Obviously we want to use the collaborative REDI Net board as a primary source to help us get there but then what are we going to do as a County to maybe offset within our own budgetary planning gaps that might exist to make it happen. Does that make sense?

MR. FLORES: Yes, Mr. Chair, Commissioner.

COMMISSIONER ANAYA: Thank you, Mr. Flores. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya. Any other comments, questions of staff? Okay, so there's a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. B. 3. Appointment of Nancy Long as Interim Hearing Officer Under Section 3.5.3 of the Sustainable Land Development Code Until June 1, 2016

VICKI LUCERO (Building and Services Manager): Thank you, Mr. Chair. The Sustainable Land Development Code gives the BCC the authority to appoint a hearing officer or hearing officers. The hearing officer will conduct public hearings, make written findings of fact, conclusions of law and recommendations, and file written reports for such findings, conclusions of law and recommendations to the Planning Commission or BCC for further action. Staff is in the process of completing an RFP for a permanent hearing officer. However, that procurement process will not be complete for a couple of months and cases have been scheduled to be heard by the hearing officer at the end of February.

Therefore we are requesting the BCC to appoint a hearing officer on an interim basis for the months of February, March and April of 2016. The term of the hearing office, of the interim appointment will expire June 1st to allow the hearing officer to complete findings of fact and conclusions of law for the hearings conducted during those three months. The interim hearing officer would be a licensed attorney who is currently under contract with the County for on-call legal services on legal matters as directed by the County Attorney.

Staff recommends appointment of attorney Nancy Long to serve as the interim hearing officer until June 1, 2016.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I move for approval.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. Any discussion?

COMMISSIONER STEFANICS: Yes.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair and Mr. Shaffer, the types of issues that Ms. Long would work on would not create any conflict with any other work that's being done either for us, against us, with us, in other venues? I think very highly of Ms. Long, so that's not the issue here.

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Stefanics, in my opinion it would not. Ms. Long's firm as a matter of practice does not represent private individuals in land use matters involving Santa Fe County and that would be the nature of the type of work that would raise a conflict. And again, as a matter of practice, at least as long as I've been back at the County, her firm has not done that. So I don't believe there are any conflicts that would arise.

COMMISSIONER STEFANICS: Thank you very much.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Mr. Shaffer, just on that point, would it be better to affirm that there would be no land use cases that her firm could take while she was the interim hearing officer, as opposed to historically speaking she doesn't take land use cases?

MR. SHAFFER: Mr. Chair, Commissioner Anaya, it's a very good point and in fact that is one of the requirements that are being written into the amendment to her contract and it's also a requirement that is going to be written into the contract resulting from the RFP. So it's a very good point and the short answer is we're addressing it in the contract.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Thank you, Mr. Shaffer.

CHAIRMAN CHAVEZ: So we have a motion, we have a second. We've had some discussion, good questions. Any other discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, going back to the previous item, did I hear correctly that Hvtce Miller was elected to the tribal council for Tesuque?

CHAIRMAN CHAVEZ: I think that's what I heard, yes.

MS. MILLER: Mr. Chair, yes, that's true.

COMMISSIONER ANAYA: So Mr. Chair, members of the community and Mr. Miller, congratulations. I think that's an honor for him to have been elected and to serve on the tribal council. Thank you.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya.

III. C. Resolutions

1. Resolution No. 2016-20, a Resolution Authorizing the County to Submit Application to the NM Department of Finance and Administration to Request DWI Grant Funds and Delegating to the County Manager the Authority to Execute and Submit such Applications and Execute all Required Documents and Agreements

LUPE SANCHEZ (DWI Coordinator): Thank you, Mr. Chair, members of the Commission. The resolution being brought before you today allows the DWI program to submit an application to the Department of Finance and Administration for the liquor excise tax grant that's funded through the liquor excise tax. The resolution also authorizes the County Manager to sign all necessary documents and agreements required of the grant. And with that I'll stand for questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: I move for approval.

COMMISSIONER HOLIAN: Second

COMMISSIONER STEFANICS: Second.

CHAIRMAN CHAVEZ: I have a motion and two seconds. Any discussion? Commissioner Stefanics? Commissioner Holian? Commissioner Roybal? Okay we have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. 2. Resolution No. 2016- 21, a Resolution to Establish a Community Organization for the Tesuque Valley Planning Area

CHAIRMAN CHAVEZ: If there's anyone from the Tesuque area and you would like to speak on this issue you're welcome to, so please come forward. Go ahead, Ms. Rincon.

AMY RINCON (Planning Department): Good afternoon, Mr. Chair and Commissioners. My name is Amy Rincon and I'm a community planner here with Santa Fe County. For the next two items I want to give a brief description of the community organization and registered organization program. This program is identified in our SGMP and the procedures are outlined in our SLDC. The aim of the program is to allow for strong public participation and planning and land use issues and to increase notification.

A community organization is a representative group of community members within a specific geographic area who are interested in development within their community and would like to be kept informed on the projects to help ensure that the development fits within the vision of the community. A registered organization is made up of community members that share a specific area or topic of interest in the county and would like to stay informed and be part of future development discussions where the topic or area of interest comes up.

Both the COs and ROs will receive notification of County planning issues and these groups will also be notified of discretionary development applications and will have the opportunity to be informed by developers who will come out to the community to present before they actually turn in an application to the County.

With this brief overview, the first item for your consideration today is the Tesuque Valley Community Association application for being recognized as a community organization. Staff met with members of the Tesuque Valley Community Association to discuss the program and how the association represents the larger Tesuque Valley community. A map of the area is in the packet material. Membership in the TVCA is available to any business license holder in the area, resident or property owner within their boundaries.

Staff has reviewed the Tesuque Valley Community Association application and recommends approval of this resolution. I stand for any questions.

CHAIRMAN CHAVEZ: Are there questions of staff? None at this time, but we'll go to the public.

LYNN PICARD: Mr. Chair, members of the Commission, I would just like to introduce myself. I'm Lynn Picard. I'm the co-chair of the Tesuque Valley Community Association. I have with me here today Sue Barnum and Jean Boyles who are directors of the association along with me and they've been very involved in the planning for four or five years. So I would hope that you would approve this and thank you very much. And I'd like to thank staff for making sure that we are first in this long line of community associations or what I hope to be. Thank you very much.

CHAIRMAN CHAVEZ: Well, thank you for doing the work that you're doing. Any other public that wanted to comment at this time? No? Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have any questions but I do want to thank staff for working with Tesuque, the community, and also the community members from Tesuque who are working on this. And with that being said I'd like to move for approval and hope for a second.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. And congratulations to staff and the community members. This is bottom up. That means that you have to do the work, right? But you know you're going into it with eyes wide open and hoping for a good outcome. And so that community involvement, that volunteerism goes a long way and it helps us do our work and it helps do their work. So I really appreciate what you're doing from a community perspective. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to thank the Tesuque Valley Community Association for being pioneers. This is the first planning area that we've actually approved so thank you for your hard work and also for being out ahead of the game.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I wanted to thank all the – I think there's more than one list today on our agenda. So I want to thank all the communities that are moving ahead. I know that some have contacted me with questions and our staff have been very gracious in working with them and I want to thank our staff. But I want to thank the communities for moving ahead. Thank you for your work.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I want to call for an internal investigation as to why Tesuque is in front of Galisteo. I greatly appreciate and respect Tesuque coming forward as well as Galisteo today and look forward to the rest of the communities coming forward to do the same. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Ditto. Thank you. So we have a motion and a second to approve this resolution to establish a community organization for the Tesuque Valley Planning area. There's a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. 3. Resolution No. 2016-22, a Resolution to Establish a Community Organization for the Galisteo Planning Area

MS. RINCON: So the Galisteo Community Association was actually the first CO application that we had and they met with Planning staff to talk over the program, to talk over their different boundaries, because their boundaries are, like most of our communities that are going to be coming in for COs are going to be the boundaries for their planning area, and then to also talk about their membership in the Galisteo Community Association, which is automatic for anybody who lives in the area over the age of 18 who has lived there for at least six months. They have a very open community association. Staff has reviewed the GCA application and recommends approval of this resolution. I stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'd move for approval.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: Commissioner Anaya, do you recognize anyone from the Galisteo area that might want to speak on this?

COMMISSIONER ANAYA: I don't, but I think we might want to go around and check all the locked doors?

CHAIRMAN CHAVEZ: See what I get for asking?

COMMISSIONER ANAYA: They're excited, Mr. Chair, and I'm proud to make the motion.

CHAIRMAN CHAVEZ: Okay, good. There's a motion and a second. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

III. C. 4. Resolution No. 2016-23, a Resolution Requesting a Budget Increase to the Alcohol Programs Fund (241) to Budget a Grant Awarded to the DWI Program/ \$135,493

MR. SANCHEZ: Mr. Chair, members of the Commission, this is a grant

provided to the DWI program through the Department of Finance and Administration. The grant has been earmarked to assist law enforcement efforts. What we're doing is purchasing equipment for our Sheriff's Department to conduct urine testing of DWI offenders in a pilot project that will help DWI offenders through a crisis hotline. With that, I'll stand for questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER ROYBAL: Second

COMMISSIONER STEFANICS: Second.

CHAIRMAN CHAVEZ: There's a motion and two seconds. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

III. C. 5. Resolution No. 2016-24, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget New Funding for Multiple Grants for the County Fire Departments/\$741,929

MR. FLORES: Mr. Chair, I apologize. I'll pinch-hit for Ms. Jaramillo. The Santa Fe County Fire Department received a rather large and first time ever amount up to this magnitude through their Fire Protection Grant Council for various items within their fire districts. This resolution brings into the budget that grant award and I'll defer to Chief Sperling so he can give you some specifics.

CHAIRMAN CHAVEZ: Chief.

DAVE SPERLING (Fire Chief): Thank you, Mr. Chair, members of the Commission. I assume the question is about specifics on each grant award.

CHAIRMAN CHAVEZ: I'm not sure that we had any questions at this point but are there questions to the Chief on this item?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think it's important to hear which districts are going to get funded. I think different districts get funding annually, but I think it's good for the public's knowledge to see the districts that will be getting funding this cycle.

CHAIRMAN CHAVEZ: I think that's a good point. There are nine districts on the list that will receive some sort of funding, so I guess if you want to walk us through that list. Manager Miller, you had a comment at this time also?

MS. MILLER: Mr. Chair, I also want to point out this was a really good grant award for us. It was a significant amount of the funding that was available at the state level and the Fire Department and the districts did a really good job putting together an application and got the lion's share of the grant funds available.

CHAIRMAN CHAVEZ: So we're talking a total amount of \$741,000.

CHIEF SPERLING: Mr. Chair, that is correct. \$741,929. So just to give

you a little bit of background, this is the State Fire Marshal's Grant Council Fund, and it's open to fire departments around the state on an annual basis. It's a separate request fund, a little bit different from the regular state fire fund allocation. So districts are required to make an application for specific items up to \$100,000 award per district.

This year out of our 14 fire districts we submitted 11 applications and we were funded for nine of them, and that's a record for us. I think the largest award we've gotten in the past is about half of this amount.

CHAIRMAN CHAVEZ: So, Chief, why don't you read the list into the records then for the public? I think that's what Commissioner Anaya was kind of –

CHIEF SPERLING: I'd be happy to do so. Thank you, Commissioner. For the Chimayo Fire Department, they received \$79,444.

CHAIRMAN CHAVEZ: That's for a self-contained breathing apparatus and miscellaneous firefighting and rescue equipment?

CHIEF SPERLING: That's correct, Commissioner. 16 face pieces, 16 self-contained breathing apparatus, one thermal imaging camera, and 1,000 feet of 1 ¾ hose for replacement purposes. Agua Fria Fire District received \$73,600 for a tester for testing pumps on fire trucks. This is a mobile test unit and we'll be, instead of using a fixed pump testing unit this will be something that we can take around to the different districts to utilize.

Edgewood Fire District received \$30,000 for 50 SCBA bottles which will replace bottles that are going out of service. The Eldorado Fire District received \$78,884 for 25 structural helmets, 15 SCBA bottles and two packs that contain firefighting equipment that are rapidly deployed, as well as two gas meters for thermal imaging cameras and two communication systems for their fire engines.

La Cienega Fire District received \$100,000 for a generator for their main station so that under emergency situations we'll have power for the Rancho Viejo Fire Station. The La Puebla Fire District received \$100,000 for a new mini-pumper, which will help them access areas that are confined and difficult to get into. The Pojoaque Fire District received \$100,000 toward the purchase of a new fire engineer, a class one fire engineer. This has been something that's been on their five-year plan for quite a long time; we just haven't had the funding to complete this purchase and this will allow us to do so.

The Stanley Fire District received \$80,000 to purchase a replacement burn building for their Stanley main station. Right now they have an old burn building in the back of the station that's no longer serviceable and this will be a replacement for that facility. And finally, the Turquoise Trail Fire District received \$100,000 for a new brush truck.

So we did quite well and I'm proud of the work that my staff was able to accomplish in this grant cycle.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate the information.

Move for approval.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: There's a motion and a second. Any further discussion? The only question I have – is there a match for these grants?

CHIEF SPERLING: Mr. Chair, there is a match. It comes out of each fire district of 20 percent of the grant award. And so we have already completed those budgeting arrangements so we can move forward with these grants once this has been approved.

CHAIRMAN CHAVEZ: And I guess the only reason I bring that point up is that often when we depend on grants and we need the grant money but we also have to be able to invest some of our County dollars. That's a requirement. So we're fortunate to have that. We're fortunate to have the staff that can pursue these grants and we have the financial wherewithal to come up with the match money, so I think we're really fortunate to have all of those pieces in place to make this happen. So congratulations to you and to your staff.

CHIEF SPERLING: Thank you, Commissioners.

CHAIRMAN CHAVEZ: Okay, we have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, could I ask the Chief a question while he's here?

CHAIRMAN CHAVEZ: Sure. You better ask him now –

COMMISSIONER ANAYA: Because he might take off. He might be busy. So Mr. Chair and Chief Sperling, I had a specific concern that was raised relative to usage of specifically the Edgewood Fire Station. But I know that there are communities that work closely with their volunteer districts to utilize specifically the meeting space at times in communities, because communities don't have access to rooms like we have in our facilities. I know there are safety concerns that we need to be cognizant of when we have the other entities utilizing these spaces but whenever and however we can I think it's important that we provide access to community groups to utilize those spaces that are reasonable, and I think that has to be coordinated and I know that there are policies and practices but this particular individual – and I don't mind saying his name on the record because I told him I would – Ray Seegers has been involved in many community input meetings throughout the years and bringing people together and it sounded like a pretty cumbersome process that he was asked to go through to utilize the space.

So I would ask that – I'll send you his number and then I would ask that you communicate with him directly and that we – if we need to figure out better ways to make sure we maintain security but also provide access for the community then I'm willing to have that discussion at the Commission level. But I think you guys could probably work it out. I think maybe there's differing things that need to be taken into consideration but I would respectfully ask that we look into this item and then maybe how we deal with those issues. And I know they're sensitive, because we have a lot of resources in there and information and stuff like that. But when we can I think it's important we utilize our spaces that are taxpayer spaces for community spaces as well. Do you have any comment on that, Chief?

CHIEF SPERLING: Mr. Chair, Commissioner Anaya, we do get a lot of

requests for use of our training rooms, in particular, the new Edgewood training room and Rancho Viejo, both large spaces that can accommodate more people than we have been able to do traditionally. And we do in fact have a process, as you mentioned. We try not to make it too cumbersome but it does require that an application be submitted for the particular use and that we vet that out to make sure that it's in conjunction with County business, by and large, or community business, and that it's not profit-oriented. And sometimes that takes a little bit of time to do that vetting. And we also have to make sure that our primary use takes priority and that's for training purposes for the Fire Department for the County and for our volunteer districts.

But I'd be happy to work with this individual to make sure we've given him a fair shake on this process.

COMMISSIONER ANAYA: Thank you very much, Mr. Chair, Chief Spurling.

COMMISSIONER STEFANICS: Mr. Chair, on that point.

CHAIRMAN CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. And Chief, I think that I went through the same situation recently, and maybe it needs to just be clearer to the communities or maybe on your website or on our website who to contact. Because I believe one of our areas was contacting the wrong person, who never was responding and then we finally bounced it to the right person, because the whole process did take about two weeks for even the first response. And I think it's just because there wasn't clear information given to the community of who to apply to. So maybe we can figure out how to put that posting out there. Thank you.

CHIEF SPURLING: Thank you, Commissioners.

III. C. 6. Resolution No. 2016-25, A Resolution to Support the Institute of American Indian Arts' Proposal for the 2016 US Economic Development Administration Public Works Grants Program for a Multi-Use Performance Center

COMMISSIONER STEFANICS: Thank you, Mr. Chair and this is in District 5. It's in the part of Rancho Viejo that's set down with some other community facilities on the road. This initiative will address performance space, instructional facilities, and hopefully become an emergency shelter. And I believe we have at least one person from the community or the institute who would like to speak to this.

CHAIRMAN CHAVEZ: That would be fine.

COMMISSIONER STEFANICS: And I know that we have been very supportive of other community projects and so rather than just doing this by myself I would want the entire County Commission of course to express their support to this please.

LAWRENCE MIRABAL: Mr. Chair, Commissioners, thank you very much for having us here today. My name is Lawrence Mirabal. I'm the chief financial officer for the Institute of American Indian Arts and I'm also here representing our president, Dr. Robert Martin, who unfortunately couldn't be here. He's in the process of trying to brave this weather and get to Chicago.

So really, we're just very excited about this project, both for what it would mean to the college as well as what it will provide to our neighbors and the surrounding community. The facility will serve as a new home of our re-emerging performing arts program as well as our fitness and wellness programs. It will include a black box theater, flexible dance studios, classroom space, a gymnasium and cardio space. But beyond our walls we are so excited about the opportunities to collaborate with area schools, our neighbors, and the entire Santa Fe community.

As the only facility of its kind on the south side the possibilities are literally endless. In addition to learning space the facility will also be available as a shelter in the event of emergencies. The college has a strong track record of bringing capital projects in on time and on budget. This facility will be no exception. It will provide much needed construction jobs to our Santa Fe area. Once again, we want to thank you for your support and at this time I would welcome any questions that you may have. Thank you.

COMMISSIONER STEFANICS: So Mr. Chair, I would move for approval.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. Sir, did you want to add anything at this time?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate Commissioner Stefanics bringing this forward. I sit next to Jonathon Baker at the Higher Education Center that does a lot of the recruitment work with the institute. So day in and day out I hear the different students that he deals with on the ground and they do great work there, and so I support these efforts and this initiative. Thank you.

MR. MIRABAL: Thank you.

CHAIRMAN CHAVEZ: Any other comments, questions? We have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

- III. C. 7. Resolution No. 2016-26, a Resolution Identifying an Area to be Referred to as the Greater Santa Fe Fireshed, Recognizing the Greater Santa Fe Fireshed as Being in Need of Application of Fire Risk Reduction Techniques, and Directing Fire Department Staff to Identify Potential Funding Sources Necessary to Pursue Fire Risk Reduction Projects in the Greater Santa Fe Fireshed**

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, this last winter we've had a lot of snow, which is good news for us, but it also means that we're going to have a lot of new growth this coming spring, grasses and shrubs, and that means that when things get dry again we're going to have the potential of increased fire danger in our area. We've seen what can happen in the past. I'd say in the last 20 years we've had some very destructive wildfires in our area. The Las Conchas fire comes to mind as being

particular destructive. In fact almost explosive. I think I heard that for a time, the fire was burning one acre a second.

So this fire – or these kinds of fire have a huge impact on our forest and on our watersheds. During heavy rains we have massive debris flows that are going into the Rio Grande which affects the Buckman Direct Diversion and just in general has a very destructive effect on our watershed areas.

The Santa Fe County Fire Department I think is very well aware of the dangers. We have a large wildland-urban interface on the east side of our county and unfortunately, it's kind of tricky for our Fire Department to do wildfire mitigation on private land due to restrictions on doing work on private land, the Anti-Donation Clause. And also our Fire Department has limited resource. So what that means, what it comes down to is that we all have to work together on this problem. The County, the City, the state, Forest Service, non-profits like the Forest Guild and the Nature Conservancy and private landowners. We all have to work together to protect our watershed and to reduce the risk of the kinds of wildfires that have very destructive effects on our forests and our watersheds.

So I would first of all like to thank Chief Sperling for bringing this to my attention and I'd like to ask him to say a few words about what this resolution actually would do, and then Eytan Krasilovsky is here from the Forest Guild and I would like to ask him to say a few words and talk about the wildfire prevention activities that are going on now in our community. So, Chief Sperling.

CHIEF SPERLING: Thank you Commissioner, Mr. Chair, members of the Board. I appreciate the opportunity to bring this resolution with Commissioner Holian forward to establish the greater Santa Fe fireshed. It's an area that's critical to the health and safety of the citizens of Santa Fe County and it helps us to establish priorities in the fireshed to reduce the ecological and economic hazards posed by uncontrolled wildfire.

I think it's important to remember how our economic vitality and quality of life in Santa Fe County is really connected so closely to the forests and other natural amenities that are part of our landscape. And as we recognize many of these areas are managed by multiple private and public interests and are dominated by vegetation that is susceptible to high intensity wildfire.

This resolution recognizes that it's within the interests of our county to protect the fireshed and the multiple watersheds contained within this greater fireshed in order to preserve our unique environment, our cultural resources, our quality of life and the economic vitality of the county. In addition to the goal of protecting, improving and restoring water quality and the functions of our watershed will greatly benefit both local and downstream water users.

This resolution and the work that will be coming out of it will incorporate the work done in our community wildfire protection plan to identify and categorize risk areas of Santa Fe County and the resolution also builds upon and incorporates input from the Sustainable Growth Management Plan, in particular Section 9.6 relating to firesheds. I'm proud of the fact that it calls for a collaborative approach between our public, private, and non-profit interests in the fireshed and it's been shown in particular with a plan that the area around the Taos watersheds recently put forward that we can gain greater public support and traction by allowing a collaborative process and allowing multiple

stakeholders to leverage the resources and invest across these jurisdictions. So with that I will turn it over to Eytan and then stand for any questions you may have.

EYTAN KRASILOVSKY: I want to thank you, Commissioner Holian, Chair and other Commissioners. My name is Eytan Krasilovsky. I'm with the Forest Stewards Guild. I've been working in New Mexico forests for about 12, 13 years. I'm also a wildland firefighter and I'm really excited that this resolution is before you. I think it's a very positive step to work, like Chief Sperling said, across jurisdictions with many partners in a collaborative fashion to address our risk.

Our risk is very high. There's been a ton of devastation in similar scenarios in Flagstaff with lives lost and in Colorado Springs in the past five years and we're trying to be pro-active and to mitigate and to work together to avoid those things happening here. You may have received emails by some groups that are against mitigation efforts. I don't have an exact answer to all those claims but I'd like to say that if you have received emails from a group called Once a Forest, I want to let you know that it's a very small group of people that are very passionate about the forest but they are – I would say ill-informed and don't have a basic understanding of earth science, forest ecology and forest science. And so while there are threads of truth in the documents you may be seeing, that may be traveling around Santa Fe County, their claims that the mitigation we're proposing and that this resolution is proposing, their claims are just unfounded.

And soon I hope to have some information to share that I'm working with others on that would provide a clear and concise response to those claims.

COMMISSIONER HOLIAN: Thank you, Eytan.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Holian, if I could. Does this include all of Santa Fe County's risk areas including San Pedro area, that's a fire-shed risk area as well?

MR. KRASILOVSKY: So it's my understanding that this is specific to the Santa Fe area starting from La Cueva and Glorieta and wrapping around to En Medio. But I don't know if you have an answer to that.

CHIEF SPERLING: Mr. Chair, Commissioner Anaya, Eytan's correct. This incorporates the area specifically around and transferring into the Santa Fe municipal watershed. It does not cover all of the watersheds or all of the areas within the WUI that are at risk in Santa Fe County. But we're starting in an area we feel we can have some specific traction on and there are a lot of interest groups, but that's not to preclude other work that needs to be done within Santa Fe County.

COMMISSIONER ANAYA: So, I appreciate that. So if we could identify those other areas in future meetings. Because we're not allocating resources with this resolution and I know we're trying to create a planning area but I know we've already done mitigation in other areas of Santa Fe County, so I just want to see where we're going to roll in the balance of those risk areas in particular and I bring up specifically San Pedro because we have invested our own crews and our own efforts in that particular area to preserve not only watersheds but protection of structures and properties through those mitigated efforts, on state land and otherwise. So, did you want to add anything else?

CHIEF SPERLING: Mr. Chair, Commissioner Anaya, this resolution specifically asks us to identify funding resources in the fire-shed. Of course at the same time we're always looking for finding resources that apply to other areas that we have

assessed and continue to assess around Santa Fe County to do fuel mitigation work, San Pedro being a prime example. So those processes will continue. This just sort of in this specific area expands our reach, I believe.

COMMISSIONER ANAYA: Thank you, Chief. Thank you, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you. And I would like to just say to the Board that I'd like to bring Eytan back for a future meeting to do a more extensive presentation about activities that are occurring right now in our area with regard to protecting our watersheds and the firesheds. So with that, Mr. Chair, I'll move for approval.

COMMISSIONER ANAYA: I'll second.

CHAIRMAN CHAVEZ: There's a motion and a second. And see, you can't talk about firesheds without talking about watersheds. They go hand in hand. Right, Chief?

CHIEF SPERLING: Mr. Chair, in New Mexico they do.

CHAIRMAN CHAVEZ: So in the boundary that you identified for this fireshed area, how many watersheds are in the boundaries that you've identified?

MR. KRASILOVSKY: If I may, Mr. Chair, there's about seven watersheds and they all drain to the Rio Grande except for the La Cueva-Glorieta area which is part of the Pecos Basin. But we feel that there's enough connectivity between the communities and the risk areas in the county to cross those watershed boundaries.

CHAIRMAN CHAVEZ: Definitely. I think it goes without saying, everyone's concerned about their watersheds because you've got to protect your source of water. But we can't do it individually. So I really appreciate Commissioner Holian bringing this to our attention, because we can't do it piecemeal. It has to be done on the larger scale like this.

So okay, we have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. 8. Resolution 2016-27, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads Maintained by Santa Fe County

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chair, annually the County is required to update our official road list and map through a resolution and submit it to the DOT by April 1st of each year in order to receive the County's share of motor vehicle and gas tax that's collected by the State of New Mexico. The packet material has the list of roads that are being removed from our road list and some that are being corrected due to incorrect distances or for whatever reason. The net difference is a negative 11.36 miles. So our County road list will total up to 563.21 miles. I stand for questions.

CHAIRMAN CHAVEZ: So, Mr. Martinez, do we notify the residents living on these streets that these changes will be taking place?

MR. MARTINEZ: Mr. Chair, we do not notify the residents that are

within the annexed areas, but we do – a lot of these corrections do come about by the residents notifying us. For example, Timberwick Road was removed because the residents from that homeowners association proved to the Public Works Department that that was a private road and it was never intended to be on the County road list, so they were aware of it. The corrections, for example, like the last one, Quiet Valley Circle, the residents on that little cul-de-sac brought it to our attention that when the Commission accepted this subdivision for maintenance, Quiet Valley Circle was on there but for some reason the County didn't include it on the list, so we made sure that we did our homework, researched the subdivision plat and for that reason it's on this list to correct it.

CHAIRMAN CHAVEZ: So then for the roads that are transferring from – so the City then will assume maintenance for the list of roads that you have in our material. And will the City notify them, do you imagine?

MR. MARTINEZ: Mr. Chair, I don't know if the City notifies them but Manager Miller has sent a letter to the City confirming what roads we've completed as per the MOU for the repairs or improvements to the roads within the annexation areas. So Manager Miller has notified the City on behalf of the County. Now, if the City notifies the residents – I'm not sure if they do or not.

Now, on our roads, we sign our roads that we maintain with a different color street name sign. It's yellow on blue. We swap those out to a non-County maintained color for those purposes.

CHAIRMAN CHAVEZ: Okay, then I guess the speed limit signs and all those things would change also?

MR. MARTINEZ: Mr. Chair, no. The traffic control signs we leave in place.

CHAIRMAN CHAVEZ: Okay. Anything you want to add, Manager Miller?

MS. MILLER: Mr. Chair, I did want to state what Robert had just stated. It was about we do change signage so they're no longer County signs. We are having an issue with the City on a couple of them where they're saying they don't agree, so we're in the process of working through that as to exactly what that means because we've changed the signs and it's been that way for a little while and it's portions of a road. So you can't take part of the road. So we're kind of working through those issues as to what it is they objected to. I don't know if you recall, but when we did the annexation, kind of sub-agreements on the roads we actually listed out specific roads and we agreed that we would bring those to the average County-maintained standard, and actually we did quite a bit more than that in improvements.

What we did not do is complete like drainage and curb and gutter improvements because that was not required and there are some issues I think with the City on a couple of these including West Alameda. So we need to work with them as to what it is they were expecting. We also on Alameda worked on – we said that we would jointly in the future but the City, as the project manager, so they need to actually come forward with that particular project. We would split the cost of improving parts of that road.

CHAIRMAN CHAVEZ: I do remember that. Okay, so I know it's been hard for the City and I think this annexation hasn't been easy for either local government, but I think in the long run it will remove some duplication of services and allow the

County to better maintain the rural roads that we have. We have – what is it? 540 miles or 550 miles of roads that we're still responsible for maintaining?

MR. MARTINEZ: Mr. Chair, it will leave us 563 miles of road that will remain within our responsibility.

CHAIRMAN CHAVEZ: So I think in the long run, again, it may not be easy now but in the long run it will be better for both local governments to be more efficient in their maintenance of roads. Okay, so any other questions of staff?

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: I'm going to move for approval.

COMMISSIONER STEFANICS: Second.

CHAIRMAN CHAVEZ: We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

COMMISSIONER ANAYA: Mr. Chair, I'd defer to Commissioner Stefanics.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I have a question for Mr. Martinez on a different topic.

COMMISSIONER ANAYA: I do as well. Go ahead, Commissioner.

COMMISSIONER STEFANICS: Okay, so Robert, there's two things I would like, is the Eldorado new general manager, their head of the ECIA and the roads committee would like to meet with you and me so that we can talk about process as we keep getting requests from individuals. So Julia will contact you for setting up a meeting. But the second thing is could we plan a tiny presentation – not long – on the southeast connector. I have been deferring questions on the northeast connector to the state and leaving it as a far out project. So if we could just do something here on the southeast it would get into the record and the community could hear about it.

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, yes, we definitely need to get back to the community out there on the status of this project.

COMMISSIONER STEFANICS: Let's start here so it gets on the web and the radio and everything.

MR. MARTINEZ: You would like to have a presentation at a BCC meeting.

COMMISSIONER STEFANICS: Right. But just short. Not like –

MR. MARTINEZ: And I'd be more than happy to meet with you and the new general manager.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER ANAYA:

CHAIRMAN CHAVEZ: I'm sorry. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. In the previous discussion we were talking about the fireshed protecting the watershed, and then I followed that up in my mind with to stay out of the woodshed, and we hear about the

road projects. I had some concerns and I think it's a good time if I could ask Mr. Martinez relative to projects, is that – and I want you to speak to County Road 55 and what's happened. And what I'd like you to do when you talk about where it's at is articulate for the public that once a project is funded and we have the resources, part of design deals with easement issues and matters that need to be resolved before we can move the resources from being budgeted to through design to actual construction. And I think the public, rightfully so, is anxious. They want to see projects completed but during that design phase many things happen and in cases like General Goodwin Road there have to be easement issues dealt with. So if you could speak to that and I think it goes across any Commission district and gives the public an idea of the process that we have to go through before we can actually put the asphalt on the ground, if you will.

MR. MARTINEZ: Mr. Chair, Commissioner Anaya, that is correct. With any project it's ideal to have a preliminary study done prior to even hiring an engineering firm to proceed with designing a facility. This preliminary study will identify drainage areas, will identify easements that are needed, will identify things that really don't come to mind when we're asking, well, can you just pave this road. So there's quite a few steps that need to be taken in order for us to even get to the point to where we hire an engineer to do a full-blown design.

Right now with General Goodwin Ranch Road we're in the process of meeting with Mr. Hyatt, who is the property owner and the Conservancy Trust that has a conservancy easement on Mr. Hyatt's property. The reason we're meeting with him is because in order to deal with paving of the road we've got to deal with the drainage first. So to remove the drainage off of this County road we're having to find an area where we can send this drainage to and it just so happens to have to go under the railroad tracks into Mr. Hyatt's property that abuts the Galisteo Creek. So we've gotten positive cooperation with both the Conservancy and Mr. Hyatt, so we are in the process now of proceeding with obtaining the easements that are necessary and completing the final conceptual design of this drainage retention pond so we can move forward with final design.

COMMISSIONER ANAYA: So there's concurrence from the parties to work with the County but there has to be the specific areas identified and then those articulated in legal documents that are then signed by the parties so that we can move forward in a fully legal and legitimate way, correct?

MR. MARTINEZ: Mr. Chair, Commissioner Anaya, that is correct. We wanted to make sure that we had some sense of obligation by the property owners and the Conservancy before we invested dollars into final design.

COMMISSIONER ANAYA: But that's real similar to other road projects we have where drainage waters that will be created based on new design features or requirements, carry them across additional properties and that's a process that each road will go through.

MR. MARTINEZ: That is correct. Thank you, Mr. Chair and Mr. Martinez.

CHAIRMAN CHAVEZ: Thank you, Mr. Martinez.

MR. MARTINEZ: Mr. Chair, can I make one comment.

CHAIRMAN CHAVEZ: Sure.

MR. MARTINEZ: Earlier, Manager Miller recognized Johnny Gonzales

from Public Works as having 25 years with Santa Fe County, heavy equipment operator. Unfortunately, he's retiring this Friday. I tried my hardest to get him here so we could recognize him, but he's kind of shy and did not want to be recognized. So I just wanted to bring it to your attention that sure, he put in 25 years, very dedicated employee and I'm sorry to see him leave.

CHAIRMAN CHAVEZ: Well, we still appreciate him. Give him our regards.

MR. MARTINEZ: Will do.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, on that note, especially on those tenured employees that are retiring, I would like it if we could, in addition to doing as you've done, and you've done, Mr. Chair, recognizing them on the bench, but actually sending them a letter, maybe signed by all Commissioners, especially those tenured employees that are retiring, just to show our thanks and gratitude for their service. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Sure. I think we could work on that.

COMMISSIONER STEFANICS: So, on that point, we all could go over and embarrass him.

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, the best time to catch him is at 6:00 in the morning because that's when we typically start, but this morning they started at 4:00 because we were expecting the storm, so let me know when you're going to show up and I'll bring the coffee.

COMMISSIONER STEFANICS: Well, the other thing we could do is we could plan on snow tonight and then have him come down to County Road 42, and a couple of us could meet him on the road and thank him. But for somebody who has stuck with us that long and who is going through retirement we really would like to recognize him, so please convey all of this to him.

MR. MARTINEZ: Will do. Thank you.

COMMISSIONER ANAYA: Mr. Chair.

Cc: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Martinez was making his best efforts to find the woodshed there I think.

- III. C. 9. Resolution No. 2016-28, a Resolution Requesting a Budget Increase to the General Fund (101), Lodger's Tax Facility Fund (214), Lodger's Tax Advertising Fund (215), Indigent Hospital Fund (220), Fire Tax ¼% Fund (222), Fire Operations Fund (244), Emergency Communications Operations Fund (245), Law Enforcement Operations Fund (246), Corrections Operations Fund (247), and NMFA Debt Service Fund (414), and a Budget Decrease to the Road Fund (204) and Capital Outlay GRT Fund (313) as a Result of Needs Brought Forward at Mid-Year Budget Hearings / \$1,149,569 [Exhibit 1: Staff Memo]**

CHAIRMAN CHAVEZ: We have additional information on this item that was not in the packet if you would like to follow. Okay, Ms. Jaramillo.

CAROLE JARAMILLO (Finance Director): Thank you, Mr. Chair, Commissioners. We in the Finance Division and the County Manager's Office met with each of the County's departments and elected offices between January 22 and February 1st of this year to go over their budgets as a habit that we have, a practice that we have to do such things at mid-year to see what the status of their budgets are and if there are any needs or changes that are needed that would require Board action.

So the resolution that I'm bringing forward to you today is as a result of those hearings. There were a number of issues that were brought forward during hearings as additional needs or items that needed to be corrected in the budget that were inadvertently budgeted in the wrong place. I'll just give you a quick rundown of the changes that we're requesting. The general fund, we're requesting an increase of \$327,210; a decrease in the road fund of \$25,171; an increase in the lodger's tax facility fund of \$628,125; an increase in the lodger's tax advertising fund of \$121,875; an increase in the indigent hospital fund of \$43,671; an increase in the fire quarter cent fund of \$24,150; an increase in the fire operations fund of \$29,392; and increase in the emergency communications operations fund of \$105,000; an increase in the law enforcement operations fund of \$128,924; an increase in the corrections operations fund of \$363,199; a decrease in the capital outlay GRT fund of \$673,403; and an increase in the NMFA debt service fund of \$76,597.

This leaves us with a net budget increase for the overall County budget of \$1,149,569. With this item we're also requesting an adjustment to address reconciliation issues that we have with the state's health insurance administrator to cover a two-year period. This reconciliation is needed because of the difference between the state's 24-pay cycle billing and for the past two years the County's 26-pay cycle deductions. So we had some issues that needed to be reconciled, and this adjustment in particular will be made with existing budget and will not require a budget increase. And I just stand for questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Ms. Jaramillo, that's a lot of money. What happened?

MS. JARAMILLO: Well, there are a number of factors here. One of the most significant parts of the increase, and it stretches across several funds would be the increases to the multi-line and the law enforcement liability. We had increases to the premiums but more importantly we had increases to the deductible. So if the funding for those deductibles is not required that budget will drop to cash at the end of the year. But we do need to have it in the budget in the event that a claim is made that requires a hit to the deductions. So that accounts for something above \$400,000 of this resolution, just in increases in the premiums and the deductibles. It stretches across various funds.

There were specific items that needed to be increased. For example, the indigent hospital fund increase is a result of we had underestimated the safety net care pool payment this year. We had thought it would be about \$3 million. It actually ended up

being \$3,043,671, so my conservative estimate that went into the original budget was apparently not conservative enough.

There were some additional capital needs for RECC which accounts for the \$105,000 in that fund, and then another significant amount that needs to be budgeted would be in the corrections operations fund for a variety of needs. The food service contracts increased this year and so we have to increase the amount that we have in the budget to pay for the food service contracts for both the youth and the adult facility. Last year when we did the budget we had made some changes to the amount of money the agency nurses versus nurse staffing was going to cost and I had reduced the agency nursing amount but unfortunately, I reduced them more than what was actually supposed to happen, so that was my error and that accounts for \$100,000 of the increase.

And then we have a pretty large increase in the number of electronic monitoring clients and the courts are having a tendency to order some of the more expensive pieces of equipment for electronic monitoring, so between the increase in clients and the increase in the expense for the actual equipment, that contract is needing to be – we're needing to expend another \$129,000 through the end of the year.

CHAIRMAN CHAVEZ: Ms. Jaramillo, just on that point, on the electronic monitoring, how much are we spending just on that piece alone?

MS. JARAMILLO: Well, for the increase, it's \$129,000 of this resolution and I'm afraid I don't have off the top of my head the amount that we spend per year on that contract. Perhaps the director does.

MS. MILLER: Mr. Chair, I think it's running \$300,000 to \$400,000 now. It's doubled. It was around \$180,000 I think when we first awarded the contracts and then it's been increasing. Director Sedillo and Tony and I are meeting with the judges because it's predominantly magistrate court and they're using all devices. And we want to look at alternatives. We're just not going to be able to continue it at that level. So we want to talk to them about alternatives as well as any potential offsetting revenues.

CHAIRMAN CHAVEZ: So this is only magistrate, not district court?

MS. MILLER: Mr. Chair, all the courts use it but that's where the largest increase is.

CHAIRMAN CHAVEZ: Got it.

MS. MILLER: And the largest usages. So we want to talk to them about what we can do. We really can't sustain – I think if you recall on the tour we talked a bit about how that's gone from 185 to 200 individuals on monitoring to 400 and how if you consider bookings, it's about 4,000 a year now, if you consider inmate days on a monitoring device. That's a significant increase from what we have historically had. So that's one of the big things.

And then as Carole mentioned on the nursing, we've had difficulty filling the nurse positions and keeping them filled so we have to go with contract nurses and that's a higher rate than if we have them just on staff on a continuous basis.

CHAIRMAN CHAVEZ: Commissioner Anaya, the floor's yours.

COMMISSIONER ANAYA: I appreciate, Mr. Chair and Ms. Jaramillo, your breakdown. I think when I first heard the presentation it sounded like – it is a lot of resources and a lot of money, but the majority, right off the top, the \$444,000 you said was beyond our control based on those increases on multi-line and workman's comp.

And then you went into the detail that broke down – we probably had \$100,000-some odd that we just missed on our projection but that happens but that's a lot better than close to \$900,000. So I appreciate the additional detail and the breakdown. I think it helps not only us but anybody that might be listening and watching as well. Thank you, Mr. Chair. I move for approval.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

CHAIRMAN CHAVEZ: This is an eight-page resolution. It's so detailed that each page is part of the resolution. I just wanted to clarify that.

III. D. Miscellaneous

- 1. Request Approval of Amendment No. 2. For Agreement No. 2014-0237 -HHS/PL with FIRESTIK Studio to Extend Term and Increase Compensation by an Amount of \$130,000, Inclusive of GRT, for a Total Contract Amount of \$410,000 for Design and Implementation of the DWI Public Awareness Campaign and Authorization for the County Manager to Sign the Purchase Order**

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair. I'll stand for questions. This is amendment #2. This will be the third year extension. Purchasing issued an RFP, went into contract in March of 2014. The original contract amount was \$130,000 and amendment one was for an additional year for \$150,000, and this amendment two increases it by another \$130,000 for an additional year. Total of \$410,000 for DWI and public awareness campaign advertising. I'll stand for questions.

COMMISSIONER STEFANICS: I'll move for approval.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. And Mr. Taylor, so this is DWI public awareness campaign is radio advertisement. It's a pretty broad scope of education, I guess, right? Community outreach.

MR. TAYLOR: Mr. Chair, that's correct. Awareness, public awareness, with radio, media, decals, I think bus wraps as well.

CHAIRMAN CHAVEZ: So it's just never ending but you got to keep pushing it I guess. Lupe, do you have any data that you can share with us as far as the impact? Because I know sometimes it seems like it's kind of a losing battle, but can you shed some light on that at all?

MR. SANCHEZ: Sure, Mr. Chair, members of the Commission, the DWI program fights this on many fronts and it takes a wide range of efforts to tackle the DWI program because it requires the efforts of law enforcement which are critical to the public awareness campaigns. The prevention work we do in the schools. So we fight it on a lot of fronts. What we're seeing is there's been a decline. In 2015 we had four fatalities in

Santa Fe County as a result of a drunk driver, and that's down from the previous year which was seven. And in 2010 we had our most which was at 20. So we're seeing a significant drop in the number of fatalities. We're also seeing a drop in the number of crashes. But we're relying on 2014 data, because that's the most recent data we can get our hands on from the Department of Transportation. It takes them a while to spit out that data, so we're still waiting for the 2015 data to come out and we're hoping to have that in a couple weeks. But preliminary data show that crashes are also going down.

CHAIRMAN CHAVEZ: Good. Good. That's encouraging. Thank you, Mr. Sanchez. There's a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. D. 2. A Restated and Amended Agreement between Santa Fe County and the Albuquerque Bernalillo County Water Utility Authority for Storage Space in Abiquiu Reservoir

JERRY SCHOEPNER (County Hydrologist): Good afternoon, Mr. Chair, Commissioners. As you're aware, the County acquired 375 acre-feet of San Juan Chama project water from the Bureau of Reclamation back in 2006. In general, the County receives its full allocation of 375 acre-feet annually and in most years the County water utility uses its native Rio Grande resources, water rights, via the Buckman Direct Diversion to meet our water demand. This leaves us with the issue of having to store San Juan Chama water.

In the past the County has either stored the water in Abiquiu Reservoir, or leased it back to the Bureau of Reclamation. The County entered into an agreement with the Albuquerque Bernalillo County Water Utility Authority to store San Chama water in Abiquiu Reservoir. In 2009, anticipating that the BDD would be coming on line soon and renewed the agreement in 2012. The agreement has expired. It expired in December of 2015, just a couple months ago, and therefore the storage agreement in front of you today seeks approval to renew it. The agreement is essentially the same as the previous one with the exception that it increases the amount of storage in the reservoir from 375 acre-feet to 3,000 acre-feet. The agreement as written is effective until December 31, 2025 and it will provide flexibility in managing our San Juan Chama water.

One of the benefits of storing our water will be an increase in the reliability of our water supply. This will be provided by having additional source of supply during drought conditions. The agreement does include two costs associated with storage of the water. The first one is a payment to the Albuquerque Bernalillo County Water Utility Authority of ten percent of the water that we store. So if we store the entire 375 acre-feet of water on a given year we'd have access to 337.5 acre-feet and Albuquerque Bernalillo County Water Utility Authority would keep 37.5 acre-feet.

The second cost the County would pay is costs to Corps of Engineers who own and operate the Abiquiu Reservoir, and to Albuquerque Bernalillo County Water Utility Authority for operation and maintenance costs, and that's associated with maintaining the dam itself. The combined O&M payments to both the Corps and Albuquerque Bernalillo County Water Utility Authority are anticipated to range from \$2 to \$4 per acre-foot per

year and that would equate to \$750 to \$1,500 per year. That's all I have. Thank you for your consideration and I'll stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: How does this compare to the prior agreement as far as the costs and the breakdown that you just went through?

MR. SCHOEPPNER: Mr. Chair, Commissioner Anaya, it's virtually the same. Same ten percent for water storage and same for O&M costs also.

COMMISSIONER ANAYA: I move for approval, Mr. Chair.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: There's a motion and a second. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

III. D. 3. Amendment No. 2 to Joint Powers Agreement between the City of Santa Fe and County of Santa Fe Governing the Buckman Direct Diversion Project

MR. SHAFFER: Mr. Chair, the Buckman Direct Diversion Board recommended a substantive amendment to the JPA between the City of Santa Fe and the County of Santa Fe governing the Buckman Direct Diversion project. And that amendment concerned primarily the appointment of a citizen member and an alternate citizen member and then through the discussions what materialized was a proposal that would limit the demand that a replacement elected official be appointed for consecutive absences only to unexcused absences.

At the time that the BDD board was considering the proposed amendment, as I understand it it was represented to the board that this would be amendment #1 to the JPA. It turns out that the JPA had been previously amended by the City and the County so that in fact this was amendment #2. I highlight that point because the City Council when it approved the substance of the proposed changes in December of 2015 the document that was in front of the City Council was styled amendment #1. Given that the City now knows that this is in fact amendment #2 the City Attorney's Office is of the view that the amendment would have to go back to the City Council for approval since the styling of the amendment would be different.

With respect to the proposed amendment to go over in more specific detail, the proposed amendment would allow for an alternate citizen member to be appointed in addition to the citizen member by the other four members of the BDD board. It would allow both the citizen member and alternate citizen member to continue to serve on the BDD board until a replacement had been appointed by the BDD board. It would remove a provision of having the chief judge of the First Judicial District Court to appoint a replacement citizen member if a replacement has not been appointed within 60 days after expiration of the citizen member's term, and it would require that a replacement citizen member or alternate citizen member be appointed if the citizen or alternate dies, is ill, resigns, or has three consecutive unexcused absences in the case of the citizen member

only.

In addition, with respect to elected official members, the proposed amendment would add the requirement to the existing text that for three consecutive absences from duly called meetings to be disqualifying that they would have to be unexcused. So what is in front of the Board for consideration today is a revised draft of the proposed amendment #2. County staff really didn't propose any particular substantive changes to the provisions that were in front of the Buckman Direct Diversion board. Rather our comments were directed more to technical cleanup in the recitals of the agreement concerning how things were described and the like.

Having said that, as the County Attorney's Office and myself focused on the substance of the proposed amendment there were two technical drafting notes that we wanted to bring to the Board's attention to get some direction as to how to proceed. Those are detailed on page 3 of my memo to the Board and they concern specifically the requirement of appointing a replacement member due to unexcused absences or because of illness and those terms in our view create an ambiguity in the agreement since unexcused and illness is not defined in terms of what would actually mandate replacements be appointed nor is the authority vested in any particular body or officer to determine which absences are excused or which illnesses are disqualifying.

In addition, the idea, although it is currently present in the JPA of disqualifying someone from serving on the board due to "illness" seems as if it might be not a particularly strong criterion, since that person could still be capable of serving, even though they're still ill. So a approach would be to strike that from the JPA.

That said, as I endeavor to explain, as a practical matter, the BCC may determine that addressing these potential issues might not be necessary because of other provisions in the JPA and proposed amendment. In particular, the citizen member can be removed at any time by the four elected BCC board members for any reason or no reason and in addition, the City and the County can appoint replacement elected officials for any reason or no reason. So given that, the clause that mandates replacements for whatever, it might be ambiguous terms, it might not be of particular concern.

But having said that, I did want to bring those technical drafting notes to your attention and if you'd like to consider alternatives as to how to deal with them I would have something to suggest. With that I'd stand for any questions.

CHAIRMAN CHAVEZ: Thank you. Thank you, Mr. Shaffer. I'm going to go to Commissioner Stefanics. Commissioner Stefanics and I are on the BDD board and I know we did appoint the citizen member at our last meeting, right?

COMMISSIONER STEFANICS: Yes. Thank you, Mr. Chair. And I thank Mr. Shaffer for all his diligence on this. I do think that the purpose, Board members, is that we approve the acceptance of the citizen board member and an alternate. We voted this as the BDD several months ago and it just never came to the County to vote on. So we do need to go ahead and approve the acceptance of the new language to allow for an alternate citizen member and the striking of the judicial member, the district court judge appointing if we don't appoint somebody ourselves. It was a very cumbersome process a few years ago, several years ago and we feel like we have enough protections in here.

As far as the other issues that Mr. Shaffer has found, I believe that those should just be referred to Nancy Long, the attorney for the Buckman Direct Diversion board so

that she can do a workup on the County Attorney's recommendations, the City Attorney's recommendations, and then we review several other things at once. But at this point, the need is for the County to accept the fact that we're going to have a citizen board member and an alternate, because when the citizen board member does not attend there is four board members – two City, two County, and it is conceivable that that citizen sometimes would break a tie.

So my recommendation, Mr. Chair, is that we move ahead with the proposed amendment that's on page 2 of 3, and that the recommendations for other corrections be forwarded to Ms. Long for review with everything else that we're going to be doing in the JPA.

CHAIRMAN CHAVEZ: I'll second the motion now for discussion.

Commissioner Anaya.

COMMISSIONER ANAYA: No, nothing, Mr. Chair.

COMMISSIONER STEFANICS: So mine was a motion, sorry.

CHAIRMAN CHAVEZ: I took that as a motion and so I'll second that motion. I do agree with Commissioner Stefanics that the main piece of this amendment is the alternate citizen member. The other language I think we can clean up as we move forward but this will help. We've had one citizen member, Conci Bokum, who was on BDD board for – was it ten years, Commissioner Stefanics?

COMMISSIONER STEFANICS: Ten-plus years. Even in the planning stage.

CHAIRMAN CHAVEZ: So anyway, we have a motion and a second. Any further discussion?

The motion passed by unanimous [5-0] voice vote.

III. E. Ordinances

1. Request Authorization to Publish Title and General Summary of an Ordinance Establishing the Solid Waste Collection District; Requiring Commercial Solid Waste Haulers Operating within Collection District to Provide Bundled Refuse and Recycling Collection Services and to Deliver Collected Materials to Identified Disposal Sites; Establishing Licensing and Reporting Requirements for Commercial Solid Waste Haulers; Granting Enforcement Authority to the Director of Public Works; and Amending Ordinance No. 1992-3

CRAIG O'HARE (Public Works): Thank you, Mr. Chair, members of the Commission. The ordinance that is before you is just to publish title and general summary. I do want to say that it actually represents a fairly big step and a profound step in the County starting to get involved with countywide solid waste management and promoting waste reduction and recycling, a step that to date we haven't really taken.

As you're aware, when it comes to solid waste and recycling we operate eight convenience centers around the county for citizens to self-haul their refuse and their recyclables and we've been doing that for quite some time. But this ordinance, which is

basically an outgrowth of policies established by the Commission dating back to the 2010 Sustainable Growth Management Plan, the work of the Solid Waste Task Force in 2013 and 2014, you'll recall at the end of 2014 we did a comprehensive overhaul of the Solid Waste Ordinance, and then more recently, this is an outgrowth of direction that you gave us back in the fall.

I will go through the basic components of the ordinance. The ordinance is essentially separated into two sections. One section establishes a residential solid waste collection district. I believe in your packet you have a map of the district that basically is the higher density residential areas in the greater City of Santa Fe urban area. You'll recall that back in the summer we had proposed an ordinance that would have established exclusive what's called solid waste franchising where we would have competitively selected a single hauler to provide solid waste services within each of three districts that we had established. And homeowners desiring curbside service would have been required to utilize that one hauler that we had competitively selected. Again, that's generally called franchising.

This single solid waste collection district is the identical geographic area as those three solid waste collection districts we had under the franchising proposal, and what the proposal is inside of this solid waste collection district, for residential collection only, is that any hauler that provides curbside residential refuse service would also be required to provide at least every other week curbside recycling service, and then that would be a single, bundled service for a single fee. In other words, a homeowner would not have the choice of having refuse only service, and declining recycling service. We feel that this is consistent with what we were proposing when we were going the franchising route. We also feel that for many homeowners they really need to be frankly required to not just have a refuse bin but also a recycling bin and hopefully that will significantly encourage them to utilize the recycling bin for the recyclables we do collect.

And so that would be the main requirement within the solid waste collection district. We estimate there's about 16,000 to 17,000 homes that would be affected. Some of these homeowners currently have that exact service and others would be required to add, essentially via their hauler, at least every other week recycling service. We are requiring that all recyclables, save for glass, be picked up by the hauler in kind of a comingled, single-stream mode. The reason we've excluded glass is because our materials recovery facility that we utilize – as you know it used to be at BuRRT – now we utilize a materials recovery facility, a recycling processing plant in Albuquerque. They do not take glass and so comingling glass with the rest of the recyclables – the paperboard, the plastics and the metals – is not really feasible.

You may know that the City of Santa Fe is actually going to the same approach where they're going to an automated recycling pickup with the one-armed bandit trucks and they will no longer pick up glass curbside in the manual bin approach. They will have drop-off centers for glass, just like we will continue to operate the convenience centers as drop-off centers for glass and of course BuRRT accepts it as well.

You'll notice in the ordinance and on page 2 in the middle that we've suggested that at least a minimum of 40 gallons of volume be picked up every other week. I wanted to make that volume larger and I think it's actually possible to make that volume larger. A number of the haulers use the automated system of trucks and they believe they can use

exactly the same trucks they use for refuse on a different pickup day for recycling. Of course they'll have to have a separate cart for that, and a lot of those carts end up being 65-gallon carts. I was concerned that the one hauler, it's a smaller hauler, that currently provides refuse and recycling service on a weekly basis, they use the manual approach with the bins and I was afraid that we might be requiring them to put out too many bins and it would be onerous for them. I spoke to the general manager of that company this morning and she thought that going to a 60-gallon minimum volume for every other week pickup would be fine with her because they actually pick up weekly. So she would only, from a volume standpoint, need to put out two. She uses 18-gallon bins and so she'd just need to put out two and we think that would be sufficient.

That's actually more volume of pickup than the City is currently providing for the non-glass items. The City has a 14-gallon bin that gets picked up weekly and so that's only 28 gallons every other week of volume and this ordinance would actually be requiring 60 if we change the ordinance from the 40 I have in here to 60.

The other major provision – and we do estimate that, haulers have told us sort of off the record that adding recycling to somebody's refuse service would add in the neighborhood of about \$7 to \$9 per month onto their refuse under their monthly bill. Again, some customers already have that and we feel pretty comfortable with that type of estimate, and again, this will maintain the competitive environment amongst haulers.

The other major provision inside the solid waste collection district is flow control, and we will require that all refuse and recyclables from residential service go to Caja landfill for refuse and to BuRRT for recyclables.

The other major part of the ordinance, which actually was not included in our franchising approach, although we talked about adding it at a later time, is beginning to look at solid waste management even beyond the solid waste collection district, which covers about half of the unincorporated county homes and looking at countywide, let's get a better handle from a data standpoint on what's going on out there with respect to commercial and residential refuse pickup and recycling.

And so we would for the first time require not only that solid waste haulers be registered with the County, which they currently are required to be, but also that they obtain a license from the County under the land use code. That license would have a nominal \$50 per year licensing fee and then as part of the regulatory regime we would require that solid waste data – their number of customers, their volumes of refuse and recycling, their service area, their rates, those sorts of things, would be reported to us on a twice-yearly basis.

And so that in a nutshell – there's some more specifics that I'll leave for now – in a nutshell is the ordinance. I did want to address because the governing body asked us to look at whether or not it would be viable to pursue a pilot franchising program in a community that might be interested in having such a pilot franchising effort initiated. And we felt that the Eldorado community was the most likely community. We did do outreach to the Eldorado community. Joe Eigner and others with the Eldorado community were very interested in doing a pilot for franchising, and as you'll see in our recommendation, we are not recommending that we proceed at this time simultaneously with what I just shared with you, which is really a new activity for the County, getting into a regulatory environment for solid waste management and at the same time pursuing

franchising in Eldorado in about a 2,800-household area.

We do feel, and we're pretty hopeful actually that this is possibly even a better approach, this bundled refuse and recycling regulatory requirement than what we had proposed under franchising. It's a little less aggressive, if you will, on the County's behalf and yet we still think it's going to accomplish the main objective, which is waste reduction and recycling and trying to increase our recycling rate.

So we would suggest that we hold off for now on pursuing a recycling pilot project in Eldorado, that we allow this new ordinance, assuming it gets adopted, to take effect, and see for six, nine months or a year whether we're achieving what we think we're going to be achieving with this ordinance. And if we're disappointed with the results and Eldorado is disappointed with the results of course the solid waste collection district includes the Eldorado area, then it makes sense to consider going down the franchising path and having Eldorado be a pilot program. And with that, Mr. Chair, I'd be happy to answer any questions.

CHAIRMAN CHAVEZ: Commissioner Stefanics

COMMISSIONER STEFANICS: Thank you, Mr. Chair. The only comments I want to make is that we're just doing noticing today. So I know that many people from the various communities will come to the next meetings. In relation to Eldorado, and in relation to the comments that you just made, there is not a – there's a serious interest in the pilot but there's not a formal vote in the community. And they also have, according to the ECIA president, there are strings attached to a pilot and one of the strings is that it cost no more than current. So I think that they will be coming and I bless everybody's hearts in Eldorado for working hard on solid waste and recycling, because I know you've really made it a passion. But I really would like not to get into the details on this since I know they're going to come forward at our future meeting. Thank you very much.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics.
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have a suggestion for a possible addition to this ordinance and this came out of discussions with Mike Kelley, our Public Works Director at a meeting that I attended with staff about this issue, and also Joe Eigner and Karen Sweeney were there from Eldorado 285 Recycles. This possible change to the ordinance would consist of private haulers who are operating in the solid waste collection district to collect a small fee from each household, something on the order of one or two dollars per household per month, that would go to the County. And those monies could be used for, for example, outreach to sort of keep people informed about changes in our solid waste services and also to encourage recycling, and also those monies could be used to help with just in general the services that are provided by our Solid Waste Division in the County.

Apparently these kinds of fees are collected in many, many different solid waste districts throughout the nation, and it seems to me that because of the fact that we are continually sort of – things are changing in the solid waste world and it seems like a really good idea to do some robust community outreach to let people know what they can recycle and what they can't, and that's always changing. Depending on – right now we're contracting with a private entity, Friedman, for our recyclables, and the markets go up

and down and I'm sure that things change. So it just seems to me like in this world it's good to have a lot of outreach and talk to people, and especially if we want to really encourage recycling.

So I don't know if the other Commissioners – how you feel about at least putting something like this in our ordinance to discuss at our public hearing.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: On that topic – this is discussed at the New Mexico Association of Counties, not frequently but it has come up as a topic. And that there has been angst about how fees are collected in relation to solid waste. And I think – okay, so in our ordinance, this would be added to property taxes? Added to the water bills? As a separate assessment? How? How would we be collecting fees?

COMMISSIONER HOLIAN: I believe –

COMMISSIONER STEFANICS: I want Craig to answer, because this is going to be a hot topic for the public.

MR. O'HARE: Mr. Chair and Commissioner Stefanics, and I may need the assistance of the County Attorney, as I understand it it would be similar to what counties do when they have franchise areas, which is something like a franchise fee where it's really assessed at the retail level, if you will, if you will, and collected and then transmitted to the County. If Commissioner Holian's proposal is a dollar or two per residential customer for a month, in some ways I think that would act kind of like a gross receipts tax type of thing. It's not for me to say the legalities of doing it that way or not, but that's my understanding of how it would work. It would be – if somebody's refuse bill from a hauler was \$30 a month they would basically, presumably pass that along to the customer and they would charge \$31 a month, collect that dollar per month and the remit it to the County at the end of the year. But that's something that if there is support for going that approach I think we need to work with the County Attorney's office to make sure we have all of our legal ducks in a row as to how we would levy that fee. It would have to be tied to a customer because of course in property tax it would be much more complex because not everybody – we would have to separate out just those that have service and they might have service for a few months and then use the transfer stations and that sort of thing, so ideally it would be assessed right at the customer level.

COMMISSIONER STEFANICS: So Mr. Chair and Commissioner Holian, I have no problem with having a portion of fees go to outreach and education, which is the basis of your request. My comment really kind of goes back to how the fees are going to be collected because this is an issue in other counties and it's not consistent. And there ends up being a problem. And I just want to put that on the table. I'm done. Thanks.

COMMISSIONER HOLIAN: Mr. Chair, well, if the Board were willing to at least consider this I would like to give staff direction to look into the legalities of this and to amend the ordinance that we have in front of us so that we could see exactly how this would work and know what we were voting on.

CHAIRMAN CHAVEZ: Commissioner Holian, I would be willing to pursue that. I'm not sure how the public is going to feel because if there's already a concern about the cost, which there always is, I don't know if it's an additional \$2 on top

of what they're already paying, or as Commissioner Stefanics suggested, we have a base rate and we allocate a certain portion of that for education and outreach. I don't know what your preference would be but if it's an additional \$2 per household that could be a deal-breaker for some people. I know it's not in the big scheme of things a lot to ask but I think it could be a deal-breaker for some people.

COMMISSIONER HOLIAN: Mr. Chair, well, I would point out that the option of using the transfer stations still exists for people who feel like they couldn't afford the solid waste pickup service. But maybe we could compromise at a dollar per household per month, something like that. When you figure that people are paying \$30 a month, \$31 a month as opposed to \$30 is not that much of a deal-breaker.

CHAIRMAN CHAVEZ: I appreciate that and I've always found it interesting that someone would self-haul and spend more time and money doing that than paying someone to pick it up in front of their house. So I don't know how people – people think differently. So I think we can propose it and see where it goes but I think the cost in providing the service is going to be one of the biggest sticking points. So I think to bring it forward as a proposed amendment would be okay and we'll see how the public perceives it and whether there's support on the Commission or not. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, just a few questions. Because I'm still stuck on wanting to consider a pilot and we went from a conversation about a pilot now to a district that encompasses in essence the whole urban area outside of the incorporated area. So I have more questions than answers right now, but simply put, if this ordinance passes, would it mandate the use of a specific hauler, including recycling and refuse together?

MR. O'HARE: Mr. Chair, Commissioner Anaya, no. This is not at all exclusive solid waste franchising. The open competition, competitive environment amongst haulers that currently exists would be maintained. Homeowner choice of hauler would continue to be maintained. The big regulatory –

COMMISSIONER ANAYA: Hold on one second. Let me do it this way because it will be easier for me to get it. So everybody in this area will have to hire a hauler. They can pick who that is but they'll have to hire a private hauler?

MR. O'HARE: Mr. Chair, Commissioner Anaya, no. If they want to continue to self-haul to our convenience centers there is nothing requiring them to go to curbside solid waste pickup. If they enjoy going to our convenience centers they will continue to be allowed to go to the convenience centers.

COMMISSIONER ANAYA: If they decide they want to have curbside pickup they will have to do refuse and recycling, and so that will be the bone of contention if the fees go up for the public. Is that what I'm hearing?

MR. O'HARE: Mr. Chair, Commissioner, that's correct. As my economics professor told me there's no such thing as a free lunch and we would be requiring that an additional every other week pickup service, in this case recycling, be provided. And so again, we are estimating in the \$7 to \$9 per month range that this will impact the refuse bill. So you are correct.

COMMISSIONER ANAYA: A \$7 to \$9 increase, plus an additional fee potentially of \$2 from what I just heard from Commissioner Holian. Right?

MR. O'HARE: Mr. Chair, Commissioner Anaya, if that separate fee were to be adopted by the governing body, that is correct.

COMMISSIONER ANAYA: So where did I miss out on the conversation relative to having a pilot project in a community that was specific where it seemed that there was a general interest. Where did we go from – here's the road you're going down, and I'm going to just say this blunt. We went from a potential community that had a direct interest, we think, and I think Commissioner Stefanics is right and I think they have to be afforded the opportunity to provide input as to whether they have that interest or not. But if we assume that there was a community, whether it's Eldorado or some other community, that was ready to pull the trigger and move in the direction of having a required refuse pickup, that that seemed to make way much more sense than reopening up an area where we know we're going to have a packed house full of people saying here you go again; you're raising – you're imposing a requirement and raising our fees. And that's a big, a big – I'm just going to say it bluntly – it's a big stretch to go from a pilot project in a community that seems to be willing, to then encompassing the whole district and saying if you've already made a choice – and here's where I have a problem with it. If you already, as a private citizen made a choice, and Commissioner Chavez, I'm going to respectfully disagree that it's necessarily more expensive to go haul your own trash; I don't think it is, depending on how you deal with your trash when you have it, but that being said, you're going from a situation where a private individual has already made the decision they want to pay extra. They already decided I want to pay for extra trash hauling at my curbside. Now, we're going to come in and say, well, guess what? We're going to mandate an additional tub and we're going to mandate recycling.

My feeling and my experience from what I see in the community in those areas that use private haulers is those people that have pickup are pro-active about taking their recyclables to a recycling place if they want to do that. And so I guess I'm puzzled, again, as to how we went from a pilot, not even a month ago, to now back to this district concept. I'm almost feeling like, well, I heard you, we heard you, Commissioners, but we're going to go in a different direction. So I'll shut up there and I'll leave it at that and we're going to fill these chambers full of people. They're going to come in and be upset and I'm going to listen and I'm going to listen attentively and we'll go from there. Thank you, Mr. Chair.

MR. O'HARE: And Mr. Chair, Commissioner Anaya, if I may, I respectfully disagree with your assessment of what happened with respect to the governing body's direction in the fall.

COMMISSIONER ANAYA: Mr. Chair, respectfully, I don't need an explanation. Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I believe that if we sort of consider the amendment or the addition that I'm suggesting, that we're going to have to put off publishing title and general summary and I'll defer to Mr. Shaffer to explain why.

MR. SHAFFER: Mr. Chair, Commissioner Holian, the idea of a one to two dollar a month per customer fee, we were apprised of that as a concept in the Attorney's Office today, so it's not a concept that we've had the opportunity to really vet

the legalities of or the best practice type issues or consistency issues that Commissioner Stefanics has raised vis-à-vis other counties, number one. Number two, I think that there was a sense with which I would agree amongst Commissioners that this is an issue that's likely to garner a lot of public input and if we don't delay authorization to publish title and general summary then what is actually released to the public through the County Clerk's Office would not include that one to two dollar fee. It would be something that would be added and the text of which would really be available for the first time to the public the week before the public hearing.

So for all of those reasons, again, the fact that it's something that we're looking at for the first time and we don't want to lead the Board astray but also because the public would likely be intensely interested in that idea. That would be our recommendation would be to table consideration of this item for the first meeting in March so as to allow the County Attorney's Office to work with the Public Works Department on the legal issues attendant to that fee as well as best practices as to how it might be collected and then the Board can see specifically how it would work and what it would look like in the proposed ordinance and that the Board wanted to authorize publication of title and general summary of an ordinance including that concept, and then the public would be well aware that that idea is floating out there and could come to the public hearing to express its views. Thank you.

COMMISSIONER HOLIAN: Thank you, Mr. Shaffer. So with that, I'd like to make a motion to table this item.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: Do we have a date specific or do we –

COMMISSIONER HOLIAN: Should we table it until the first meeting in March or the administrative meeting in March?

MR. SHAFFER: I think it would be at the direction of the Board. I think either would be appropriate and I think that we can, if the Board is desirous to have it come back in the first meeting of March I think we could do our work to make it so.

COMMISSIONER HOLIAN: Okay.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'm going to offer another thought. If staff came in with a specific boundary and provided a cost for curbside for a community and said it's going to cost \$32 for refuse at your curbside. It's going to cost \$9 for including recyclables. I would also like to see some alternate input or feedback, so that if we did get back to a point where we would have a discussion on a pilot project, if that's where we went, that we would tell a community here's what it would be. Here's what an estimated cost would be for curbside that included recycling. So those are my thoughts. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Okay. So we have a motion. There's a second.

The motion to table passed by unanimous [5-0] voice vote.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. You know I'm beginning to think that solid waste is the third rail in politics around here.

CHAIRMAN CHAVEZ: It's not been easy.

IV. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

MR. FLORES: Mr. Chair, I'll be brief. On the County Manager updates there's a couple of items. The first one was we were notified today that the Santa Fe County application for the Stepping Up initiative was not selected for presentation at this year's summit. However, I do want to thank staff on behalf of Katherine that the efforts they put into that work and we will continue to look for opportunities to get our programs continued.

CHAIRMAN CHAVEZ: Definitely. We're looking into the webinars. The National Association of Counties does have a webinar series on the Stepping Up initiative. There are six steps that they're suggesting, so we're not going – we didn't go to DC but we're not going to stop working on the Stepping Up initiative. Right, Commissioner Stefanics?

COMMISSIONER STEFANICS: Right.

MR. FLORES: Thank you, Mr. Chair. the other item is as a reminder, we've discussed this previously at the Board level. We have scheduled the Tribal Intergovernmental Summit for Friday, April 22nd. Staff is currently working on a save the date and a draft agenda for the Commission to review and consider prior to that meeting. The summit will take place in District 1 and there will be some details to come but I wanted to make sure that I remind the Commission. I know we brought this up a couple of times previously, but April 22nd. We have it starting in the morning so that we can get things rolling, so it's a morning/mid-afternoon session with topics to be discussed with Commissioner Roybal as the host and the Commission as a whole.

The other item, Mr. Chair, before I go quickly to the legislative report. We had deferred any questions on the informational reports for the departments and I would normally request that if we have any questions now of staff we take those on the informational reports. Otherwise I would be able to let staff resume other business.

CHAIRMAN CHAVEZ: I would say we could go ahead and let staff go.

MR. FLORES: Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: On the Intergovernmental Summit do we have a location already identified?

MR. FLORES: Mr. Chair, we went through a procurement process and that will be at the Rancho Encantado Four Seasons.

IX. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Administrative Services Monthly Report**
- F. Community Services Monthly Report**
- G. Financial Report for the Month Ending 1/31/2016**

IV. B. Legislative Session [Exhibit 2: Summary Report]

MR. FLORES: So, Mr. Chair, I'd like to go quickly into the legislative approach. Mr. Miller prepared the legislative report that I left on the dais for each of you to take a look at. I won't go through each of the items but there 1,013 bills introduced – bills, memorials and joint resolutions that were introduced at this 30-day session and as we presented a couple of weeks ago, the number seems to be increasing and we had a lot of what I call dummy bills submitted the last day of introduction.

Of those, 378 bills were passed in the first House, 122 in the second House and nine of those went to the Governor. On the Senate side, the first pass, 199, second pass 57, and of those only four have been sent to the Governor.

We have quite a number of bills that we do an analysis on inside the packet and I don't want to read each of them for the sake of time, but the Treasurer's Office had a bill that Senator Rodriguez championed and which did finally pass. We had some discussions on line and a text message that morning of the session. Some of us felt it wasn't going to make it; some of us felt it did and those that felt it did won the lunch bet. So that one did pass.

We also had the advance mapping bill that was basically our LIDAR program that Erle Wright from GIS was our champion on. REAL ID, the produce for schools, curfew, the pre-emption bills, quite a few of those made it to either an agenda or an assignment to the committee but never made it past that. I can tell you that we were warned in no uncertain terms that this will be the year of GRT reform from the legislative perspective, and we've also been told through the interim process. And we've also been told that there's a possibility that the legislature will be called into session if oil prices do not stabilize. For every decrease of \$10 is a significant hit to the state budget so we'll continue to monitor that as we move forward.

And then lastly, Mr. Chair, although it has not been signed into law by the Governor, a quick update on capital outlay. We received, of the priorities that the Board gave to us for direction, which was Pojoaque recreation complex, the Agua Fria Village utilities design, improvements to the Cerrillos and Madrid fire stations, and the Old Santa Fe bike trail lanes, and the land for the Eldorado fire station, of those ones, with the exception of the Old Santa Fe bike trail lanes, they were all provided funding. Now, they were not provided complete funding but I think the staff that works on the legislative team were very successful in getting four of our top five priorities at least on a list and receive some funding.

We also report right now, without final signature by the Governor, last year's capital outlay the County received a little under \$500,000 and based upon the efforts of Mr. Garcia, Mr. Miller, Ms. Mascareñas, Ms. Katonak and myself, the County was able to secure right now, a little under a million dollars in capital outlay. But I do caution the Board, as I do every year, the funds we are receiving are not complete; they are a portion of what we actually need. So the edict that Ms. Miller has put upon staff is to come up with that true five-year capital outlay plan and funding strategy that will help us get back in line with what our priorities are. And I know Commissioner Anaya is very familiar with that process because we did that when he was a department director here and

executive director in the past. So with that, Mr. Chair, that's our legislative presentation. If you have any questions I'll take them.

CHAIRMAN CHAVEZ: Just one, Tony. On the mental illness and mental condition equation discussion, there were a couple of bills that were introduced to help counties, especially Santa Fe County, reduce the fiscal impact as a result of the population that has a mental condition. Did any of those –

MR. FLORES: Mr. Chair, the most significant mental health bill was Senator Papen's bill which dealt with producing that voice for mental health across the state. I don't believe though it was necessarily tied to our detention facilities, but I'll defer to Mr. Miller. Mr. Chair, the only one that has passed both houses to the Governor was Senate Bill 113 with amendments and that was the Assisted Outpatient Act, or AOT that did pass through both houses and is on the way to the Governor. As far as any other mental health –

CHAIRMAN CHAVEZ: And the outpatient, what was the genesis of that?

MR. FLORES: Mr. Chair, I'll have to get to the specific language of that act.

CHAIRMAN CHAVEZ: Okay. But that's the only one.

MR. FLORES: That's the only one out of – I think there was seven of them.

CHAIRMAN CHAVEZ: Right. Thank you. Any other questions of staff? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I just want to thank the staff for working the hours and the time. It's a hurry up and wait process, the legislature and it takes a lot of time from these individuals and I appreciate their time and effort. We have Hvtce Miller here. Mr. Miller, tribal councilman. I want to congratulate you on your election to the tribal council. I know that there are different schools of thought, depending on which organization that you're in as to people serving in other capacity and also working for a governmental entity and I didn't want to say openly that I encourage involvement from any of our people that we work with in the County, in County government to help serve their own respective individual communities, and there's many of them that work at the County, and I just want to publicly congratulate you on being elected as a tribal councilman for Tesuque Pueblo and wish you the best of luck in your endeavors and I consider that an asset to the County, not a liability or a conflict in any way. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya. Congratulations, Mr. Hvtce.

HVTCE MILLER: Thank you, Mr. Chair, Commissioner Anaya. I just wanted to point out, Erik was just talking here as far as tribal government's sake, the clarification needed to be made that for Tesuque we're appointed officials, so I didn't have any part in trying to be a leader within my pueblo but I'm very happy to be so. So I just wanted to make that clarification. Thank you very much.

COMMISSIONER ANAYA: Thank you, Hvtce. Congratulations

COMMISSIONER ROYBAL: Congratulations, Hvtce.

MR. FLORES: Mr. Chair, just for one further clarification. The unassuming Mr. Miller's title is War Captain of Tesuque Pueblo. I'm not quite sure if his

style will fit into that persona, but that's his official title with Tesuque Pueblo. With that, Mr. Chair, we're done.

CHAIRMAN CHAVEZ: Thank you.

V. MATTERS OF PUBLIC CONCERN

CHAIRMAN CHAVEZ: so now we have matters of public concern. Is there anyone here this afternoon that would like to speak to the Commission? No, so we'll dispense with Matters of Public Concern.

VI. TREASURER'S OFFICE/COUNTY BOARD OF FINANCE MEETING

The Board of County Commissioners Temporarily Adjourned at 5:35 and Reconvened as the Santa Fe County Board of Finance.

- A. Call to Order
- B. Roll Call

Commissioner Chavez called the Board of Finance meeting to order and Clerk Salazar called roll; all five Commissioners were present.

- C. **Discussion and Overview of Proposed Changes to the Santa Fe County Investment Policy [Exhibit 3: Senate Bill 56]**

CHAIRMAN CHAVEZ: I want to thank the Treasurer's Office and the Commission for indulging me on this item. I am officially on the Investment Committee but I felt that because the Investment Policy is so critical and so important, not only to the Investment Committee or to the office itself but to the citizens, to the residents of Santa Fe County. So I wanted to – I asked the Treasurer's Office to share this with us at the front end. We have about a six-month process that we'll go through to update and review our Investment Policy. So my intent to have staff present this to us is so that we're in lock-step with the committee as we're making amendments and changes to the investment policy so that at the end of the six-month period, hopefully the questions that need to be asked will be asked and we'll have all the answers and we can move forward with a really strong investment policy. So, Eric, if you would walk us through that. Appreciate it.

ERIC LUJAN (Deputy Treasurer): Mr. Chair, Commissioners, good evening. I'm filling in the absence of the Treasurer who is ill with bronchitis I believe. Commissioner Holian spoke with him earlier today and he can barely talk. We did have a long meeting with Chairman Chavez regarding the investment policy and at his request we are going to do this monthly, at least have a report monthly as all the departments do as well to keep the Board of Finance abreast of the issues that affect the investment policy.

The investment policy, everyone knows who has served on the Investment Committee, Commissioner Roybal is new to it but he's catching on fast, the investment

policies are the backbone of the County or any municipality or any government entity that does investments. They dictate the most important part of public finances which is safety and legality, because as you know, as a government entity we don't chase the yield or the liquidity.

The legality on what we as a County are allowed to invest in pursuant to New Mexico State laws that govern Class A counties, which Santa Fe County is and we like to keep a yearly review of our Investment Committee meetings as we also do by state statute, report to the Board of Finance quarterly. This time around we have to massage our policies slightly to keep us up with what's happening locally. As many of you know that have served, with the exception – I haven't had the pleasure of serving with Commissioner Stefanics but we created a core account and we did this last year to segregate the long-term investments that were purchased prior to the Treasurer and myself taking office. And what we've been doing is selling what we can at par or at profit and to bring down our weighted average maturity from 12 years, which was the average in our core account, to 3.8 years.

This is well within our limits of what the policy dictates because the maturity of the yields are five years which is what the investment policy was changed to back in 2013.

We are adding language to include the core portfolio in our investment policy and its boundaries and that will help us to unload what we have which is existing. When we came into office, our long-term investments, we had almost \$40 million in long-term investments. Since then, we've brought it down to \$26 million at either at par, along with a minimal of profit.

And we've worked well with the County Manager's Office and the County Manager to be successful at this. So with that in mind, with that change I'll stand for any questions regarding that.

CHAIRMAN CHAVEZ: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate the informational aspect and the content and Mr. Chief Deputy Treasurer as well as our Treasurer and the work that's been done and the openness and transparency to ideas and a process that engages all of us in the discussion and the ultimate action. So I appreciate the effort. It was a challenging endeavor to offset those investments that were longer term to begin to chip away and bring them down to more shorter-term stable investments. And it's not over, and I understand that, but I respect the work and the effort that everyone's put in. Thank you.

MR. LUJAN: Thank you, Commissioner Anaya.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and thank you for the presentation. The idea of bringing it down short term is fine in my mind but my main concern is any loss of money. When I came the State Investment Council lost money for every county in the state.

MR. LUJAN: That was the State Treasurer.

COMMISSIONER STEFANICS: Right. So we do not want that to ever happen to us again. So that is my main concern in any investment policy that we have going forward. And I want to support our state and the holding of finances but only if

there are securities. And so as you look at any investment policy that is prime for me, because thank goodness we only lost a couple hundred thousand dollars but others lost millions, specifically Bernalillo, and we just don't want to be in that position ever again.

MR. LUJAN: And Mr. Chair, Commissioner Stefanics, I'm glad you brought that up because it's going to go to the next point which is the legislation that I handed out that we got passed. And we keep – I think we have \$26,000 in the government investment pool with the State Treasurer, and Katherine, if you could correct me if I'm wrong about that but that's about what we have there. We pulled it all out and we don't like to brag or anything like that but Santa Fe County, the Treasurer's Office and the Investment Board boasts the best and the healthiest investment portfolio in the State of New Mexico. We're outperforming the investment pool that the State Treasurer has, and it's because we pay attention to what's going on in the market daily and we don't chase the yield. As we pointed out, we go after the safety and the legality of an investment to protect the taxpayers' money, and we always keep that in mind.

And you're right, Commissioner, that was a nightmare. And to protect us even further, to adjust the policy, the nightmare that happened in Bernalillo County, where they just recently lost over \$20 million because of their long-term investments that they had to sell off at a loss, we advised the County Treasurer of Bernalillo County at the time it is right to get rid of your long terms now at a profit. Santa Fe County did that and we profited. Bernalillo County didn't listen to us and that's when the fiasco happened. And it was all over the paper, all over the press. And some of that legislation that you have before you is to give somewhat of a fix to that problem as well.

And I'll go into that now. It was the Treasurers Affiliate bill and all the legislation did, if you look on page 4 it's highlighted for you, is to add language to include brokered CDs, CRs, and FICAs, and to 6-10-10. The legislation, as Mr. Flores pointed out was Senate Bill 56 sponsored by Senator Nancy Rodriguez. It was passed on the 11th hour after a stressful two weeks of lobbying by myself and Treasurer Varela. The language will also be written into our policy as well, and I want to thank Tony, his staff, Hvtce Miller, Rudy Garcia and the folks of the New Mexico Association of Counties for assisting us as well. It wasn't as easy as it was last year to get this legislation through but we got it through and it's before the Governor.

And what the legislation basically does is for those smaller counties, like San Miguel, Mora, Guadalupe, Colfax, and the smaller counties, the CDAR, the main part here, which is the certificate of deposit registry service, will allow them to put their monies into – their deposits into local banks, and then the local banks will give a little more diversification in investing those monies. Whereas, for a Class A county such as us it will just give us minimal diversification. So those smaller counties are going to get more of this bill than the Class A counties. It's going to help them more than it will us. It was an affiliate bill and Treasurer Varela is the chairman of the affiliate and he took this bill up for those smaller counties. They need to beef up their investment portfolios.

It's going to help us as well. As I understood yesterday in the budget hearing, the first budget kickoff that Manager Miller was looking for more ways if we can put some more money in the County coffers this may be a way that we might be able to do it, looking into it.

CHAIRMAN CHAVEZ: Well, Eric, I really want to thank you and the

Treasurer for doing this. I know it's sort of out of the norm a little bit. But again, as I said earlier, I really felt that the investment policy – and I'm just learning it myself too, so I'm learning but I wanted to be sure that we had the information to share with the other Commissioners and more importantly I think the public because the public, as you pointed out earlier and I think Commissioner Stefanics may have touched on it, we're talking about the public's money and how we manage that. It's critical. And you have bragging rights. I think that if we're doing a good job and we're a model to others I think we can share that information and help other counties through this process. So again, thank you for being here.

MR. LUJAN: Absolutely. And I want to thank the members that I've served with on the committee, Commissioner Holian, yourself, Commissioner Roybal and of course Commissioner Stefanics does as well. Manager Miller, Greg Shaffer, Carole Jaramillo and Andrew Leyba, the public appointee from the Treasurer. The meetings are intense at times as you all know but we are looking at the best interests of the public in investing their monies.

CHAIRMAN CHAVEZ: So how do you – does the office – I know that we're out of the norm a little bit but we have about a six-month process where you're hoping to adopt a new investment policy. Do you feel that you will need a presentation before us, maybe once or twice before that's finalized? Or how do you see that playing out?

MR. LUJAN: Mr. Chair, that would be at your discretion. I know I did receive a very nice email with a lot of changes and suggestions from the County Attorney and that will be reviewed tomorrow as well as at the Investment Committee meeting. And as we go through the process, I want to invite – these are open meetings – the public and all the Commissioners to attend these investment meetings as we go through the process of changing it.

CHAIRMAN CHAVEZ: Okay, then we can discuss maybe the timing of the next presentation and see how we work.

MR. LUJAN: We have the quarterly meeting coming up I believe, next month, Mr. Chair.

CHAIRMAN CHAVEZ: So that would be another time to do it. Okay. Good. Thank you, Mr. Lujan. Any other questions of staff at this time. Okay. Thank you.

MR. LUHAN: Thank you, Mr. Chair. Thank you, Commissioners.

VI. D. Adjourn

COMMISSIONER ANAYA: Move to adjourn the Investment Committee meeting, Mr. Chair.

CHAIRMAN CHAVEZ: Yes, we're done with Investment Committee.

COMMISSIONER STEFANICS: Second.

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

COMMISSIONER ANAYA: The Board of Finance would be the specific motion to adjourn.

CHAIRMAN CHAVEZ: Right. So we have a motion and a second to adjourn the Board of Finance Committee and go back into BCC. There's a motion and a

second.

The motion passed by unanimous [5-0] voice vote.

[The Board of Finance adjourned at 5:50 and the BCC reconvened.]

VII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from County Commissioners and Other Elected Officials

- 1. Elected Officials Issues and Comments**
- 2. Commissioner Issues and Comments**

CHAIRMAN CHAVEZ: Any comment from the County Commissioners at this time? Elected officials, I think we had that covered. Commission issues and comments?

COMMISSIONER STEFANICS: I'll be brief.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I just returned from the NACo conference in Washington, DC and I'd like to let you know a few things that are related to my work with them. The Healthy Counties and the Health Steering Committee for this next year are going to be focusing on aging and the economics of aging, so there will be some meetings coming up regionally on that. The other item is that young lady who is the policy advisor to the president on refugees resettlement was in our Immigration Committee and she talked to me afterwards and she has a planned meeting here in Santa Fe. She didn't know when exactly but she will let me know and there will be a big townhall around that topic.

And it was cool, rainy weather. No big snows, so everything went fine. Thank you very much.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I have two items. I'd like to work with Roger Taylor and the Galisteo Community Association, Mr. Barela, regarding – work with Ms. Miller and staff regarding some gap funding that they'll need, \$5,000 to \$10,000 to offset the bosque restoration that the Village of Galisteo is working on, that the late representative Easley funded for that area. Mr. Martinez had a request from the Village of Galisteo as well where we used to put our graders by the community center. They wanted to see about what we could do with some grading and some material in that area in front of the community center. So if you could meet with Mr. Barela and Mr. Taylor from the Village of Galisteo and then provide me some feedback and us some feedback I'd appreciate it.

MR. MARTINEZ: Mr. Chair, Commissioner Anaya, we will do that.

COMMISSIONER ANAYA: Thank you, sir. That's all I have, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just wanted to let the Board know that Commissioner Stefanics and I are bringing forward and sponsoring a proclamation in honor of Dale Ball's life. Thank you. That's all I had.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have anything at this time.

VII. B. Presentations

1. Presentation and Update on the Arts, Culture and Cultural Tourism (ACCT) Committee Activities

DAVID GRISCOM (Economic Development): Good evening. Thank you, Mr. Chair, Commissioners. So we're going to do just a brief update for you on the activities of the Arts, Culture and Cultural Tourism Committee. As you recall, this was established back in 2014. This is Resolution 2014-35. In acknowledgement of the importance of the arts and culture in our economy, which roughly amount to about 40 percent of new monies coming into our community. We created this committee. The committee consists of seven members, three of which are here and I want to introduce you to them and them to you. The Chair is Ann Weisman, the Vice Chair Jayne Levant. I also want to introduce to you Tomás Romero, who is the executive director of the Northern Rio Grande National Heritage Area.

Essentially, this committee has been meeting for about a year and a half now and they have some interesting ideas that have come out of those meetings in terms of potential recommendations to the Board of County Commissioners. I will point out that the resolution allows this committee to be in existence for two years. There's the thought that we may be back before the Board to amend that resolution to allow for an additional time to work through some of the recommendations that we've laid out in the memo here.

So just to be brief, the committee has met 13 times. They've established three subcommittees. Some of the work has involved collaborating with the Northern Rio Grande National Heritage Area and this has been a really rewarding and satisfying piece of the work. The County has contracted with the Northern Rio Grande National Heritage Area to essentially help the committee establish an inventory of all of the arts, artists, art businesses, arts organizations in the county. There is no baseline data that comprehensively establishes this information and so this will be an ongoing process but we've gotten it started with Tomás at the heritage area and we have a quite substantial list of arts businesses, artists, and what not in the county.

I also want to point out that some of the work that the committee has done is create a survey and we recently launched this survey. We have 99 responses to the survey as of today. This survey is soliciting information about who's out there and what kinds of programs could benefit those entities that are out there.

I listed some of the highlights in the memo to you there. The percentages will have changed since I wrote this memo, but just to bring up a few of them. Summer and fall are the biggest seasons for sales for artists. Word of mouth and business websites are their most successful forms of marketing. These artists, those who responded to the survey feel like they would benefit most from the creation of a central calendar for recurring arts related events, from establishment of an artists directory and landing page on the website, which we have created through our collaboration with the Northern Rio Grande National Heritage Area, business training for artists and overall brand image for Santa Fe County, as in if we created an overall logo/ image/brand for the County that

artists could use when they sold their products, they felt like that would enhance their business. They felt like that would give them credibility.

CHAIRMAN CHAVEZ: So, Mr. Griscom, that would kind of be or act as a letter of authenticity, right?

MR. GRISCOM: Correct.

CHAIRMAN CHAVEZ: Saying that it's made in the area, in the region, by hand, hopefully. Right? I think those are the items that we want to promote first.

MR. GRISCOM: Mr. Chair, that is correct and to that end we have established a branding subcommittee that's looked at that. Some of the work of the subcommittee has kind of co-opted the overall branding effort that is going on separately, but the two are moving in parallel. So I've listed some of the ideas that the committee is currently working on in terms of recommendations. I want to emphasize that they are very much in draft concept and there's a lot of work that needs to be done to flesh it out a little more, but these are the ideas that the committee has kind of zeroed in on over the course of the last year and a half.

So I won't take up any more of your time. I'll turn it over to the Chair to make some remarks and then turn it to Tomas to show you some of the work that the heritage area has done to help the committee achieve some of its objectives.

ANN WEISMAN: I'm Ann Weisman. I am the chair of the committee. Mr. Chair, and members of the Commission, on behalf of the members of the committee we would like to say how honored we are to serve and provide this service for the County. David really covered everything. We spent a lot of time doing research so we can make the best educated and informed recommendations to you. We do expect to have a report for you this summer. Thank you.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm wondering if – thank you for your service, all of you, and I'm wondering. You've heard that we're looking at redesigning the logo for Santa Fe County, and I'm wondering if your committee has any opinion about if that's going to be well accepted or if it's going to offend people.

MS. WEISMAN: Our Vice Chair, Jayne Levant, has served on the committee that's been working on the new County logo. So we have input and communication with the committee.

COMMISSIONER STEFANICS: Yes, but did you hear my question? Is it going to offend the community for us to change the logo? Do you have an opinion on that?

MS. WEISMAN: Personally, I think it's a step in the right direction to design a new logo. And I don't think – David –

COMMISSIONER STEFANICS: I'm not asking David. I'm asking the public and you are members of the public.

MS. WEISMAN: We have not had a formal vote.

COMMISSIONER STEFANICS: Well, I'm wouldn't ask for you to have a vote but I would like for you to have a discussion about it.

MS. WEISMAN: Okay.

COMMISSIONER STEFANICS: Because if you are divided within your

own committee that might give us a sense of the future to be expected and if your committee has no angst, that might tell us something too.

MS. WEISMAN: I can tell you that there was a discussion. There were some issues with the current logo, so the concept of a new logo was welcomed.

COMMISSIONER STEFANICS: Okay. Thanks.

MS. WEISMAN: You're welcome. Any other questions?

CHAIRMAN CHAVEZ: No, but Ms. Weisman, I'd like to let the other committee members time to speak as well. Vice Chair, do you want to add some comments and then we'll go to Tomas, because I know you've been working on this since its inception.

JAYNE LEVANT: Ten years. Thank you very much for asking me to say a few words. I think we're making great progress and I think Commissioner Stefanics, that's a very, very good question that you asked and one that I think we'll take back and further explore. I'm under the impression that the County and the County Commissioners wanted to change the logo. That's the impression our committee is under. We personally are not going to be doing that. It will be up to the Commissioners to decide whether they want to go forth with a new logo for the County and also a new brand for the County. That will then come back to us to discuss. So if you would like us to begin the discussion and the exploration we would be glad to do so. Am I mistaken in that?

CHAIRMAN CHAVEZ: I'm not real clear myself.

COMMISSIONER STEFANICS: That wasn't my question. My question isn't about designing a logo for us. My question is do members of your committee have any opinions about whether or not this is a good idea. If you are representing artists and for economic development and for their interests in this community, that's what I'm asking you.

MS. LEVANT: Okay, we do believe the County's been underserved in the arts, and that's why we're working very hard and I do believe that we would like to see a new logo.

COMMISSIONER STEFANICS: Great.

MS. LEVANT: Okay. There are aspects of this logo that we understand are not – yes, I will stick with that. And thank you for allowing me to address you.

CHAIRMAN CHAVEZ: So I have a question though, because I can see that there might be some need to revise the County logo. Is that different from the branding that we would use for the artist's piece, for the letter of authenticity? Are they two different things or are they two different things?

MS. LEVANT: Well, we would like to explore the authenticity and to really promote that our artists in the county are part of the rich culture that our city represents and many of those artists who are working in the county come to the city to sell their work. We'd like to give them an opportunity to be able to sell their work in the county.

CHAIRMAN CHAVEZ: So that's the branding piece of it, not the logo.

MS. LEVANT: That's the branding piece of it. But I really think that in terms of the logo, if you would like for us to give you a recommendation we can report back.

CHAIRMAN CHAVEZ: Okay.

MS. LEVANT: But we haven't honestly – I don't think this has come up for us. I don't think that we thought was in our purview.

CHAIRMAN CHAVEZ: Okay. That's good. We've had the discussion. I think we'll have to have that discussion, we'll have to continue that discussion and see where we go with that. But I guess Tomás, you wanted to share some information with us on the Northern Rio Grande National Heritage Area. So if you could.

TOMAS ROMERO: Mr. Chair, thank you, and members of the Commission. I actually was here in support of the work that we've been doing with the ACCT. What is up on the screen behind you, this is the screen that drops down when you click on Meet the Artists. One of the things, just in our general planning, even before we started working with the ACCT Committee, what we wanted to do was to actually reach out in our own plan, and we wanted to reach out to the individual artists and communities out in the rural areas of the counties that are under the heritage area. And not just what is normally marketed, which is Santa Fe, the city, and perhaps Taos, but much of the heritage area is not really marketed and where the heart of the culture is is out in the field.

And so in redoing our website, and this is just one part of it, I set aside a place for Meet the Artists and in my discussions with David Griscom we decided that this would be a good way to work together with the ACCT. So what we have done, and this is just the page that you would access, there is information that individual artists, first of all, can register and list themselves on here, and we have ways of sorting them, either by name or by location, meaning a corridor, a particular travel corridor or county or pueblo or other tribal entity, or by types of art.

And so when people click, and this is actually live, there are little profiles that are coming up of individual artists that have already begun to sign up. If you would click, maybe Nancy Brown would be a good first one, just where it says view profile. What we have then for individual artists as they sign up is you will get a brief description about the artist, the type of art that this particular artist is engaged in, contact information by email or website or actual physical address if they choose to have that, and then an image of their work. The whole idea was to enable people as they were traveling around the county and in different areas to actually reach out and make contact with individual artists.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Just on this point, I think it's awesome that there's a usable, simple, practical tool that takes people right to the artists and so I just want to say that's awesome.

MR. ROMERO: Thank you very much, Commissioner.

CHAIRMAN CHAVEZ: Let me build on that thought for just a minute. I know that Tomás, you're focusing on your piece of it, which is very critical. That's the National Heritage Area, but we're talking about a countywide survey, right?

MR. ROMERO: Yes.

CHAIRMAN CHAVEZ: And David, does that include both incorporated and unincorporated residents?

MR. GRISCOM: Mr. Chair, yes, it does. The countywide survey was sent out to various distribution lists within the city and county.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Just a follow-up comment. Tomás, how are we doing the outreach relative to letting artisans know where to go to log in or get on the web?

MR. ROMERO: Mr. Chair, Commissioner, the way we started, we actually approached this in several efforts. The first one, we had to create the website, but the first thing that we did in working with the County was to actually identify the different studio tours that exist right now. So we started with those, and arts markets that are out in the county. We made contact with them, we got their information and the listing of the individual artists that are participating within those. This is not complete, because there are other artists who don't participate in that.

But we started by doing that. We gave that information to the County so that they were able to use that to send out their survey. The second part of it, I contracted with an individual to work with us to actually begin to contact the individual artists themselves in various communities, starting first with the established organizations like studio tours, and then working on down with them. We are doing a number of things overall in our marketing of the heritage area so that people can associate with it. One of the things you all have seen is this publication that we put out this last year and we're working on the second one coming up soon.

We do a lot of work in outreach but we will be actually contacting on the ground individual artists in various communities. So for example, in your area there's the Galisteo studio tour. And we've identified about 12 different studio tours throughout the county. We're making this available in all of the counties but our effort, and we're working with other organizations as well as our contracted staff to actually reach out and invite them. We've sent letters and we will be doing email and then also through other social media, like Facebook and Instagram and Twitter. Those are things that we're developing now in order to get that contact out.

But it's a really important work that I want to see our group do and that is to actually give a chance to the individual artist to be promoted so that it's not dependent on their doing their own stuff only. Thank you.

CHAIRMAN CHAVEZ: Thank you all. I know that the memo I think stated that the 2014 resolution created the Arts, Culture and Tourism Committee but I think this resolution, the 2014 resolution really just reactivated the committee. I think, David, there had been work prior to this resolution.

MR. GRISCOM: Mr. Chair, that is correct. The previous iteration of this was – I forget what the acronym was but I think it was ACT, but it was back in 2008 through 2010.

CHAIRMAN CHAVEZ: Right. So any other questions of staff? Again, thank you all and we'll just stay tuned to see where we go next. Thank you.

VII. B. 3. Presentation on the Santa Fe County Lodger's Tax Advertising and Marketing Program

MR. FLORES: Mr. Chair, we will provide you a very brief presentation on what we have done with the Lodger's Tax Advisory Board and the Lodger's Tax marketing and advertising program. As you recall, last August we brought forward a

contract with HK Advertising, Mr. Dave Hayduk here, on what we were going to be doing with the Lodger's Tax. Part of the contractual requirements of HK is that they come and give a presentation to the Board on what activities we've undertaken. This is a quick presentation. This has been presented both to the previous Lodger's Tax Advisory Board and the newly seated Lodger's Tax Advisory Board and both boards in their capacities have endorsed this plan in moving forward. And with that, Mr. Chair, it is a convenient time to dovetail. I would like to talk later about how we have overlapping areas and why we're trying to do certain things, but with that, Mr. Chair, if I may, I'd like to turn it over to Dave.

DAVE HAYDUK: Mr. Chair, Commissioners, it's good to be here. I have been here in Santa Fe 34 years doing advertising and this has been my dream to finally work with Santa Fe County and the city I spent most of my life in, so I'm honored to be here and I'm glad to be here. I just have three things I'm going to touch on. A little bit about who HK is so you get a quick, kind of brief feel about that. I want to talk about the True program and about how dynamic and good it's been for New Mexico, and then third, what it's going to do for us in Santa Fe County.

Thirty-four years here in Santa Fe. I've worked with hotels, destination marketing organizations. I've worked with our pueblos. I don't know how many of you represent the Buy Santa Fe campaign where we worked with businesses and people to get them to realize that if they kept their money here instead of over the internet or out of town that it would be better for all of us in Santa Fe. So I worked on that program for a couple years that program was happening.

In tourism, I've worked with the Department of Tourism. I've done all six marketing groups that have stayed divided into six regions. Last year we spent \$750,000 promoting fairs, specials and events in our regions. Santa Fe here is in the north central region. I also work in the south with the New Mexico laser visa program. That's for Mexican nationals that can now get a temporary visa, travel 55 miles, 30 days into the southern part of the state. So we're putting heads in beds from Mexico, Juarez and Chihuahua.

Currently work with the town of Red River, city of Carlsbad, city of Roswell and the city of Alamogordo.

And that's kind of the background of HK. Let me talk a little bit about New Mexico True. I've worked with a lot of cabinet secretaries in the 34 years, a lot of good ones. But when Cabinet Secretary Jacobson came into the position she was the first cabinet secretary that was a true marketing director. She was from New Mexico, went to the Wharton School of Business. Worked for Pepsico. So she knew what branding was all about. She created the New Mexico True brand that we now currently use in New Mexico and throughout our cities and towns here in New Mexico.

When the cabinet secretary came in the first thing that she did as a marketing director is did research. What is it that people think of New Mexico? What do they perceive us? What are their misperceptions? So this research provided these sort of information for us so that we now move forward on everything we do in providing authentic experiences – a traveler looking for connection and adventure. It also showed us through this research that there are four key reasons people will travel to New Mexico.

This is what they look for when they travel. This is what matters most to them.

And so these are what drive us when we create the advertising and do what we do. In the next slide I'd like to take a moment for you to hear the cabinet secretary so you can get a sense of what she did about building the brand and I think this is pretty powerful as far as getting a chance to understand where we are with the New Mexico True brand.

What the cabinet secretary did when she came into her position is what she did was unify the brand. If we're out there talking to a lot of travelers to come to New Mexico we really need to be able to speak with one voice, so this is what happened. The national, the regional and the statewide and local all began to speak with the same voice. So when the department is spending \$7.5 million out there in the marketplace telling people that New Mexico is true; here are the reasons why you should come to New Mexico, it now pays off for our cities and our regions to say to the traveler, if you're thinking about coming to New Mexico come to our county, because here are the things that you are truly going to be able to experience when you come to Santa Fe County.

Let me just show you a few of the results that have happened so far in the years that the True program has been happening. Tourist spending is up; it's at an all time high. It's generating more tax dollars for us than it ever has, and for all of us in this room it means less of a tax burden. Instead of paying more in our taxes, now we pay \$810 less. What's it doing for our jobs? Our jobs are increased 4.3 percent in the tourism industry. Domestic marketable overnight trips, which is the primary focus of True, is growing faster than the US average.

So what's it doing for our cities and our towns in New Mexico? We've worked with Roswell for the last three years and Roswell's been on the True program last year. The first time ever their Lodger's Tax was over a million dollars, up 13 percent. Red River to the north, who we've been working with for over four years, their first time last year over \$600,000 in Lodger's Tax.

So we know it's working throughout New Mexico and it's working for our counties and our towns. So here's what we're going to do with Santa Fe County as we go forward, because Santa Fe County has all the essence of the True brand. We have the adventure and we have the culture. So what we first did when we jumped into the program is what are our assets for Santa Fe County? And I'll take you through those. Outdoor rec. We have a great outdoor rec capability for our travelers. Our arts, our culture and our cuisine is top-notch when it comes to the traveler and the ability of what they can find here in Santa Fe County. We also have the spirituality, the wellness from the spas here in Santa Fe County. And events. Events, as I showed earlier, is one of the top four reasons people will travel to a region or to a city, and so we're going to highlight our events as well.

So as we take a look at our outdoor rec, these are the things that we've identified as key assets for Santa Fe County. We've all heard about the Dale Ball trails that we spoke tonight about Dale and his passing and I knew Dale personally and his children. Great man, but built some great trails for all of us to enjoy here as locals, as well as for our travelers who are looking for an adventurous experience. And we'll talk a little bit tonight about how it's about site-doing, not sightseeing. When we all travel as tourists, we want to know what we're going to do when we go to an area. Well, that's what we're doing right now for Santa Fe County is we're building on the assets that we know we have. Because part of the True program is we've got to be able to advertise to the traveler

– here’s what we have. Here’s what’s truly us. So that when they get here they have that connection. They actually see and hear and do what we’ve been advertising to them.

And so here’s what we have in the arts and the culture. We talked already tonight about our studio tours in Galisteo, Madrid, Cerrillos, Las Golondrinas is big. It’s a great experience of our culture here for our travelers that come here. Rancho Chimayo, what a great place to have some superb New Mexican cuisine. So we have all our assets starting to line up and these are the things that will drive us for our imagery as we go forward. We talked about the spa and the wellness and the spirituality. Ten Thousand Waves, Santuario de Chimayo. Great experience for those that want to really kind of get a feel for the culture of northern New Mexico. Then of course Sunrise Springs has just come on line, our Four Seasons Resort, Rancho Encantado, all key assets that we have for the traveler.

Here’s what we have for events, and this isn’t all of them, but our studio tours are big, Bike and Brew is coming up. That’s for the adventure outdoor person. Santa Fe Wine and Chile Fiesta is big. So we take a look at those events that will help drive more travelers to Santa Fe County. This is what I really what you to kind of get is here’s our brand position. This is how we line up. This is what we can deliver on for Santa Fe County. Santa Fe County is for the adventure traveler who craves the authentic experiences. Santa Fe County is a destination that feeds the soul and energizes the spirit. So when we move forward in our advertising, these are the things we’re going to portray to those that see the advertising and we’re not going to be advertising to everybody but it’s to those that have that adventurous spirit, that have a desire to see the assets that we have in Santa Fe County.

Here’s the objectives: drive attendance to our events, appeal to the travelers that desire that immersive, local, authentic experience. We’re going to drive, of course, interest to the website, because that’s when the traveler really wants to really get more information and we can really give them more. And of course build on the historic and cultural reputation.

Creative strategy, talked about it. Site-doing, not sightseeing. And everything we do in the imagery, which is very important to what we do with Santa Fe County is drive site-doing. And we really try to give them a sense of what they’ll be able to experience here in Santa Fe County.

So when we convey our message it’s going to be very clear. Everything here in Santa Fe County evokes a true feeling, a true feeling of adventure steeped in culture, which we actually own in Santa Fe County. We have the adventure and we have the culture.

So let me show you a few things that we’ve done so far since we started. Before I do that let me talk a little bit about our key audiences. For the first time we’re going to really start working in social media. We’re going to start using digital advertising because now we can send out messages to those that are behavioral minded that wants these outdoor adventures, so we can send messages to them digitally, and we can also do that geographically. And we’re also then going to focus our print more towards the adventure traveler, and then we’re going to look for co-op opportunities that are happening. For instance, Southwest Airlines, their department of tourism is doing a big spread in Southwest Airlines in May, so we’re going to captivate and use what co-op opportunities

out there to drive our message to more audience and get better response.

Drive markets. It's important to go for the low-hanging fruit. We know the Department of Tourism is spending \$7.2 million in these markets creating an interest in coming to New Mexico. Texas, Colorado, Oklahoma, Arizona and California. Those folks have an interest in wanting to come to Santa Fe or to New Mexico. We're going to get them to come here to Santa Fe County.

This is one ad that we ran for the vacation directory, and we're running it for the adventure guide. In this – you can't quite see the copy here, but the copy kind of explains some of the accolades that Santa Fe has already been recognized for in national publications. People across the country are already starting to talk about the great outdoor adventures we can get here in Santa Fe. So you see how great this ad works. It's site-doing. It's some outdoor adventure. It's a pretty blue skies, and there's always a different adventure to be had. True.

So here's another ad that's going to be running in the AARP magazine, and this kind of highlights our farmers markets and how great our food and our culture is and how important it is to our chefs in Santa Fe. That also touches on the accolades that we've achieved for Santa Fe.

Let me show you here. In the Facebook category, our imagery, this is what we started with in the fall. Working on the adventure traveler. This is what it looks like now as we changed the imagery to skiing, to the outdoor life. We also now are actively involved in Twitter. Getting people to share pictures and experiences of Santa Fe and their experiences in Santa Fe County. This is now, again, we're talking about skiing. We had a great season in motion. We want those that want to come to Santa Fe and enjoy the great outdoors, enjoy our food, enjoy our skiing, now's the time to get them.

Instagram, another one to be able to share photos on. You can see where we're getting people to share their photos and their experiences of Santa Fe County through the True experience. And this is what Instagram looks like right now.

We're also very involved in Facebook, because we all know Facebook is one of those social media that people share a lot. So we're building fans on Facebook and we're buying ads on Facebook to gather more friends.

And that's about it in a nutshell and I'll stand for questions.

CHAIRMAN CHAVEZ: I have one question having to do with dollars and cents. How much are we spending on an annual basis promoting and advertising the county? I don't remember that number.

MR. FLORES: Mr. Chair, historically the County has set aside about \$300,000 a year for the services of promotion and advertising as Mr. Hayduk went through tonight.

CHAIRMAN CHAVEZ: And has there always been a focus on the drive market in the past?

MR. FLORES: There's been a general focus, but I can tell you that from my personal opinion we've gone from an archaic advertising program to a more robust system. So we've had those types of low-hanging fruits as David indicated what we call them, but there's much more emphasis now on what we're doing and how we're marketing our programs.

CHAIRMAN CHAVEZ: Okay. Thank you. That's all I have. Any other

questions of staff? Commissioner Anaya, you're good?

COMMISSIONER ROYBAL: I've got a comment.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say thank you David for the presentation. It was a great job. Thank you.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I guess I do have a comment and I think it ties to the statewide campaign and the initiative of the secretary and for that matter, the Governor's Office. I think that the campaign has grabbed on to people's attention. It's obviously demonstrated some good productivity by its results so I would just say kudos to all of the individuals including yourself and others that have worked on the initiative and I think tying entities together under one campaign just makes a lot of sense. I just wish we could do it across different aspects of government structures, but in this case I think it works well and kudos to all that worked on it.

MR. HAYDUK: Thank you, Commissioner Anaya. Smart marketing. We're using the state's money to make ours more powerful, so thank you.

- VII. B. 4. Presentation and Possible Direction Concerning the Creation of Consolidated Precincts and Voting Convenience Centers for the 2016 Primary and General Elections **WITHDRAWN**

VIII. **MATTERS FROM THE COUNTY ATTORNEY**

A. **Executive Session**

1. **Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:**
 - a. **Litigation Involving Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC**
 - b. **Rights-of-Way for County Roads**
 - c. **Litigation Concerning Buckman Direct Diversion Structure Issues**
 - d. ***Santa Fe 330 Investments, LLC v. County of Santa Fe, and the Board of County Commissioners, State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-101-CV-2016-00008***
 - e. ***Trujillo and Peperas v. Board of County Commissioners for the County of Santa Fe, State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-101-CV-2014-01054***
 - f. ***Board of County Commissioners of the County of Santa Fe v. Suerte del Sur, LLC, and Suerte Development, Inc., State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-101-CV-2015-01485***
 - g. ***Farrington v. NMDOT, et al., State of New Mexico, County of***

- Santa Fe, First Judicial District Court, D-101-CV-2015-01678**
- h. *State of New Mexico, ex rel. State Engineer, et al. v. R. Lee Aamodt, et al.*, No. 66 CV 6639 MV/LCS, US District Court, District of New Mexico**
 - i. *AFSCME Council 18 v. Santa Fe County*, PELRB No. 121-15**
- 2. Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code, as Allowed by Section 10-15-1(H)(6) NMSA 1978**
- a. Proposal Submitted in Response to RFP # 2015-0333-GM/PL, Professional Services for the Development of Infrastructure "Build-Out" Study**
 - b. Proposal Submitted in Response to RFP # 2016-0156-CM/BT, Consulting and Marketing Services for County Rebranding**

MR. SHAFFER: Mr. Chair, the proposed agenda for executive or closed session includes threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1(H)(7) NMSA 1978, and discussion of the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1(H)(8) NMSA 1978, and including the following, and there are specific items to be discussed under that category as listed in the agenda. In addition, there's discussion of competitive sealed proposals solicited pursuant to the procurement code as allowed by Section 10-15-1(H)(6) NMSA 1978. And there are two specific RFPs and proposals submitted in response thereto as itemized in the agenda. So if the Board is willing it would be appropriate to entertain a motion based upon that statutory authority and those items listed in the agenda.

CHAIRMAN CHAVEZ: Do I hear a motion?

COMMISSIONER STEFANICS: Mr. Chair, I move we go into executive session for those matters that are noticed.

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. Roll call please.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (6, 7 and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Aye
Commissioner Stefanics	Aye

CHAIRMAN CHAVEZ: And just for the public's information, we're estimating about an hour and a half for executive session, so we'll be back by 8:00.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Just for clarity, the only other business we have is tied to possible discussions in executive.

CHAIRMAN CHAVEZ: That's correct.

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

[The Commission met in closed session from 6:30 to 8:40.]

CHAIRMAN CHAVEZ: So we now need a motion to come out of executive session.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move that we come out of executive session where we discussed the items in our agenda and no action was taken.

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: We have a motion and a second to come out of executive session.

The motion passed by unanimous [4-0] voice vote. [Commissioner Stefanics was not present for this action.]

VIII. B. Resolution No. 2016-29, a Resolution Delegating to the County Manager the Authority to Determine Whether Santa Fe Film and Media Studios, Inc. Has Satisfied Its Economic Development Goals and the Authority to Execute on Behalf of the County a Full or Partial Release of the LEDA Parcel as Security for Santa Fe Film and Media Studios, Inc.'s and La Luz Holdings, LLC's Obligations Under the LEDA Performance and Right of Repurchase Agreement [Exhibit 4: Amended Resolution Text]

CHAIRMAN CHAVEZ: So we have a resolution before us.

MR. SHAFFER: Mr. Chair, staff is recommending some changes to the resolution. I've passed them out to the Board of County Commissioners. The suggested changes are in redlines. They would require that the County Manager report her verification methodology and determination to the Board at a duly called public meeting, and it would in addition delegate to the County Manager the authority to negotiate and execute and agreement extending the deadline by which the County must verify whether the economic development goals have been met.

So again, that redline version is in front of the Board. The background to the resolution and relevant agreements is in the Board's packet and given the late hour and the weather I would stop there and stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: I'd move for approval with amendments, redline version just handed out and explained by our County Attorney, Mr. Shaffer.

CHAIRMAN CHAVEZ: And I would second. Okay, there's a motion and

a second. Any further discussion? Hearing none.

The motion passed by unanimous [5-0] voice vote.

CHAIRMAN CHAVEZ: Commissioner Stefanics asked that her vote on this be reflected in the affirmative.

- X. CONCLUDING BUSINESS**
 - A. Announcements**
 - B. Adjournment**

Upon motion by Commissioner Holian and second by Commissioner Roybal, and having completed the agenda and with no further business to come before this body, Chair Chavez declared this meeting adjourned at 8:45 p.m.

Approved by:

Miguel Chavez

 Board of County Commissioners
 Miguel Chavez, Chair

Geraldine Salazar

 GERALDINE SALAZAR
 SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell
 Karen Farrell, Wordswork
 453 Cerrillos Road
 Santa Fe, NM 87501

COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 110

I Hereby Certify That This Instrument Was Filed for Record On The 31ST Day Of March, 2016 at 10:33:20 AM And Was Duly Recorded as Instrument # 1790082 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
 Deputy *Laura Hernandez* County Clerk, Santa Fe, NM
 Geraldine Salazar

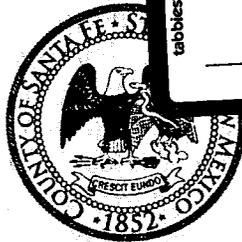


SFC CLERK RECORDED 03/31/2016

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



EXHIBIT

1

C. 9.
Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Santa Fe County Board of County Commissioners

From: Carole H. Jaramillo, Finance Division Director

Through: Katherine Miller, County Manager

Date: February 16, 2016

Re: Resolution 2016 – A Resolution Requesting a Budget Increase to the General Fund (101), Lodger's Tax Facility Fund (214), Lodger's Tax Advertising Fund (215), Indigent Hospital Fund (220), Fire Tax ¼% Fund (222), Fire Operations Fund (244), Emergency Communications Operations Fund (245), Law Enforcement Operations Fund (246), Corrections Operations Fund (247), and NMFA Debt Service Fund (414), and a Budget Decrease to the Road Fund (204) and Capital Outlay GRT Fund (313) as a Result of Needs Brought Forward at Mid-Year Budget Hearings / \$1,149,569. (Finance/Carole Jaramillo)

Issue

The Finance Division is seeking approval to adjust various funds' budgets (as listed above). Adjustments to these budgets are being requested as a result of needs brought forward by departments at the fiscal year 2016 mid-year budget hearings.

Background

Between January 22 and February 1, 2016 the Finance Division and County Manager's Office conducted mid-year budget hearings. Staff met individually with all Elected Offices and Department/Divisions to discuss the status of each budget and any needs or changes that were required. As a result of these hearings a number of adjustments are being requested to address those needs.

Additionally, a number of adjustments are being requested to correctly budget items that were previously budgeted incorrectly or inadvertently not budgeted in the original budget. Also, several funds require increases to various insurance premium and deductible line items as a result of increases and changes to the structure of the multi-line and law enforcement liability policies.

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Finally, an adjustment is being requested for purposes of making a payment for health insurance which is outstanding with the State's insurance administrator. This adjustment will not result in an increase to the budget but will utilize existing funds available from vacancy savings and other benefits savings. A \$636,287.50 adjustment is required to address a reconciliation that was undertaken with the State's plan administrator. This reconciliation, which covered the period from January 2013 to December 2015, reflected that the State was invoicing the County based on a twenty-four (24) week cycle despite the County's practice of calculating insurance premium deductions on a twenty-six (26) week cycle. As a result of the reconciliation staff has implemented a twenty-four (24) week deduction cycle which should align the County's deductions with invoicing from the State to prevent this issue in the future.

FY 2016 Mid-Year Budget Resolution

FUND/DEPT/DIVISION	AMOUNT	DESCRIPTION
GENERAL FUND		
ASD/IT	\$ 17,342	Salary and benefits for position reclassified to a higher range to address critical IT needs within Public Safety.
ASD/IT	\$ 22,100	Two routers to assist with IT functionality in the event of a disaster
ASD/Risk Management	\$ 132,120	Additional premium and deductible budget for general fund multi-line insurance.
PWD/Admin	\$ 25,696	Salary and benefits for position reclassified from the County Manager's Office for PWD/Sustainability section.
Operating Transfers Out	\$ 129,952	Net increase to transfers out for additional premium and deductible budgets for special revenue funds multi-line and law enforcement liability insurance.
TOTAL GENERAL FUND	\$ 327,210	
ROAD FUND		
PWD/Roads	\$ (25,171)	Reduction to insurance premium allocation for road fund multi-line insurance
TOTAL ROAD FUND	\$ (25,171)	
LODGER'S TAX FACILITY FUND		
CMO/Lodger's Tax	\$ (121,875)	Reallocation of 100% advertising contract to LT Advertising Fund
PWD/Fairgrounds Proj.	\$ 750,000	County Fairgrounds Project allocated 2/15. Erroneously budgeted in CO GRT.
LODGER'S TAX FACILITY FUND	\$ 628,125	
LODGER'S TAX ADVERTISING FUND		
CMO/Lodger's Tax	\$ 121,875	Reallocation of 100% advertising contract to LT Advertising Fund
LODGER'S TAX ADVERTISING FUND	\$ 121,875	
INDIGENT HOSPITAL FUND		
CSD/Healthcare Asst. Prog.	\$ 43,671	Additional Safety Net Care Pool. Original estimate was low.
TOTAL INDIGENT HOSPITAL FUND	\$ 43,671	
FIRE TAX 1/4% FUND		
PSD/Fire	\$ 24,150	Breathable Air equipment for trucks.
TOTAL FIRE TAX 1/4% FUND	\$ 24,150	
FIRE OPERATIONS FUND		
Fire/Administration	\$ 29,392	Additional premium and deductible budget for Fire Dept. multi-line insurance.
TOTAL FIRE OPERATIONS FUND	\$ 29,392	
EMERGENCY COMM OPERATIONS FUND		
RECC	\$ 75,000	Radio equipment
RECC	\$ 30,000	To equip the Mobile Command Trailer.
TOTAL EMERGENCY COMM OPERATIONS FUND	\$ 105,000	
LAW ENFORCEMENT OPERATIONS FUND		
Sheriff's Office	\$ 128,924	Additional premium and deductible budget for Law Enforcement Liability insurance.
TOTAL LAW ENFORCEMENT OPERATIONS FUND	\$ 128,924	
CORRECTIONS OPERATIONS FUND		
PSD/Corrections-ADF	\$ 35,000	Increase to food service costs
PSD/Corrections-ADF	\$ 11,000	Unanticipated Increase to wastewater expense. Budget based on usage that was underestimated due to a broken meter.
PSD/Corrections-ADF	\$ 45,000	Unanticipated Increase to water expense. Budget based on usage that was underestimated due to a broken meter.
PSD/Corrections-Medical	\$ 100,000	Net increase for contract medical personnel. Amount was erroneously reduced in original budget.
PSD/Corrections-EM	\$ 129,000	Increase to electronic monitoring equipment cost due to increase in number of clients and type of equipment ordered by Courts.
PSD/Corrections-YDP	\$ 17,000	Increase to food service costs
PSD/Corrections-YDP	\$ 26,199	Additional premium and deductible budget for Law Enforcement Liability insurance.
TOTAL CORRECTIONS OPERATIONS FUND	\$ 363,199	
CAPITAL OUTLAY GRT FUND		
Operating Transfers Out	\$ 76,597	Transfer out to NMFA Debt Service Fund for debt related to BDD-Booster Station 2A Solar Array not in original budget.
PWD/Fairgrounds Proj.	\$ (750,000)	Fairgrounds project allocation should have been budgeted in Lodger's Tax Facility Fund.
TOTAL CAPITAL OUTLAY GRT FUND	\$ (673,403)	
NMFA DEBT SERVICE FUND		
PWD/Utilities-BDD (Debt)	\$ 76,597	Debt service for debt related to BDD-Booster Station 2A Solar Array not in original budget.
TOTAL NMFA DEBT SERVICE FUND	\$ 76,597	
NET TOTAL BUDGET INCREASE	\$ 1,149,569	

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Recommendation

The Finance Division recommends approval of the above Mid-Year budget adjustments.

S F C C L E R K R E C O R D E D 0 3 / 3 1 / 2 0 1 6

SANTA FE COUNTY
RESOLUTION 2016 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on February 23, 2016, did request the following budget adjustment:

Department / Division: CMO/Finance for Various Departments Fund Name: General Fund (101), Road Fund (204), Lodger's Tax Facility Fund (214), Lodger's Tax Advertising Fund (215), Indigent Hospital (GRT) Fund (220), Fire Excise Tax Fund (242), Fire Operations Fund (244), Emergency Communications Operations Fund (245), LawEnforcement Operations Fund (246), Corrections Operational Fund (247), Capital Outlay GRT Fund (313), NMFA Debt Service Fund (414)

Budget Adjustment Type: Net Budget Increase Fiscal Year: 2016 (July 1, 2015 - June 30, 2016)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0000	385	01-00	General Fund/Budgeted Cash	\$327,210	
204	0611	390	01-01	Road Fund Transfer In from General Fund		\$25,171
214	0000	385	02-00	Lodger's Tax Facility Fund/Budgeted Cash	\$713,125	
214	0310	311	03-00	Lodger's Tax Facility Fund/Lodger's Tax	\$628,125	\$85,000
TOTAL (if SUBTOTAL, check here X)					\$1,040,335	\$110,171

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY/LINE/ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	1502	412	10-22	ASD/IT - Salaries & Wages/Classified Employees	\$13,320	
101	1502	412	20-01	ASD/IT - Benefits/FICA Regular	\$826	
101	1502	412	20-02	ASD/IT - Benefits/FICA-Medicare	\$194	
101	1502	412	20-03	ASD/IT - Benefits/Retirement	\$2,736	
101	1502	412	20-06	ASD/IT - Benefits / Retiree Health Care	\$266	
101	1502	412	80-15	Computer and Peripherals	\$22,100	
TOTAL (if SUBTOTAL, check here X)					\$39,442	\$0

Requesting Department Approval: Carole H. Jaramillo Title: Finance Division Director Date: _____
 Finance Department Approval: _____ Entered by: _____ Date: _____
 County Manager Approval: _____ Updated by: _____ Date: _____

SANTA FE COUNTY
RESOLUTION 2016 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
215	0000	385	02-00	Lodger's Tax Advertising Fund/Budgeted Cash	\$121,875	
220	0000	385	02-00	Indigent Hospital (GRT) Fund/Budgeted Cash	\$43,671	
222	0000	385	02-00	Fire Excise Tax/Budgeted Cash	\$24,150	
244	0000	385	02-00	Fire Operating Fund/Budgeted Cash	\$29,392	
245	2101	385	02-00	RECC Ops Fund/Budgeted Cash	\$105,000	
TOTAL (if SUBTOTAL, check here X)					\$324,088	\$0

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY/LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0601	441	10-22	PWD/Admin - Salaries & Wages/Classified Empl.	\$18,200	
101	0601	441	20-01	PWD/Admin - Benefits/FICA Regular	\$1,130	
101	0601	441	20-02	PWD/Admin - Benefits/FICA - Medicare	\$264	
101	0601	441	20-03	PWD/Admin - Benefits/Retirement	\$3,738	
101	0601	441	20-05	PWD/Admin - Benefits/Healthcare	\$2,000	
101	0601	441	20-06	PWD/Admin - Benefits/Retiree Health Care	\$364	
101	1517	412	75-06	ASD/Risk Mgt. - General Liability Premium	73,442	
101	1517	412	75-16	ASD/Risk Mgt. - Gen. Liability Deductible	\$50,000	
101	1517	412	75-04	ASD/Risk Mgt. - Property Insurance Premium	\$4,609	
101	1517	412	75-05	ASD/Risk Mgt. - Prof. Liability Insurance	\$4,069	
101	0000	490	0204	General Fund Transfer Out to Road Fund		\$25,171
101	0000	490	0246	General Fund Transfer Out to Law Enf. Ops. Fund	\$128,924	
101	0000	490	0247	General Fund Transfer Out to Corrections Ops.	\$26,199	
Subtotal General Fund					\$327,210	
TOTAL (if SUBTOTAL, check here X)					\$312,939	\$25,171

SANTA FE COUNTY
RESOLUTION 2016 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1201	390	01-01	Law Enf. Ops Fund Transfer In from General Fnd	\$128,924	
247	0000	390	01-01	Corrections Ops Transfer In from General Fund	\$26,199	
247	0000	385	02-00	Corrections Ops Fund/Budgeted Cash	\$337,000	
				Subtotal Corrections Operations Fund	\$363,199	
313	0000	385	02-00	Capital Outlay GRT/Budgeted Cash		\$673,403
414	0000	390	03-13	Operating Transfer In	\$76,597	
XTOTAL (if SUBTOTAL, check here X)					\$568,720	\$673,403
NET REVENUE INCREASE/(DECREASE)					\$1,149,569	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY/EINE/ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
204	0611	451	75-01	Road Maintenance/Brokerage & Policy Fees		\$959
204	0611	451	75-03	Road Maintenance/Auto Insurance Premiums		\$24,212
				Subtotal Road Fund		\$25,171
214	0310	433	50-03	Lodger's Tax Fac. Fund/Contractual Services	\$750,000	
214	0759	481	80-01	Lodger's Tax Fac. Fund/Cap-Bldgs.& Structures	\$628,125	
				Subtotal Lodger's Tax Facility Fund		
215	0320	433	50-03	Lodger's Tax Adv. Fund/Contractual Services	\$121,875	
220	0420	461	72-01	Healthcare Assistance/Sole Comm. Provider	\$43,671	
222	0821	422	80-09	Fire Excise Tax /Cap-Vehicle/Heavy Equipment	\$24,150	
244	0801	421	75-14	Fire Operating Fund/Property Ins. Deductible	\$25,000	
244	0801	421	75-04	Fire Operating Fund/Property Ins. Premium	\$4,392	
				Subtotal Fire Operating Fund	\$29,392	
TOTAL (if SUBTOTAL, check here X)					\$969,088	\$147,046

SANTA FE COUNTY
RESOLUTION 2016 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
TOTAL (if SUBTOTAL, check here)						

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
245	2101	428	80-03	RECC/Cap. - Equipment & Machinery	\$30,000	
245	0303	428	80-03	RECC/Cap.- Equipment & Machinery	\$75,000	
				Subtotal RECC Ops Fund	\$105,000	
246	1201	424	75-05	Law Enf. Ops. Fund/Prof. Liability Ins.	\$128,924	
247	1860	426	50-82	Corrections/ADF-Food Service	\$35,000	
247	1860	426	70-06	Corrections/ADF-Garbage & Sewer	\$11,000	
247	1860	426	70-07	Corrections/ADF-Water	\$45,000	
247	1863	426	50-81	Corrections/Medical-Medical Services	\$239,000	
247	1865	426	50-03	Corrections/EM - Contractual Services	\$129,000	
247	1870	426	50-82	Corrections/YDP-Food Services	\$17,000	
247	1870	426	75-05	Corrections/YDP - Prof. Liability Premiums	\$26,199	
247	1863	426	10-22	Corrections/Medical-Classified Employees		\$139,000
				Subtotal Corrections Ops Fund	\$363,199	
313	0000	490	04-14	CO GRT/Transfers Out to Fund 414	\$76,597	
313	0759	481	80-01	CO GRT/Cap. - Bldgs. & Structures		\$750,000
				Subtotal CO GRT Fund		\$673,403
TOTAL (if SUBTOTAL, check here X)					\$812,720	\$889,000

SANTA FE COUNTY
RESOLUTION 2016 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY/ BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
TOTAL (if SUBTOTAL, check here)						

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY/ BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY/LINE/ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
414	1630	419	90-00	NMFA Debt Service/Principal Payment	\$52,579	
414	1630	419	90-02	Debt Service/Interest Payment	\$21,016	
414	1630	419	90-03	Debt Service/Fees	\$3,002	
				<i>Subtotal NMFA Debt Service Fund</i>	<i>\$76,597</i>	
TOTAL (if SUBTOTAL, check here X)					\$76,597	\$0
NET EXPENDITURE INCREASE/(DECREASE)					\$1,149,569	

SANTA FE COUNTY
RESOLUTION 2016 - _____

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (if applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose. During the last two weeks in January, 2016 the Finance Division with the County Manager's Office conducted mid-year budget reviews to discuss and assess any issues with the FY 2016 budgets that Departments and Elected Offices may be experiencing. Several issues were identified through this process and are addressed in this resolution. Among them are, several capital needs identified, adjustment of budgets erroneously entered at the beginning of the fiscal year, additional contractual services for food, EM equipment and agency medical personnel as needed for the operation of the correctional facilities, multi-line and liability insurance premiums and deductibles resulting from higher than budgeted increases, additional debt service, and for and salary and benefits needed to cover positions which were reclassified to improve efficiency.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title
101-1502-412	Position reclassified to supervisor needed for public safety	Classified position w/ benefits	Public Safety IT Supervisor
101-0601-441	Position reclass from CMO to PWD	Classified position w/ benefits	Sustainability Mgr.
247-1863-426	Nursing vacancy savings needed to cover contract		

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
101-1502-412-80-15	ASD/IT - Two Cisco routers	\$22,100
214-0310-433-50-03	Lodger's Tax Fac. Fund advertising contract allocation moved to Lodger's Tax Adv. Fund	(\$121,875)
214-0759-481-80-01	Lodger's Tax Facility Fund for County Fairgrounds Project	\$750,000
215-0320-433-50-03	Lodger's Tax Fac. Fund advertising contract allocation moved to Lodger's Tax Advertising Fund	\$121,875
245-2101-428-80-03	PSD/RECC - Mobile Command Center equipment	\$30,000
245-0303-428-80-03	PSD/RECC - Radio equipment	\$75,000
222-0821-422-80-09	PSD/Fire - Air delivery equipment for emergency vehicle	\$24,150
247-1860-426-50-82	PSD/Corrections - Additional funds for inmate food services at ADF	\$35,000
247-1863-426-50-81	PSD/Corrections - Contracted medical personnel	\$239,000
247-1865-426-50-03	PSD/Corrections - Electronic Monitoring equipment contract - (BI contract)	\$129,000
247-1870-426-50-82	PSD/Corrections - Additional funds for inmate food services at YDF	\$17,000

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense

SANTA FE COUNTY
RESOLUTION 2016 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Carole Jaramillo Dept/Div: CMO/Finance Phone No.: 505-995-2780

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
Lodger's Tax (214), Budgeted Cash in Funds 101, 214, 215, 220, 222, 245, 247, 313, Operating Transfer In 204, 246, 247, 414.
- a) If this is a state special appropriation, YES _____ NO X _____
If YES, cite statute and attach a copy.
- b) Does this include state or federal funds? YES _____ NO X _____
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
- c) Is this request is a result of Commission action? YES _____ NO X _____
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
- d) Please identify other funding sources used to match this request.

SANTA FE COUNTY
RESOLUTION 2016 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

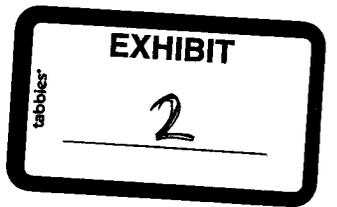
Approved, Adopted, and Passed This 23rd Day of February, 2016.

Santa Fe Board of County Commissioners

Miguel M. Chavez, Chairperson

ATTEST:

Geraldine Salazar, County Clerk



LEGISLATIVE REPORT

February 23, 2016

Santa Fe County Commission Meeting

SFC CLERK RECORDED 03/31/2016

Board Of County Commissioners' Meeting Report

2016 REGULAR SESSION SCHEDULE (30-Day Session):

February 18 Session ends (noon)

March 9 Legislation not acted upon by governor is pocket vetoed

May 18 Effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

All other acts become effective 90 days after adjournment of Legislature or at date specified in the act.

2016 BILL STATISTICS

Statistics for All Bills	Total
Bills Introduced	1013
Bills Passed in 1st House	378
Bills Passed in 2nd House	122
Bills Sent to Governor	9
Bills Signed into Law	1

Statistics for House Bills	Total
Bills Introduced	514
Bills Passed in 1st House	199
Bills Passed in 2nd House	57
Bills Sent to Governor	4
Bills Signed into Law	1

Statistics for Senate Bills	Total
Bills Introduced	499
Bills Passed in 1st House	179
Bills Passed in 2nd House	65
Bills Sent to Governor	5
Bills Signed into Law	0

NOTABLE LEGISLATION – PASSED

Budget

HB2 & HB 311

House Appropriations Committee substitute combines HB2 (General Appropriation Act) and HB4 (transportation portion of the act) for a \$6.3 billion budget. Funding levels have been downsized due to the anticipated reduction of some \$200 million in revenue. Combines \$52 million in cash reserves from state agencies and other reserve accounts to provide approximately \$81 million in spending increases.

The Senate Finance Committee amendment to HB311 transfers \$49.6 million to the operating reserve in FY16 and \$89 million to the general fund appropriations account in FY17 to balance spending contained in HB2.

SPECIFIC FUNDS REVERTED TO GENERAL FUND FOR FY2017:

- \$1,000,000 from legislative cash balances.
- \$1,000,000 from Attorney General's Consumer Settlement Fund
- \$1,000,000 from Weight Distance Tax Identification Permit Fund
- \$6,000,000 from Delinquent Property Tax Fund
- \$4,000,000 from Local DWI Grant Fund
- \$8,750,000 from State Government Unemployment Compensation Reserve Fund
- \$1,500,000 from Mortgage Regulatory Fund
- \$450,000 from Insurance Fraud Fund
- \$6,500,000 from Worker's Compensation Administration Fund
- \$1,000,000 from Employment Security Department Fund, Workforce Solutions Dept.
- \$1,500,000 from Rural Infrastructure Revolving Loan Fund
- \$1,000,000 from Professional Engineers' and Surveyors' Fund
- \$242,600 from Real Estate Recovery Fund
- \$105,200 from Construction Industries Division Publications Revolving Fund
- \$1,448,600 from Barbers and Cosmetologists Fund
- \$153,400 from Athletic Commission Fund
- \$319,400 from Counseling and Therapy Practice Board Fund
- \$538,500 from Chiropractic Fund
- \$116,800 from Nutrition and Dietetics Fund
- \$102,400 from Nursing Home Administrators Fund
- \$316,600 from Board of Examiners for Occupational Therapy Fund
- \$300,700 from Optometry Fund
- \$526,400 from Board of Osteopathic Medical Examiners Fund
- \$109,200 from Podiatry Fund
- \$635,100 from Physical Therapy Fund
- \$204,900 from Thanatopractice License Fund
- \$39,400 from Interior Design Board Fund
- \$175,200 from Landscape Architects Fund
- \$251,200 from Speech Language Pathology, Audiology and Hearing Aid Dispensers Board Fund
- \$72,200 from Respiratory Care Fund
- \$85,700 from Athletic Trainer Practice Board Fund
- \$65,200 from Impaired Dentists and Dental Hygienists Fund
- \$100,000 from Board of Acupuncture and Oriental Medicine

\$300,000 from Psychology Fund
\$100,000 from Board of Social Work Examiners

Treasurer Investment

SB56

Clarifies that county and municipal treasurers may invest sinking funds and money remaining unexpended from any bond or security issue, as long as the money is not needed for public use, in federally insured obligations, including brokered certificates of deposit, certificate of deposit account registry service and federally insured cash accounts. This is in addition to the other permissible investment categories already specified in the existing statute.

Amends Sec. 6-10-10 (Deposit and Investment of Funds)

Advanced Mapping

SB224

Creates the Advanced Mapping Fund; provides for advanced mapping of trails and rights of way by the Rio Grande Trail Commission, including trail development. Fund to be administered by the Department of Energy, Minerals and Natural Resources.

Senate Finance Committee amendment to SB224 struck the \$1 million appropriation to the Advanced Mapping Fund.

Senate Floor Amendment to SB224 provides for funds in the Advanced Mapping Fund, which are appropriated to the Energy, Minerals and Natural Resources Department, to be used as matching funds for federal grants to conduct advanced mapping projects statewide, and the other purposes specified in the bill.

Denial of Bail (Constitutional Amendment)

SJR1

Proposes to amend Article 2, Section 13, of the state Constitution to grant courts of record new authority to deny release on bail pending trial for dangerous defendants in felony cases. Retains and expands the right to pretrial release for nondangerous defendants.

Real I.D.

HB99

Proposes to reconcile state law with the Federal REAL ID Act of 2005 by authorizing the Taxation and Revenue Department to issue two different types of state driver's licenses and identification cards. (1) The first is for U.S. citizens and foreign nationals with lawful status who qualify for licenses and ID cards that comport with the REAL ID Act. (2) The second is a "driving privilege card" intended for foreign nationals who are unable to demonstrate authorized legal presence in the United States, and which requires a fingerprint background check. Does away with the current blanket provision under which foreign nationals may use a taxpayer identification (ID) number instead of a social security number regardless of immigration status to obtain a driver's license or state identification card

Local Produce for Schools

HB2 - Component of Public Education Budget

The final Senate and House approved version of the budget had "New Mexico grown fresh fruits and vegetables" funded at an amount of \$250,000.00

Local Curfew

HB29

Proposes a new section to the Children’s Code that gives the governing body of a county or municipality (includes a city, town or village) authority to adopt a curfew ordinance to regulate actions of children between midnight and 5:00 a.m., and to regulate the actions of children during daytime hours on school days. Calls for a minimum of nine exemptions to the curfew that take into account emancipated minors, travel to and from work, and attendance at school or religious functions. The ordinance shall not impose criminal penalties for curfew violation.

Bill made it as far as Senate Judiciary Committee.

Retired Law Enforcement Return to Work

HB171

Adds an exception in the Public Employees Retirement Act to allow certain retired certified law enforcement officers to return to work without foregoing pension payments, with certain provisos. The retiree’s pension, including any cost-of-living adjustments, shall continue to be paid during the period of subsequent employment

Bill made it as far as Senate Public Affairs Committee.

Preempt Local Regulations on Wages

HB211

Bars local governments from mandating that an employer pay a wage higher than the New Mexico minimum wage; repeals the existing statutory grandfathering of such local laws in effect on January 1, 2007.

Bill made it as far as House Agenda

Hold Harmless Distribution Change

HB233

Ensures that municipalities and counties cannot receive more revenue from a combination of hold harmless tax revenue plus hold-harmless distribution than the gross receipts tax revenue the government would have received had the food and medical deductions not existed. Also phases in a transfer of motor vehicle excise tax revenues from the state General Fund to the State Road Fund and Local Governments Road Fund.

Bill scheduled for 1st committee but not heard.

SB281

Repeals both the gross receipts deduction for receipts from selling food and the hold-harmless distributions to municipalities and counties based on sales of food. Cuts gross receipts and compensating tax rates by one-eighth percent as of July 1, 2016. Declares an emergency.

Bill never scheduled for 1st committee.

Qualifications for Sheriff

SB203

SPAC substitute for SB203 retains the intent of the original to establish new qualifications for the office of County Sheriff, but the proposed qualifications differ from those in the original measure. The substitute would require at least five, not seven, years of professional law enforcement experience, some of which could include military law enforcement.
Bill advanced through one committee.

SJR23
Joint Resolution to amend the Constitution to provide that, except for H Class Counties (Los Alamos) in order to be elected or appointed as a sheriff, a person shall meet the qualifications as provided by law.

Bill advanced through one committee.

Liquor Excise Tax to All Counties

SB332
SPAC substitute for SB332, a dummy bill, allows all counties (not just McKinley County) to impose a local liquor excise tax. It also increases criminal penalties for driving while intoxicated. Effective July 1, 2016.

Bill advanced through one committee.

ALL LEGISLATION PASSED THROUGH BOTH HOUSES

BILL	DESCRIPTION	House 1			House 2			PL/Chap	Last Action	Status
		I	C	RC	P	C	RC				P
HB2	<i>Larranaga (R27)</i> GENERAL APPROPRIATION ACT OF 2016 HAFC substitute combines HB2 (General Appropriation Act) and HB4 (transportation portion of the act) for a \$6.3 billion budget. Funding levels have been downsized due to the anticipated reduction of some \$200 million in revenue. Combines \$52 million in cash reserves from state agencies and other reserve accounts to provide approximately \$81 million in spending increases (see companion bill, HB311, as amended).	.	.	.	.	.	.		02/17/2016	HCONCUR
HB12	<i>Lundstrom (D9)</i> PUBLIC PROJECT LOAN AUTHORIZATIONS (Endorsed by the New Mexico Finance Authority Oversight Committee) Authorizes the New Mexico Finance Authority to make the following 115 public project loans from the Public Project Revolving Fund (loans less than \$1 million do not require specific authorization and need not be identified in this act):	.	.	.	.	.	.		02/17/2016	SPASS
HB17	<i>Garcia Richard (D43)</i> VETERAN REDEFINED TO QUALIFY FOR RESIDENT TUITION For purposes of qualifying for as resident tuition as a veteran, the definition of the term "veteran" has been revised to mean a New Mexico resident who is a citizen of the United States, was regularly enlisted, drafted, inducted or commissioned in the:	.	.	.	.	.	.		02/16/2016	HCONCUR
HB18	<i>Garcia Richard (D43); Neville (R2)</i> LOS ALAMOS COUNTY FULL-TIME EMPLOYEES SALARY STRUCTURE Provides for certain Los Alamos full-time county officials to receive a maximum annual salary of \$65,855.	.	.	.	.	.	.		02/16/2016	SPASS
HB19	<i>Rodella (D41)</i> DRINKING WATER STATE REVOLVING LOAN FUND APPROPRIATION (Endorsed by the New Mexico Finance Authority Oversight Committee) Appropriates \$1.8 million (nonreverting) from the Public Project Revolving Fund to the Drinking Water State Revolving Loan Fund, for use in FYs 2017 and subsequently, to provide state matching funds for federal Safe Drinking Water Act projects and to carry out the purposes of the Drinking Water State Revolving Loan Fund Act.	.	.	.	.	.	.		02/18/2016	SPASS
HB27	<i>Gallegos, David (R61)</i> PROTECTIVE ORDERS FOR RAPE VICTIMS Related to 2015 SB134; SB135, SB177 and SB 178) In the sentencing proceeding for a person convicted of criminal sexual penetration, a prosecutor may ask that the court grant the victim an order of protection to remain in effect for the duration of the court's jurisdiction over the person. After expiration of the court's jurisdiction, the victim may file a petition for an order of protection against the person and submit evidence of the person's conviction as cause to grant the order.	.	.	.	.	.	.		02/17/2016	HCONCUR
HB28	<i>Gallegos, David (R61)</i> RELATIVES' STANDING AND NOTICE IN CHILD ABUSE AND NEGLECT PROCEEDINGS Relates to child abuse and neglect; provides for grandparents and other relatives of a child to be notified when the child is taken into custody by law enforcement or when CYFD files for custody of the child; provides for court to consider the child's familial identity and connections; changes procedures for permanency hearings; and modifies and expands confidentiality provisions.	.	.	.	.	.	.		02/17/2016	SPASS
HB33	<i>Adkins (R29)</i> DELAYS ECONOMIC DEVELOPMENT REVOLVING FUND PROJECT APPROVAL DATE (Endorsed by the New Mexico Finance Authority Oversight Committee) (Related to 2013 SB118; 2011 SB454) Delays the implementation by three years of an act relating to the New Mexico Finance Authority that provides for standard projects	.	.	.	.	.	.		02/18/2016	SPASS

SEC CLERK RECORDED 03/31/2016

	that receive Economic Development Revolving Fund funding to be approved first by law. Instead of July 1, 2016, the approval of standard projects by law would be delayed until July 1, 2019.												
HB43	<i>Rehm (R31)</i> INJURED PUBLIC SAFETY EMPLOYEES' BENEFIT COVERAGES (Similar to 2014 HB194) Prescribes employer payment of member insurance and pension contributions and establishes procedures for accrual of service credit for public safety employees who were injured while on public-safety duty.	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB48	<i>Montoya (R1)</i> OSTEOPATHY MEDICINE ACT (Identical to SB78) (Very similar but not identical to 2015 HB398 as HRPAC substituted and twice amended on the House Floor) A 40-page bill that renames Sec. 61-10-1, et seq., as the "Osteopathic Medicine Act;" repeals the Osteopathic Physicians' Assistants Act and adds provisions relating to osteopathic physician assistants to the Osteopathic Medicine Act; creates a Board of Osteopathic Medicine and revises provisions relating to board duties, licensure and fees for osteopathic physicians, osteopathic physician assistants and pharmacist clinicians. Also makes changes to Sec. 61-11B-3 to require the Board of Osteopathic Physicians to adopt regulations for osteopathy physicians who supervise pharmacy clinicians. (2016:SB78)	•	•	•	•	•	•	•	•	•	•	02/18/2016	HCONCUR
HB61	<i>Stapleton (D19); James (R24)</i> ACCOUNTS FOR PERSONS WITH DISABILITIES ACT (For the Revenue Stabilization and Tax Policy Committee) (Related to 2015 HB448) Creates the Accounts for Persons with Disabilities Act as enabling legislation for the federal Achieving a Better Life Experience Act; requires the office of the State Treasurer to establish and maintain program for accounts; declares emergency for immediate effective date.	•	•	•	•	•	•	•	•	•	•	02/16/2016	SPASS
HB65	<i>Maestas Barnes (R15); Crowder (R64)</i> CHILD PORN IMAGES AS SEPARATE OFFENSES & SENTENCE ENHANCEMENT (Similar to 2015 HB440 and HB251) SPAC substitute for HB65 addresses the issue of penalties for crimes enumerated in Sec. 30-6A-3 (Sexual Exploitation of Children) but takes a very different approach to increasing those penalties in certain types of cases.	•	•	•	•	•	•	•	•	•	•	02/18/2016	HPASS
HB70	<i>Trujillo, C. (D46); Pacheco (R23)</i> HEARING AID OPTIONS: CONNECTIONS WITH ASSISTIVE LISTENING SYSTEMS Relates to consumer information being provided at the time of an initial examination about the availability of assistive listening systems with hearing aid devices.	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB72	<i>Gentry (R30); Pacheco (R23)</i> YOUTHFUL OFFENDER CONDITIONS OF RELEASE HRPAC substitute for HB72 continues the basic intent to amend the Criminal Procedure Act to allow a court, when considering setting of bail or conditions of release of a person charged with a crime, or in sentencing a person, altering a basic sentence or imposing a period of parole, to consider a juvenile disposition and evidence given in a court hearing that occurred when the person was a youthful offender.	•	•	•	•	•	•	•	•	•	•	02/18/2016	HCONCUR
HB92	<i>Woolley (R66)</i> PEACE OFFICER SURVIVOR BENEFITS FOR MOUNTED PATROL MEMBERS (Similar to 2015 HB430) Relating to law enforcement; amends the Peace Officers' Survivors Supplemental Benefits Act to include benefits for New Mexico Mounted Patrol members' survivors.	•	•	•	•	•	•	•	•	•	•	02/15/2016	SPASS
HB93	<i>Woolley (R66)</i> PROCUREMENT PREFERENCES: VETERAN BUSINESS, VETERAN CONTRACTOR & RECYCLED GOODS (Similar to 2015 HB557) Relating to procurement; amends the Resident Veteran Business Preference Act to impose limits on resident veteran businesses that may qualify for the 10 percent preference on public bids. Applies the preference to a resident veteran business, including all of its subsidiaries with annual gross revenues up to \$3 million in the preceding tax year. Affects formal bids on purchases and public works contracts. Abolishes provision that would have authorized a 5 percent preference for recycled content goods beginning July 1, 2022. Abolishes provision that would have ended the 10 percent veteran contractor preference in 2022.	•	•	•	•	•	•	•	•	•	•	02/17/2016	HCONCUR

	NATIONAL GUARD AND STATE DEFENSE FORCE AWARDS Authorizes award of five new medals or ribbons to members of the State Defense Force and the National Guard of New Mexico.																					
HB160	<i>Crowder (R64)</i> WASTEWATER SYSTEM FINANCING Appropriates \$1.4 million (nonreverting) from the Public Project Loan Fund to the Wastewater Facility Construction Loan Fund for expenditure in FY 2017 and subsequent fiscal years to provide state matching funds for federal Clean Water Act projects and to carry out the purposes of the Wastewater Facility Construction Loan Act.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB166	<i>Baldonado (R8)</i> HOME INSPECTOR LICENSING ACT HRPAC Substitute for HB166 continues to create the Home Inspector Licensing Act to regulate and supervise the business of home inspection and evaluation by a newly created New Mexico Home Inspectors Board. The substitute retains all the major provisions in the original bill as it was subsequently amended by the House Business and Employment Committee (which changed the residency requirement for home inspector board members to at least three consecutive years immediately prior to appointment; did away with the home inspector advisory panel; and provided for fees collected to be deposited in a fund, which the substitute renames the Home Inspector Fund). Effective date of the act is January 1, 2017.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SCAL
HB167	<i>Eggell (R58)</i> WATER PROJECT LOANS AND GRANTS (Identical to SB106) Authorizes the New Mexico Finance Authority to make loans or grants from the Water Project Fund to the following qualifying entities for the following qualifying water projects on terms and conditions established by the Water Trust Board and the New Mexico Finance Authority: (2016:SB106)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB168	<i>Youngblood (R68)</i> TRANSPORTATION NETWORK COMPANY SERVICES ACT Regulates "ride-sharing" companies. Creates the Transportation Network Company Services Act to ensure the safety, reliability and cost-effectiveness of transportation network company services and to preserve and enhance access to transportation options. The act is to be administered and governed exclusively by the PRC. Sets forth a thorough framework for the regulation of the companies. Imposes a \$10,000 annual permit fee. Includes vehicle insurance coverage requirements. Creates a fund and provides penalties.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	EFP
HB176	<i>Gallegos, David (R61); Padilla (D14)</i> WEIGHT LIMITS FOR NATURAL GAS VEHICLES ADJUSTED Requires the Motor Transportation Division of the Department of Public Safety to adjust, by rule, the axle standard gross weight limits for natural gas vehicles.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HB177	<i>Tripp (R49); Papen (D38)</i> SOLO-WORKER JOB CREATION (Identical to 2015 SB530, HB450) Creates the Solo-Worker Program in the Economic Development Department. Appropriates \$500,000 (GF 2017) to the department for expenditure in FY 2017 to implement the provisions of the program.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HB185	<i>Adkins (R29)</i> TAX REFUND DESIGNATION TO VETERANS' STATE CEMETERY FUND The longstanding option for income taxpayers to donate part of their tax refunds to the national veterans' cemetery in Santa Fe is revised. Now such donations will be deposited instead into the newly created veterans' state cemetery fund. Proceeds in this fund are appropriated to the Veterans' Services Department for unspecified purposes.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB187	<i>Roch (R67)</i> ALTERNATE LEVEL THREE-B LICENSE FOR SCHOOL ADMINISTRATOR APPLICANTS Creates an alternative level three-B license to be granted to school administrator for the Legislative Education study committee applicants. The license is for a term of five years and may be renewed upon satisfactory annual demonstration of instructional leader and administrative competency.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	GOV
HB192	<i>Eggell (R58)</i> LODGERS' TAX REVENUE MAY BE USED FOR AIR SERVICE GUARANTEE In addition to other permitted uses, allows revenues from a municipal or county	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SCAL

	lodgers' tax (also known as occupancy tax) to provide a required minimum revenue guarantee for air service to that municipality or county to increase the ability of tourists to easily access local tourist-related facilities, attractions and events.																					
HB203	<i>Ruiloba (D12)</i> INTERLOCK DEVICE FUND Increases the amount that the Traffic Safety Bureau shall pay monthly for ignition interlock device verification for indigent people, from \$30 to \$50.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/16/2016	SPASS
HB206	<i>Brown (R55)</i> DESIGN-AND-BUILD FOR FEDERAL-AID HIGHWAYS Amends the Procurement Code to apply existing design and build project delivery authority for road and highway projects to federal-aid highways.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB219	<i>Harper (R57)</i> STATEWIDE GOVERNMENT PROJECTS: SEVERANCE TAX BOND PROCEEDS Authorizes issuance of severance tax bonds; clarifies conditions for issuance of bonds; establishing conditions for expenditure of bond proceeds; establishes conditions for the reversion of unexpended balances; makes appropriations.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HB242	<i>Fajardo (R7)</i> EXTENDS DISTRIBUTION TO STATE AVIATION FUND Makes permanent a temporary distribution to the State Aviation Fund of 0.46 percent of the net receipts attributable to the gross receipts tax. The distribution is otherwise set to expire June 30, 2018.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	HCONCUR
HB249	<i>Trujillo, C. (D46)</i> RESTATES DUE DATES FOR PERSONAL AND CORPORATE INCOME TAXES Declares that a taxpayer's due date for filing a state income tax return and paying tax is the same as for federal income tax purposes. For taxpayers filing electronically, the due date becomes the last day of the month in which the return and payment were originally due. This extended due date, however, does not apply to taxpayers who have received a filing extension from New Mexico or an automatic extension from the IRS. Applies to taxable years beginning or after January 1, 2016.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB250	<i>Cook (R56)</i> UNIFORM MONEY SERVICES ACT (Almost identical to 2016 SB473, as amended) Creates the Uniform Money Services Act relating to money services businesses. Broadly speaking, the act, which was promulgated by the National Conference of Commissioners on Uniform State Laws in 2000, provides that a person may not engage in specific regulated activities (money transmission, check cashing, and currency exchange) unless they hold a qualifying license or are an authorized delegate of a person holding a qualifying license. The Financial Institutions Division of the Regulation and Licensing Department (FID) is responsible for issuance of the licenses contemplated by the bill.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB252	<i>Trujillo, J. (D45)</i> MOTOR CARRIER ACT EXEMPTION FOR AGENCY ON AGING TRANSPORTATION Makes an exemption from the Motor Carrier Act for entities including the State and Area Agencies on Aging that provide supplemental transportation services through funding to under Title III of the federal Older Americans Act of 1965; eliminates a conflict with the federal law by removing them from the requirement to obtain operating authority from the Public Regulation Commission.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB270	<i>McMillan (R37)</i> TORT LIABILITY: NO NEW MEXICO JURISDICTION OVER OUT-OF-STATE HEALTH CARE PROVIDERS (Identical to SB121) Relates to health care professional liability. Prohibits a New Mexico resident from bringing a tort liability action in New Mexico for health-care services that the person received from a health care provider in another state or jurisdiction. Requires New Mexicans who choose to receive health care outside of New Mexico, and who believe they have been harmed, to bring the claim or action in the jurisdiction where the services were received. (2016:SB121)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HCONCUR
HB277	<i>McMillan (R37)</i> POSSESSION AND USE OF OPIOID ANTAGONISTS (Related to SB100) HHC Substitute for HB277 continues the intent of, and is almost identical to, the original bill to authorize possession, storage, distribution, prescription, dispensing and administration of FDA-approved opioid antagonists such as Naxalone; provide for Department of Health-registered overdose	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS

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	prevention and education services; and to limit liability, with three exceptions: (2016:SB100)																				
HB280	<i>Cook (R56)</i> UNIFORM LAWS FOR TRUSTS AND PROBATE (Duplicate of SB91; merges provisions of 2015 SB60 and HB183) This 88-page bill proposes to enact new uniform measures related to trusts and probate. Proposes to enact the Uniform Powers of Appointment Act (UPAA) to codify the law related to creation, revocation and amendment of powers of appointment. Proposes to enact the Uniform Trust Decanting Act (UTDA) to allow for changing outdated terms of an otherwise irrevocable trust. Revises the Rule against Perpetuities to exclude a property interest held in trust, and provide for distribution of the interest 365 years after the later of the date that the interest is added to or purchased by the trust or that the trust becomes irrevocable. Makes technical and conforming changes to the Uniform Probate Code and the Uniform Trust Code. Amends the Uniform Probate Code regarding notice, time for presentation of claims, penalties, and closing of an estate. (2016:SB91)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HCONCUR
HB283	<i>Larranaga (R27)</i> LOWERING UNEMPLOYMENT COMPENSATION TAX RATES BY AN EXPERIENCE HISTORY FACTOR Reduces contribution rate for employers with high employer's reserves (indicating lower turnover) and, for calendar years 2016 through 2018, limits increases in the combined employer's contribution rate plus excess claims rate to no more than two percent per year.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS
HB289	<i>Townsend (R54)</i> GEOTHERMAL RESOURCES DEVELOPMENT ACT (Duplicate of SB223) Cited as the Geothermal Resources Development Act, the bill contains elements of both functional and structural reorganization of a major component of the cabinet-level Energy, Minerals and Natural Resources Department (EMNRD) relating to the regulation of geothermal resources on public or private land. Renames the Geothermal Resources "Conservation" Act as the Geothermal Resources "Development" Act and transfers policy and regulatory authority over the act from the Oil Conservation Commission to the Energy Conservation and Management Division of the EMNRD. (2016:SB223)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HCONCUR
HB296	<i>Montoya (R1)</i> MAGISTRATE, METRO & MUNICIPAL CONVICTIONS AS ADULTS (Related to 2013 SB0522) Amends the Probation and Parole Act by changing the meaning of "adult" to mean any person convicted of a crime in magistrate, metropolitan or municipal court, in addition to district court.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HB311	<i>Hall, J. C. (R28)</i> TRANSFERS AND REVERSIONS TO GENERAL FUND--\$221 MILLION PLUS Reverts in excess of \$221,763,700 to the 2016 General Fund Operating Account, the 2017 Appropriation Account of the General Fund, and the Tobacco Settlement Program Fund. A total of \$169,755,000 is transferred in FY 2016 and approximately \$52,008,700 is transferred in FY 2017. These amounts do not include a transfer that is identified as 50% of the FY 2017 distribution to the Master Settlement Agreement relating to the Tobacco Settlement Program Fund. (Contingencies apply to amounts taken from New Mexico Finance Authority and the Tobacco Settlement Program Fund.)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HCONCUR
HB336	<i>Gentry (R30)</i> CRIMINAL RECORDS DATABASE & AOC REPORTS TO FBI HRPAC substitute for HB336 replaces a dummy bill, Vests the Secretary of Public Safety with the power to create and maintain a criminal records database that merges criminal records data from multiple databases, and give courts and law enforcement agencies access to comprehensive criminal background records of criminal suspects and defendants.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HJM1	<i>Smith (R22); Cisneros (D6)</i> PROTECTION OF CULTURAL ITEMS AND PROPERTIES (For the Indian Affairs Committee) Resolves that the Attorney General and the Cultural Affairs Department work with tribes to stem theft, wrongful sale and alienation of cultural items and properties.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	SPASS
HJM3	<i>Fajardo (R7)</i> ENVIRONMENTAL EDUCATION WEEK AND GRANT PROGRAM Stresses the need for environmental education and recites the benefits already derived by 300 students who participated in an environmental literacy planned	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	SPASS

	and legacy students as provided in the Legislative Lottery Tuition Scholarship Act.																					
SB81	<i>Beffort (R19)</i> INCREASED INSTRUCTION PILOT PROJECT FOR K-5 PLUS THROUGH GRADE 5 Relates to public education; provides funding for a pilot project that will devote more instructional time to literacy, numeracy and social skills in certain schools.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	HPASS
SB84	<i>Lopez (D11)</i> PERMANENT ORDERS OF PROTECTION (Identical to 2015 SB134 as substituted by SPAC and HB123 as substituted by HSCAC) In sentencing a person convicted of criminal sexual penetration, gives the court authority to enhance an order of protection by issuing an order that remains in effect for the duration of the criminal court's jurisdiction over the person	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/15/2016	HPASS
SB92	<i>Barela (R39)</i> RAPID WORKFORCE DEVELOPMENT ACT Creates the Rapid Workforce Development Act, establishes a board and appropriates funds to support the act, and authorizes the board to decide on expenditure.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/18/2016	HPASS
SB97	<i>Martinez, Richard (D5)</i> JUDGE PRO TEMPORE FUND Creates the nonreverting Judge Pro Tempore Fund in the State Treasury to be administered by the Administrative Office of the Courts. The fund shall pay the costs of judges pro tempore. The fund shall consist of appropriations, gifts, grants, donations and bequests. Income from the fund shall be credited to the fund, and payments made on vouchers signed by the Director of the Administrative Office of the Courts or the Director's designee on warrants drawn by the Secretary of Finance and Administration	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/16/2016	HPASS
SB102	<i>Martinez, Richard (D5)</i> WASTEWATER SYSTEM FINANCING Appropriates \$1.4 million (GF 2017 nonreverting) from the Public Project Revolving Fund to the Wastewater Facility Construction Loan Fund pursuant to Sec. 6-21-6.1 NMSA for expenditure in FY 2017 and subsequent fiscal years to provide state matching funds for federal Clean Water Act projects, and to carry out the purposes of the Wastewater Facility Construction Loan Act.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HPASS
SB105	<i>Beffort (R19)</i> EXPEDITING ISSUANCE OF OCCUPATIONAL AND PROFESSIONAL LICENSES Relates to expediting the process for issuance of occupational and professional licenses to persons who already hold a license that is current and in good standing issued by another jurisdiction in the United States.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HPASS
SB106	<i>Cervantes (D31)</i> WATER PROJECT LOANS AND GRANTS (Endorsed by the New Mexico Finance Authority Oversight Committee) (Identical to HB167) Authorizes the New Mexico Finance Authority to make loans or grants from the Water Project Fund to the following qualifying entities for the following qualifying water projects on terms and conditions established by the Water Trust Board and the New Mexico Finance Authority: (2016:HB167)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/16/2016	HPASS
SB108	<i>Ingle (R27)</i> INSURANCE CODE REVISIONS (Related to 2015 SB663 and SB577; 2014 SB56) This 135-page bill retains the basic structure and purpose of Articles 11 and 12 of the Insurance Code, but rewrites them in many instances to regulate licensing and activities of "insurance producers" to ensure that insurance services and products of professional integrity and competence are provided. Much of the language in repealed and replaced sections in the 2015 bills is included in SB108 in the form of amended sections, perhaps to make clear where changes have been made to existing statute. Creates the Insurance Licensee Continuing Education Fund.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HPASS
SB110	<i>Cisneros (D6)</i> FOREST AND WATERSHED MANAGEMENT PROJECTS Relates to changes in authorized receipts and uses of money in the Forest Land Protection Revolving Fund.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	GOV
SB113	<i>Papen (D38); Pacheco (R23)</i> ASSISTED OUTPATIENT TREATMENT ACT (Almost identical to 2015 SJC substitute for SB53 passed by the Senate, amended in HJC and passed by the House but died API) Proposes the Assisted Outpatient Treatment Act to provide a framework for assisted outpatient treatment for certain	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	02/17/2016	HPASS

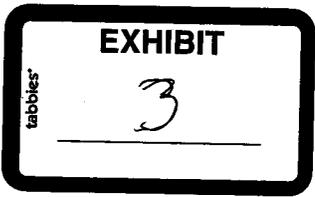
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	SALE OF ALCOHOL IN GROWLERS Amends the Liquor Control Act to require the Alcohol and Gaming Division of the Regulation and Licensing Department to provide by rule to allow for the segregated sales of beer, wine or cider that is packaged in a growler.																		
SB171	<i>Pirtle (R32)</i> NO HANDHELD CELL PHONES FOR COMMERCIAL DRIVERS Relates to commercial driver's licenses; prohibits use of a handheld mobile communication device while driving a commercial vehicle.	•	•	•	•	•	•							02/17/2016	HPASS				
SB172	<i>Cisneros (D6)</i> REVERSION OF UNEXPENDED BALANCES OF APPROPRIATIONS An act to reauthorize or reappropriate balances, expand or change purposes, extend expenditure periods and establish conditions for reversion of unexpended balances of appropriations from prior years; declares an emergency.	•	•	•	•	•	•							02/17/2016	SCONCUR				
SB173	<i>Cisneros (D6)</i> INTERSTATE MINING COMPACT (Similar to 2015 SB285) Provides for the enactment into law of the Interstate Mining Compact.	•	•	•	•	•	•							02/17/2016	HPASS				
SB176	<i>Torraco (R18)</i> EMERGENCY CHILD PLACEMENT BACKGROUND CHECKS (Similar to 2014 SB111) Makes it mandatory, rather than discretionary, to immediately remove a child from an emergency placement home if any adult resident in the home refuses to provide fingerprints for submission to the Federal Bureau of Investigation for a criminal background check.	•	•	•	•	•	•							02/17/2016	HPASS				
SB189	<i>Campos, P. (D8)</i> CIGARETTE TAX BONDS FOR DEPARTMENT OF HEALTH FACILITIES Permits the New Mexico Finance Authority to sell up to \$5 million in cigarette-tax revenue bonds. Dedicates proceeds to acquiring land for and planning, constructing and equipping Department of Health facilities or improvements to those facilities.	•	•	•	•	•	•							02/17/2016	HPASS				
SB193	<i>Moore (R21); Cisneros (D6)</i> ALCOHOL SALES AT SKI AREAS Amends the Liquor Control Act to allow alcoholic beverages to be sold on the grounds of ski areas.	•	•	•	•	•	•	•						02/17/2016	GOV				
SB210	<i>Stewart (D17); Clabchischilliage (R4)</i> LANGUAGE ACCESS FUND FOR THE COURTS (Endorsed by the Courts, Corrections and Justice Committee) Relates to court administration; creates the Language Access Fund to provide for language access services in the courts.	•	•	•	•	•	•							02/16/2016	HPASS				
SB211	<i>Ryan (R10)</i> TECHNICAL CHANGES TO FILM PRODUCTION TAX CREDIT ACT Almost a dummy bill, makes mainly nonsubstantive, technical changes to seven of the sections of the Film Production Tax Credit Act. Does allow a film production company to assign payment of an authorized film or television tax credit to a third-party financial institution.	•	•	•	•	•	•							02/17/2016	HPASS				
SB214	<i>Candelaria (D26)</i> WORKERS' COMPENSATION BENEFITS PAYABLE IN PROPORTION TO WORKER'S INTOXICATION (Identical to 2016 HB63, similar to 2015 HB238) Reduces the amount of workers' compensation benefits payable in proportion to the percent a worker's use of alcohol or illegal drugs or misuse of prescription drugs contributed to the worker's injury or death. (2016:HB63)	•	•	•	•	•	•							02/17/2016	HPASS				
SB215	<i>Smith (D35)</i> DESIGN-AND-BUILD FOR FEDERAL-AID HIGHWAYS (Identical to 2016 HB206) Amends the Procurement Code to apply existing design and build project delivery authority for road and highway projects to federal-aid highways. (2016:HB206)	•	•	•	•	•	•							02/17/2016	HPASS				
SB223	<i>Griggs (R34)</i> GEOTHERMAL RESOURCES DEVELOPMENT ACT Cited as the Geothermal Resources Development Act, the bill contains elements of both functional and structural reorganization of a major component of the cabinet-level Energy, Minerals and Natural Resources Department (EMNRD) relating to the regulation of geothermal resources on public or private land. Renames the Geothermal Resources "Conservation" Act as the Geothermal Resources "Development" Act and transfers policy and regulatory authority over the act from the Oil Conservation Commission to the Energy Conservation and Management	•	•	•	•	•	•							02/16/2016	HPASS				

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	Division of the EMNRD.																		
SB224	<i>Cisneros (D6)</i> ADVANCED MAPPING AND RIO GRANDE TRAIL DEVELOPMENT. (Conflicts with SB30) Creates the Advanced Mapping Fund; provides for advanced mapping of trails and rights of way by the Rio Grande Trail Commission (commission mentioned in bill title but not in body of bill), including trail development; makes an appropriation.	•	•	•	•	•	•	•	•							02/18/2016	HPASS		
SB234	<i>Pirtle (R32)</i> INSURANCE CREDENTIALING FOR HEALTH CARE PROVIDERS Relates to health insurance by refining requirements for health insurers to credential health care providers. Ensures that providers (physician-applicant) awaiting credentialing decisions from a Health Plan receive prompt payment for clean claims and interest on unpaid claims to the same extent as providers participating in the Health Plan's network. All remedies available to a participating provider are available to an applicant. Applies to claims submitted for payment on or after January 1, 2017.	•	•	•	•	•	•	•	•							02/17/2016	HPASS		
SB257	<i>Rodriguez (D24)</i> MAGISTRATE, METRO & MUNICIPAL CONVICTIONS AS ADULTS (Related to 2013 SB0522) Amends the Probation and Parole Act by changing the meaning of "adult" to mean any person convicted of a crime in magistrate, metropolitan or municipal court, in addition to district court.	•	•	•	•	•	•	•	•							02/17/2016	HPASS		
SB262	<i>Martinez, Richard (D5)</i> POSSESSION AND USE OF OPIOID ANTAGONISTS (Identical to 2016 HB0277; Related to 2016 SB100) Provides for authorized possession, storage, distribution, prescription, dispensing and administration of FDA-approved opioid antagonists such as Naxalone; providing for Department of Health-registered overdose prevention and education services; limiting liability. (2016:HB277; 2016:SB100)	•	•	•	•	•	•	•	•							02/17/2016	HPASS		
SB263	<i>Martinez, Richard (D5)</i> REGULATION OF OPIOID DISTRIBUTION (Related to 2016 SB0262, SB100, HB277) Requires practitioners, who prescribe, administer or dispenses an opioid to a patient to obtain and review reports from the state's prescription monitoring program and from other states for that patients (2016:SB262; 2016:SB100; 2016:HB277)	•	•	•	•	•	•	•	•							02/17/2016	HPASS		
SB270	<i>Neville (R2)</i> OFF-HIGHWAY VEHICLES ON PAVED ROADS (Related to 2015 HB502) Creates exceptions in the Off-highway Motor Vehicle Act to the prohibition against operating recreational off-highway and all-terrain vehicles on paved roads except where barred by local ordinance; permits a local authority by ordinance or resolution to establish separate speed limits and operating restrictions for off-highway vehicles where they are authorized to operate on paved roads by to this measure.	•	•	•	•	•	•	•	•							02/18/2016	SCONCUR		
SB280	<i>Sanchez, M. (D29)</i> LEGISLATIVE LOTTERY SCHOLARSHIP CHANGES (Conflicts with SB103) Clarifies certain definitions and other language in the Legislative Lottery Tuition Scholarship Act, to bring greater uniformity to the process of calculating distribution amounts for scholarships for each type of institution.	•	•	•	•	•	•	•	•							02/18/2016	HPASS		
SB306	<i>Stewart (D17)</i> SCHOOL DISTRICT BUDGET FLEXIBILITY SB306 substitutes a dummy bill and adds a three-year temporary provision to the Public School Code, for the 2016-2017 through 2018-2019 school years, to give school districts budget flexibility to deal with decreased state fiscal support. It allows the Secretary of Public Education to waive certain requirements in law and requires PED to monitor these waivers and report to the Legislative Education Study Committee and the Legislative Finance Committee on any issues or actions of districts that appear to adversely affect student learning.	•	•	•	•	•	•	•	•							02/18/2016	HPASS		
SJM1	<i>Ortiz y Pino (D12)</i> RECONVENE J. PAUL TAYLOR EARLY CHILDHOOD TASK FORCE (For the Legislative Health and Human Services Committee) Resolves that the University of New Mexico reconvene the 2015 J. Paul Taylor Early Childhood Task Force to continue working in 2016 to improve collaboration among stakeholders to support implementation and sustainability of the task force's recommended early childhood behavioral health action plan and child abuse prevention plan.	•	•	•	•	•	•	•	•							02/16/2016	HPASS		
SJM2	<i>Stewart (D17)</i>	•	•	•	•	•	•	•	•							02/16/2016	HPASS		

	Ratifies the donation and transfer of real property owned by the state at 301 Mills Avenue in the City of Las Vegas to the City of Las Vegas, which desires to use the property for city offices and governmental functions. The property is valued at over \$100,000. Copies of this resolution are to be transmitted to the Secretary of General Services, the Capitol Buildings Planning Commission and the city manager of the City of Las Vegas.											
SJR19	<i>Kernan (R42)</i> APPROVING SALE OF PROPERTY OWNED BY THE PECOS VALLEY REGIONAL EDUCATION COOPERATIVE Joint Resolution ratifying and approving the sale of real property owned by the Pecos Valley Regional Education Cooperative and used for its main offices on the condition that the cooperative concurrently purchase or lease a replacement real property.	•	•	•	•	•	•			02/18/2016	HPASS	



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SENATE BILL 56

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Nancy Rodriguez

AN ACT

RELATING TO PUBLIC FINANCE; CLARIFYING THE TYPES OF INVESTMENTS
IN WHICH COUNTY AND MUNICIPAL TREASURERS MAY INVEST CERTAIN
PUBLIC MONEY; MAKING A TECHNICAL CORRECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 6-10-10 NMSA 1978 (being Laws 1933,
Chapter 175, Section 4, as amended) is amended to read:

"6-10-10. DEPOSIT AND INVESTMENT OF FUNDS.--

A. Upon the certification or designation of a bank,
savings and loan association or credit union whose deposits are
insured by an agency of the United States to receive public
money on deposit, the state treasurer and county or municipal
treasurers who have on hand any public money by virtue of their
offices shall make deposit of that money in banks and savings
and loan associations and may make deposit of that money in

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1 credit unions whose deposits are insured by an agency of the
2 United States, designated by the authority authorized by law to
3 so designate to receive the deposits of all money thereafter
4 received or collected by the treasurers.

5 B. County or municipal treasurers may deposit money
6 in one or more accounts with any such bank, savings and loan
7 association or credit union located in their respective
8 counties, subject to limitation on credit union accounts.

9 C. The state treasurer may deposit money in one or
10 more accounts with any such bank, savings and loan association
11 or credit union, subject to the limitation on credit union
12 accounts.

13 D. Duplicate receipts or deposit slips shall be
14 taken for each deposit made pursuant to Subsection A, B or C of
15 this section. When deposits are made by the state treasurer,
16 one copy of the receipt or deposit slip shall be retained by
17 the state treasurer and the other copy shall be filed monthly
18 on the first day of each month with the financial control
19 division of the department. When deposits are made by the
20 treasurer or any other authorized person making the deposits
21 for a board of finance of a public or educational institution,
22 one copy of the receipt or deposit slip shall be retained by
23 the treasurer or authorized person making the deposit and the
24 other copy shall be filed monthly on the first day of each
25 month with that board of finance. When deposits are made by a

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1 county or municipal treasurer, one of the duplicate receipts or
2 deposit slips shall be retained by the treasurer making the
3 deposit and the other copy shall be filed monthly on the first
4 day of each month with the secretary of the board of finance of
5 the county or municipality for which that treasurer is acting.

6 E. "Deposit", as used in this section, means either
7 investment or deposit and includes share, share certificate and
8 share draft.

9 F. County or municipal treasurers, with the advice
10 and consent of their respective boards of finance charged with
11 the supervision and control of the respective funds, may invest
12 all sinking funds or money remaining unexpended from the
13 proceeds of any issue of bonds or other negotiable securities
14 of any county, municipality or school district that is
15 entrusted to their care and custody and all money not
16 immediately necessary for the public uses of the counties,
17 municipalities or school districts not invested or deposited in
18 banks, savings and loan associations or credit unions in:

19 (1) bonds or negotiable securities of the
20 United States, the state or a county, municipality or school
21 district that has a taxable valuation of real property for the
22 last preceding year of at least one million dollars
23 (\$1,000,000) and that has not defaulted in the payment of any
24 interest or sinking fund obligation or failed to meet any bonds
25 at maturity at any time within five years last preceding; [or]

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1 (2) securities that are issued and backed by
2 the full faith and credit of the United States government or
3 issued by its agencies or instrumentalities; or

4 ~~(3) federally insured obligations, including~~
5 ~~brokered certificates of deposit, certificate of deposit~~
6 ~~account registry service and federally insured cash accounts.~~

7 G. The treasurer of a class A county or the
8 treasurer of a municipality having a population of more than
9 sixty-five thousand according to the most recent federal
10 decennial census and located within a class A county, with the
11 advice and consent of the boards of finance charged with the
12 supervision and control of the funds, may invest all sinking
13 funds or money remaining unexpended from the proceeds of any
14 issue of bonds or other negotiable securities of the county or
15 municipality that is entrusted to the treasurer's care and
16 custody and all money not immediately necessary for the public
17 uses of the county or municipality not invested or deposited in
18 banks, savings and loan associations or credit unions in:

19 (1) shares of a diversified investment company
20 registered pursuant to the federal Investment Company Act of
21 1940 that invests in fixed-income securities or debt
22 instruments that are listed in a nationally recognized, broad-
23 market, fixed-income-securities market index; provided that the
24 investment company or manager has total assets under management
25 of at least one hundred million dollars (\$100,000,000) and

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1 provided that the board of finance of the county or
2 municipality may allow reasonable administrative and investment
3 expenses to be paid directly from the income or assets of these
4 investments;

5 (2) individual, common or collective trust
6 funds of banks or trust companies that invest in fixed-income
7 securities or debt instruments that are listed in a nationally
8 recognized, broad-market, fixed-income-securities market index;
9 provided that the investment company or manager has total
10 assets under management of at least one hundred million dollars
11 (\$100,000,000) and provided that the board of finance of the
12 county or municipality may allow reasonable administrative and
13 investment expenses to be paid directly from the income or
14 assets of these investments; or

15 (3) shares of pooled investment funds managed
16 by the state investment officer, as provided in Subsection [E]
17 I of Section 6-8-7 NMSA 1978; provided that the board of
18 finance of the county or municipality may allow reasonable
19 administrative and investment expenses to be paid directly from
20 the income or assets of these investments.

21 H. A local public body, with the advice and consent
22 of the body charged with the supervision and control of the
23 local public body's respective funds, may invest all sinking
24 funds or money remaining unexpended from the proceeds of any
25 issue of bonds or other negotiable securities of the investor

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1 that is entrusted to the local public body's care and custody
2 and all money not immediately necessary for the public uses of
3 the investor and not otherwise invested or deposited in banks,
4 savings and loan associations or credit unions in contracts
5 with banks, savings and loan associations or credit unions for
6 the present purchase and resale at a specified time in the
7 future of specific securities at specified prices at a price
8 differential representing the interest income to be earned by
9 the investor. The contract shall be fully secured by
10 obligations of the United States or other securities backed by
11 the United States having a market value of at least one hundred
12 two percent of the contract. The collateral required for
13 investment in the contracts provided for in this subsection
14 shall be shown on the books of the financial institution as
15 being the property of the investor and the designation shall be
16 contemporaneous with the investment. As used in this
17 subsection, "local public body" includes all political
18 subdivisions of the state and agencies, instrumentalities and
19 institutions thereof; provided that home rule municipalities
20 that prior to July 1, 1994 had enacted ordinances authorizing
21 the investment of repurchase agreements may continue investment
22 in repurchase agreements pursuant to those ordinances.

23 I. The state treasurer, with the advice and consent
24 of the state board of finance, may invest money held in demand
25 deposits and not immediately needed for the operation of state

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1 government and money held in the local government investment
2 pool, except as provided in Section 6-10-10.1 NMSA 1978. The
3 investments may be made in securities that are issued and
4 backed by the full faith and credit of the United States
5 government or issued by its agencies or instrumentalities.

6 J. The state treasurer, with the advice and consent
7 of the state board of finance, may also invest in contracts for
8 the present purchase and resale at a specified time in the
9 future, not to exceed one year or, in the case of bond
10 proceeds, not to exceed three years, of specific securities at
11 specified prices at a price differential representing the
12 interest income to be earned by the state. Such contract shall
13 not be invested in unless the contract is fully secured by
14 obligations of the United States or its agencies or
15 instrumentalities or by other securities backed by the United
16 States or its agencies or instrumentalities having a market
17 value of at least one hundred two percent of the amount of the
18 contract. The securities required as collateral under this
19 subsection shall be delivered to a third-party custodian bank
20 pursuant to a contract with the state and the counterparty or
21 to the fiscal agent of New Mexico or its designee. Delivery
22 shall be made simultaneously with the transfer of funds or as
23 soon as practicable, but no later than the same day that the
24 funds are transferred.

25 K. The state treasurer, with the advice and consent

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1 of the state board of finance, may also invest in contracts for
2 the temporary exchange of state-owned securities for the use of
3 broker-dealers, banks or other recognized institutional
4 investors in securities, for periods not to exceed one year for
5 a specified fee rate. Such contract shall not be invested in
6 unless the contract is fully secured by exchange of an
7 irrevocable letter of credit running to the state, cash or
8 equivalent collateral of at least one hundred two percent of
9 the market value of the securities plus accrued interest
10 temporarily exchanged. The collateral required by this
11 subsection shall be delivered to the state of New Mexico or its
12 designee simultaneously with the transfer of funds or as soon
13 as practicable, but no later than the same day that the state-
14 owned securities are transferred.

15 L. Neither of the contracts in Subsection J or K of
16 this section shall be invested in unless the contracting bank,
17 brokerage firm or recognized institutional investor has a net
18 worth in excess of five hundred million dollars (\$500,000,000).

19 M. The state treasurer, with the advice and consent
20 of the state board of finance, may also invest in any of the
21 following investments in an amount not to exceed forty percent
22 of any fund that the state treasurer invests:

- 23 (1) commercial paper rated "prime" quality by
24 a national rating service, issued by corporations organized and
25 operating within the United States;

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1 (2) medium-term notes and corporate notes with
2 a maturity not exceeding five years that are rated A or its
3 equivalent or better by a nationally recognized rating service
4 and that are issued by a corporation organized and operating in
5 the United States; or

6 (3) an asset-backed obligation with a maturity
7 not exceeding five years that is rated AAA or its equivalent by
8 a nationally recognized rating service.

9 N. The state treasurer, with the advice and consent
10 of the state board of finance, may also invest in:

11 (1) shares of an open-ended diversified
12 investment company that:

13 (a) is registered with the United States
14 securities and exchange commission;

15 (b) complies with the diversification,
16 quality and maturity requirements of Rule 2a-7, or any
17 successor rule, of the United States securities and exchange
18 commission applicable to money market mutual funds; and

19 (c) assesses no fees pursuant to Rule
20 12b-1, or any successor rule, of the United States securities
21 and exchange commission, no sales load on the purchase of
22 shares and no contingent deferred sales charge or other similar
23 charges, however designated, provided that the state shall not,
24 at any time, own more than five percent of a money market
25 mutual fund's assets;

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1 (2) individual, common or collective trust
2 funds of banks or trust companies that invest in United States
3 fixed-income securities or debt instruments authorized pursuant
4 to Subsections I, J and M of this section, provided that the
5 investment manager has assets under management of at least one
6 billion dollars (\$1,000,000,000) and the investments made by
7 the state treasurer pursuant to this paragraph are less than
8 five percent of the assets of the individual, common or
9 collective trust fund;

10 (3) the local government investment pool
11 managed by the office of the state treasurer. Investments made
12 pursuant to this paragraph shall, in aggregate, be no more than
13 thirty-five percent of the total assets of the local government
14 investment pool;

15 (4) securities issued by the state of New
16 Mexico, its agencies, institutions, counties, municipalities,
17 school districts, community college districts or other
18 subdivisions of the state, or as otherwise provided by law; or

19 (5) securities issued by states other than New
20 Mexico or governmental entities in states other than New
21 Mexico.

22 0. Public funds to be invested in negotiable
23 securities or loans to financial institutions fully secured by
24 negotiable securities at current market value shall not be paid
25 out unless there is a contemporaneous transfer of the

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1 securities at the earliest time industry practice permits, but
2 in all cases, settlement shall be on a same-day basis either by
3 physical delivery or, in the case of uncertificated securities,
4 by appropriate book entry on the books of the issuer, to the
5 purchaser or to a reputable safekeeping financial institution
6 acting as agent or trustee for the purchaser, which agent or
7 trustee shall furnish timely confirmation to the purchaser."

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THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

RESOLUTION NO. 2016-_____

A RESOLUTION DELEGATING TO THE COUNTY MANAGER THE AUTHORITY TO DETERMINE WHETHER SANTA FE FILM AND MEDIA STUDIOS, INC. HAS SATISFIED ITS ECONOMIC DEVELOPMENT GOALS AND THE AUTHORITY TO EXECUTE ON BEHALF OF THE COUNTY A FULL OR PARTIAL RELEASE OF THE LEDA PARCEL AS SECURITY FOR SANTA FE FILM AND MEDIA STUDIOS, INC.'S AND LA LUZ HOLDINGS, LLC'S OBLIGATIONS UNDER THE LEDA PERFORMANCE AND RIGHT OF REPURCHASE AGREEMENT

WHEREAS, Santa Fe County ("County") and Santa Fe Film and Media Studios, Inc. ("Santa Fe Studios") and La Luz Holdings, LLC ("La Luz") are parties to a variety of agreements concerning the real property and improvements located at 1 Santa Fe Studios Drive Santa Fe NM 87508, including the Restated and Amended Project Participation and Land Transfer Agreement ("PPA") and LEDA Performance and Right of Repurchase Agreement ("LEDA Performance Agreement"); and

WHEREAS, under Section 7.2.1 of the PPA, Santa Fe Studios was required to provide 500,000 qualifying hours of above-minimum wage jobs in connection with Phase 1A of the Project, as defined in the PPA, within six (6) years after the Closing Date, as defined in the PPA (the "Economic Development Goals"); and

WHEREAS, Santa Fe Studios and La Luz have various obligations under the LEDA Performance Agreement, including the completion of Phase 1A of the Project by the sixth anniversary of the Closing Date, among other things; and

WHEREAS, Santa Fe Studios and La Luz's obligations under the LEDA Performance Agreement are secured by a Mortgage, recorded with the Santa Fe County Clerk as Instrument No. 1591147 on February 17, 2010, as Supplemented by the Supplemental Mortgage, recorded with the County Clerk as Instrument No. 1615945 on November 3, 2010 (collectively, "Mortgage"); and

WHEREAS, the Mortgage secures other obligations of Santa Fe Studios and La Luz to the County; and

WHEREAS, the real property subject to the Mortgage consists of Lots 1, 2, 3, 4, and 5 as shown on the Plat of Survey entitled "Lot Line Adjustment Plat and Easement Plat for the County of Santa Fe, a New Mexico Political Subdivision", filed for record as Document Number 1585956, Plat Book 771, pages 24-26; and

WHEREAS, the so-called LEDA Parcel consists solely of Lot 1 as shown on the plat referenced in the previous recital; and

WHEREAS, under Section 3(a) of the LEDA Performance Agreement, La Luz and Santa Fe Studios are to notify the County when they feel Santa Fe Studios has fully satisfied the Economic Development Goals and request that the County provide it with a full release of the LEDA Parcel from the Mortgage as security for the performance of their obligations under the LEDA Performance Agreement; and

WHEREAS, once the County receives the request for a full release, it has ninety (90) days in which to verify whether the Economic Development Goals have been satisfied; and

WHEREAS, in the event the County determines that the Economic Development Goals have not been fully satisfied, the County may execute a partial release corresponding to the partial satisfaction of the Economic Development Goals; and

WHEREAS, execution of a full or partial release does not release the LEDA Parcel as security for any other obligations of Santa Fe Studios or La Luz “to the County secured by the Mortgage, which obligations shall remain in effect according to their respective terms” (LEDA Performance Agreement, Section 3(c); *see also* Exhibits C and D); and

WHEREAS, on December 4, 2015, Santa Fe Studios and La Luz provided notice to the County that Santa Fe Studios had satisfied the Economic Development Goals and that they were requesting a full release of the LEDA Parcel from the Mortgage as security for the performance of their obligations under the LEDA Performance Agreement; and

WHEREAS, verification that the Economic Development Goals have been satisfied and execution of a full or partial release of the LEDA Parcel from the Mortgage relative to the LEDA Performance Agreement are executive functions within the general authority and responsibility of the County Manager; and

WHEREAS, the Board of County Commissioners desires to expressly delegate to the County Manager the authority to exercise these executive functions for the avoidance of doubt.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby delegates to the County Manager the authority to determine whether Santa Fe Studios has fully or partially satisfied its Economic Development Goals; provided, however, that the County Manager shall report her verification methodology and determination to the Board at a duly called public meeting.
- 4.2. The Board hereby delegates to the County Manager the authority to negotiate and execute an agreement extending the deadline by which the County must verify whether Santa Fe Studios has met its Economic Development Goals.
- 2.3. The Board hereby delegates to the County Manager the authority to execute on behalf of the County a full or partial release of the LEDA Parcel as security for Santa Fe Studios’ and La Luz’s obligations under the LEDA Performance Agreement.

PASSED, APPROVED, AND ADOPTED this 23rd day of February, 2016.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Miguel M. Chavez, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer, County Attorney

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