

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR SESSION

February 24, 2015

Robert Anaya, Chair - District 3
Miguel Chavez, Vice Chair - District 2
Kathy Holian - District 4
Henry Roybal - District 1

Liz Stefanics - District 5 - EXCUSED

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

February 24, 2015

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:00 pm by Chair Robert Anaya 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 Robert Anaya, Chair
Commissioner Kathy Holian
Commissioner Miguel Chavez
Commissioner Henry Roybal

Members Excused:

Commissioner Liz Stefanics

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

Following the presentation of colors by the 996 Chapter of Vietnam Veterans, the Pledge of Allegiance was led by Colleen Baker, the State Pledge by Mark Hogan and the Moment of Reflection by Chaplain Jose Villegas. Margie Romero sang the National Anthem.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR ANAYA: Mr. Chair, are there any amendments:

KATHERINE MILLER (County Manager): Mr. Chair, yes, there's just a couple of items since we posted the agenda last Tuesday. The first item is on page 4, under Action Items, III. B. 2. The caption has been slightly amended. The item was there but it was just a change to the actual caption. Then also under Discussion and Information items, V. C, 3, under Matters from the County Manager, some updates relative to the Joint City Council/County Commission meeting that was held last Friday. We added a

meeting summary and appointments of Commissioners who would like to serve on some of the subcommittees we'll be putting together.

Then also under Matters from the County Attorney, item VI. A. 1.a, discussion of threatened or pending litigation involving the Sheriff's Office, and limited personnel matters concerning resignation of an employee at the Adult Detention Facility. Both of those items have been added. And those are the amendments that I have to the agenda.

CHAIR ANAYA: Thank you, Ms. Miller. I have a few others before I would entertain others from the Commissioners. Under Consent, I'm going to provide a brief opportunity for public comment for items except items that are for final approval for CDRC Cases, I'm going to provide public comment. Also under Action items, C. 4, Resolution to support equine culture, I'm going to move that to after the Consent Calendar, and also the capital project review from staff, which is – help me out here, Ms. Miller. Is it F. 3? Is that correct?

MS. MILLER: Yes, Mr. Chair.

CHAIR ANAYA: F. 3 after the equine culture resolution. Are there any other amendments from Commissioners?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I just want to ask about moving the capital budget item up so soon. I know that Commissioner Stefanics is trying to get here and I think that she really did want to be involved in that discussion.

CHAIR ANAYA: Commissioner Holian, I was aware of that and we did check relative to Commissioner Stefanics' travel plans and some of the connections that she was counting on were not working out. But we did check on that. Ms. Miller actually did check on that.

COMMISSIONER HOLIAN: So she will not be able to make it.

CHAIR ANAYA: It doesn't look like she'll be able to make it.

Commissioner Holian, what I would absolutely do if Commissioner Stefanics is able to come and has comments and other items she wants to weigh in on when she gets here I will absolutely provide her that opportunity.

COMMISSIONER HOLIAN: Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian. The reason I asked that it be moved up is because there's many individuals here associated with the equine resolution that are to put it frankly excited about things that we're going to do within that capital budget. But I will afford Commissioner Stefanics an opportunity to comment. Are there any other amendments? Seeing none, what's the pleasure of the Board?

COMMISSIONER CHAVEZ: Mr. Chair, I'll make a motion to approve the agenda as amended.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion from Vice Chair Chavez to approve the amended agenda, second by Commissioner Holian. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

I. G. Approval of Minutes
1. Approval of January 27, 2015 BCC Meeting Minutes

CHAIR ANAYA: What's the pleasure of the Board?

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

CHAIR ANAYA: Commissioner Holian moves for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second by Vice Chair Miguel Chavez. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

I. H. Honoring Our Veterans and Service Men and Women

CHAIR ANAYA: A continued theme associated with this Commission is honoring our veterans and I thank very much – before I go any further, let's give all of those members that area present from our armed forces a round of applause for being here and would you all stand please?

I also appreciate the feedback I received from my colleagues on the Commission at the last Commission meeting. Commissioner Stefanics in particular made suggestions about recognizing individuals and people in groups when we can do that, so today is going to be an example of following through with that excellent suggestion in doing so today and we'll continue to honor our veterans, those who currently serve in active duty, those who have been honorably discharged, as well as many of those who paid the ultimate sacrifice for this country.

The first individual that I would like to acknowledge is our own chaplain, Jose Lorenzo Villegas, Sr. Appointed by the Santa Fe Police Officers Association and the Santa Fe Department of Horses for Heroes New Mexico, Cowboy Up!, the New Mexico Department of Public Safety and the Federal Bureau of Investigation as its chaplain, Jose Villegas is a marine veteran, 0311 grunt, who has served this great nation from 1978 to 1985. Chaplain Villegas continues to serve the veteran community in Santa Fe County by providing a proper and dignified burial for unclaimed veterans, including unclaimed infants who are victims of crime. He also helps support victims and law enforcement officials due to the aftermath of violent crime and sudden death. Chaplain Villegas has volunteered countless hours to assist victims of violent crime, provided pastoral counseling, led emotional peer support discussions and served as a youth mentor. He has also contributed time to respond to families and colleagues of officers killed in the line of duty throughout the state of New Mexico. Chaplain Villegas is on call 24 hours a day and in response to emergencies in seven large counties if needed. He also organizes fundraising events for families of victims and for children and adults with terminal illness. He carries out this volunteer work in addition to holding a full-time job with Santa Fe County Public Safety Division as a special projects administrator. Please help me welcome and honor our chaplain, Jose Villegas.

I am also privileged to honor those that helped provide the presentation of our

colors and if they would please come forward and be recognized as well. Jerry Martinez, Chief Warrant Officer, 3R, US Marines, Vietnam era, 1972 to 2001; Ron Barela, Corporal, US Marines, Vietnam combat veteran, 1968 to 1970; Joseph Barros, Master Sergeant, retired US Army, Vietnam era, 1966 to 2004; Henry Griego, Sergeant, US Army, Vietnam combat veteran, 1969 to 1971; James Marsh, Chief Warrant Officer, 3rd US Army, Vietnam combat veteran, 1968 to 1993; Jesus Lopez, Sergeant, US Army, Vietnam combat veteran, 1967 to 1968. So if we all could stand on their behalf and provide them a warm thank you and welcome. Thank you very much. At this time I would defer to my colleagues for comments and then if we could we'd like to present each of you with a certificate and afford you an opportunity to say any words if you'd like. Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll take a stab at this. I don't know that there's anything else I can add to what's been said already except that I want to personally thank you for the sacrifices that you've made. I know Mr. Barros personally; the others, I've seen you at events and I know that your commitment to the community has continued after your service, your tour of duty. And so I hope that we will never forget the sacrifices that you made or the commitment and the contributions that you continue to make to our community. Thank you very much.

CHAIR ANAYA: Commissioner, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I too want to thank you for your service to our country and I know that during the time that the men and women who are in our armed services serve our country they make many, many sacrifices. And I think it's also important to remember that their families make sacrifices as well, and it's important for us to remember and honor those sacrifices. I think it's also important that we give our veterans the help that they need and the support that they need when they come home. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Roybal.

COMMISSIONER ROYBAL: I too just want to say thank you for everything that you guys have done and the service that you provided. My father was also a veteran from 1967 to 1968 in the Vietnam War and I know that it was a great toll to be in a war like that and I really appreciate everything you guys have done. Thank you.

CHAIR ANAYA: I would simply say to each of you standing in front of me that during that conflict and during the time in which veterans like yourself came home you didn't receive the acknowledgements and support that maybe you should have, plain and simple. And that we have an opportunity every year and every day to try and do the best we can to catch up and acknowledge and appreciate those sacrifices that you made and those sacrifices that those that lost their lives made, not only in your conflict but all of the other conflicts that our United States veterans served in. So thank you very much. If we could go down and we'd like to acknowledge you but I would defer to Mike, sir, to you, right back there.

UNIDENTIFIED SPEAKER: [inaudible] We are the Vietnam Veterans of American, Northern New Mexico Chapter, 996 and it is our privilege to be here at the County Commission and if the Commission remembers, a couple of years back, one of your cousins, one of our Vietnam veterans who was killed in Vietnam, they dedicated a

big bridge in Galisteo and we were privileged to be there. It was snowing but [inaudible]. It was something we'll never forget. Thank you.

CHAIR ANAYA: Thank you so much. One thing I wanted to add is I have in my pocket that I carry with me, the Legion Riders came and joined you today, one of the fine gentlemen gave me this coin at the dedication that we did at the Public Works Facility. So I'm thankful and honored that the Legion Riders were here today and as well as Rick Iannucci and Horses for Heroes as well. So thank you all very much. We'd like to present you with a small token of our appreciation through these certificates and if we could, if you'd allow us to we'd like to take a picture with you and also have the other veterans in the room come forward as well as the Legion Riders and get a large group photo if that's okay.

And I would like to acknowledge that the Legion Riders are combat veterans and we very much appreciate their service as well and we'll bring them back on another day as well. Thank you so much. Like I said, if you would please come forward and all those other veterans in the house if you'd please come forward as well. Thank you very much. I think what we'll go ahead and do is we each have some certificates. Mr. Shaffer and Madam Clerk and Ms. Miller, if you could help us as well.

[Certificates were presented and photographs taken.]

CHAIR ANAYA: Mr. Villegas, Mr. Chaplain, the floor is yours.

JOSE VILLEGAS: Yes, sir. I know you can see me. I was small. Mr. Chair, members of the Commission, I just wanted to say just a few words about today. It's very memorable to see our veterans. I was, in 1968 I was only ten years old when the Tet Offensive in Vietnam took place. Robert Kennedy was killed on that year. Martin Luther King also died in that year. Memories are real clear and real vivid in my mind. And so when the County Commission does these kind of things they're very memorable. It comes from the heart and we as veterans appreciate that, very much so. In Matthew, Chapter 5, Verse 16 it says Just so your light must shine before others that they may see your good deeds and glorify your heavenly father. Thank you for doing that, for being good people to us, us veterans. And I appreciate all the work that you guys have done for us. We'll continue to serve to the end. Semper fi.

CHAIR ANAYA: Thank you very much, Chaplain.

I. I. Employee Recognition
1. Introduction of New Employees

MS. MILLER: Mr. Chair, thank you. In your packet is a list of employees, new hires, from January 10th to February 6th. And I'm not sure which ones are actually here. I would just ask if they are here, because I know quite a few of them cannot be due to their work assignments being outside of this building, but if the ones who I do name that are here could just stand up and be recognized I'd like for you to at least put a face with the name. So we have quite a few new employees.

The first one is in our Finance Division, Accounting, Finance and Reporting

Manager, Lynette Kennard. Did Lynette make it over? There she is. Then in our Legal Office, assistant County Attorney Bruce Frederick. I know he just walked in. There he is. In Public Works we have three new custodians, Alex Griego, Kassandra Romero and John Vigil. In Public Safety we have two new detention officers, Dorian Avila and David Ruiz. Also in Public Works we have two new equipment operators, Lionel Martinez and Jose Soveranes. Hopefully I pronounced that correct. In Administrative Services Department we have a new IT desktop support specialist, Paul Herrera. In Public Safety, in Corrections we have a new nurse, LPN, Antoinette Baca and also in Public Safety Department, a registered nurse, Rosaura Bustillos.

So I just want to welcome them to the County and any of those that were here, welcome and I hope you enjoy working for Santa Fe County like I do.

CHAIR ANAYA: Thank you, Ms. Miller. Let's give all our new employees a round of applause.

MS. MILLER: Actually, Mr. Chair, I have one more because he is here but he was not on the printed list. In our Finance Department, Accountant Alex Cintron, and they say he's very tall. You can't miss him.

CHAIR ANAYA: And I'd just add, we're in discussions with the Commission and Ms. Miller about doing acknowledgements a few times during the year for our employees and maybe something coinciding with some of the other employee events that we do. So we'll be hearing some recommendations from Ms. Miller later at another meeting.

At this time, with the Commission's indulgence, I'd like to move an item up for Commissioner Roybal. It's a presentation item. It's going to be item V. B. 4.

V. B. 4. A Certificate of Acknowledgement Honoring Devin DeVargas for his 2015 High School Honors Performance Series at Carnegie Hall

COMMISSIONER ROYBAL: Thank you, Mr. Chair, fellow Commissioners. We're handing out a certificate today in honor of Devin DeVargas. He's a senior at Pojoaque High School and he auditioned this fall for the honors performance series and was accepted after review by the honors selection board. Acceptance to the elite group was a direct result of talent, dedication and achievement demonstrated in his application and audition recording. Devin will join other performers from the 49 states, several provinces in Canada and several foreign countries for a special performance and world-famous Carnegie Hall, a venue that marks the pinnacle of musical achievement. I'd also like to point out that Devin currently holds a 4.0 grade average. He's also ranked fourth in his class in Pojoaque. Devin has received a musical scholarship from Eastern New Mexico University and majors in music education.

On a personal note, I was the Pojoaque Valley Little League president for many years and I used to call his mom, Victoria, and ask them to come and present the colors at our opening day ceremonies and Devin always participated in that. A lot of times as a baseball player he'd come out of the line from the baseball players and join his fellow Boy Scouts to actually present those colors, so I really appreciated this boy or young man

really has done a lot and I'm very proud to have him here today. Parents and Devin, if you guys would like to come forward. I'd also like to mention he's the son of Victoria and Mateo DeVargas. Victoria is actually a County staff member who works in the Fire Prevention Department. If we could have a big round of applause for them please.

I'd also like to give Devin the opportunity to say something if he'd like or do you want to – do you have anything you'd like to say?

DEVIN DEVARGAS: Mr. Commissioner and Mr. Chair and Commissioners, I'd like to thank you for this opportunity for recognizing me. It really means a lot that the arts get recognized in this venue.

CHAIR ANAYA: Thank you, Commissioner Roybal and Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I just want to thank Commissioner Roybal for bringing this forward because it's not often that we have the opportunity to acknowledge young members of our community that are successful in making a positive contribution. I know music and art is not easy and so for you to excel in those areas, in addition to your other studies I think is phenomenal. It doesn't always happen. So I know that you will represent your community well at Carnegie Hall and wherever you do go in your future. So keep it up, Devin. Thank you.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Commissioner Roybal, and thank you for being here. You've achieved a lot in your life already. And I'm curious, what are you going to be playing at Carnegie Hall?

MR. DEVARGAS: I sing.

COMMISSIONER HOLIAN: Oh. And what are you going to be singing?

MR. DEVARGAS: A few different selections under Dr. Eph Ehly. I just flew back last actually from New York. So it was a few different classical pieces and a few more modern stuff.

COMMISSIONER HOLIAN: Wow. Well, maybe we can have you at a future meeting for the opening act. Anyway, thank you and congratulations.

CHAIR ANAYA: I would just congratulate you and is there anything you want to sing now? You don't have to. It's your call.

MR. DEVARGAS: I could.

CHAIR ANAYA: We'd be honored, but before you do, I want to say you're truly an extension of your parents and your family and I can see and know that you have strong parents. So you have much to be thankful for there. If you feel like you want to the mic is yours.

[Mr. DeVargas sang a selection from Schumann.]

CHAIR ANAYA: Victoria, or either of you like to say a few words.

VICTORIA DEVARGAS (Fire Prevention): Mr. Chair, Commissioners, we'd just like to thank you for this and recognizing students from the community and their accomplishments and just ask that in the future that any time the schools come to you for support with the arts programs that we continue it because it is something that both our kids are involved in and it's just amazing the talent that we have in our county

from our kids.

CHAIR ANAYA: Thank you so much, Commissioner Roybal. Sir, would you like –

MATEO DEVARGAS: Mr. Chair, Commissioners, thank you for having us today and all the support you guys have provided as well as the community of Pojoaque and surrounding areas did provide a lot of support to us so thank you very much, Mr. Chair and Commissioners.

CHAIR ANAYA: You're welcome. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say thank you guys for being here and I'd like to – where did Devin get most of his talent from? What about his teaching? Did he get a lot of direction from the teacher from the actual school or did he have private lessons?

MS. DEVARGAS: No, it would be Ms. Isabel Becker Hudson from the Pojoaque Schools. She's been an amazing director involved in the schools from elementary and fortunately as he continued through middle school and then also in high school. And then Devin also is an apprentice with the Sangre de Cristo Chorale here in Santa Fe. That's an awesome opportunity as well.

COMMISSIONER ROYBAL: Great.

CHAIR ANAYA: Commissioner Roybal, Commissioner Chavez would like to add something.

COMMISSIONER CHAVEZ: Devin, I just wanted if you would, for my information, what was the piece that you sang and give us some background on that piece.

MR. DEVARGAS: So it is called Widmung by Robert Schumann. It was written sometime in the 1800s and he wrote it and dedicated it to his wife on the occasion of their marriage. And it translates to something along the lines of you are my heart, you are my love, but you're also my pain but my joy. Which happens in love situations.

COMMISSIONER CHAVEZ: So it's definitely become a classic then. Thank you.

COMMISSIONER ROYBAL: And I'd really like to acknowledge the parents and all their support. It takes a lot of dedication and time to help your child to achieve this level and it's really paid off and I really feel that you guys have done a great job so I'd like to thank you for that and if we can have a round of applause for the parents.

MR. M. DEVARGAS: Mr. Chair, Commissioners, Devin's grandparents are here with us today too and his little brother as well, so thank you as well, and grandpa and grandma.

COMMISSIONER ROYBAL: It's definitely a joint effort for a family to come together and raise a child like this. At some time in the future I'd like to recognize Ms. Hudson and see if she could come in. I know that we do have a talented band that she's directing so I'd like to acknowledge her as well one day. Thank you guys.

CHAIR ANAYA: If the family would come forward, grandparents as well, and Commissioner Roybal will present Devin with a certificate and then we'd like

to take a picture if we could.

[A certificate was presented and photographs taken.]

I. I. 2. Recognition of Years of Service for Santa Fe County Employees

MS. MILLER: Mr. Chair, Commissioners, as you know, we last year started a years of service recognition program where we give employees a pin, just kind of commemorating their five, ten, 15, 20 25-year timeframes at Santa Fe County, and I'd like to say those are consecutive years. So it doesn't even count people who may have worked here then left and come back. But this month we have five employees that hit one of those significant milestones with Santa Fe County. One of them is Ignacio Dominguez. He's an employee development specialist in the Human Resources Division. He's had five years of service, started with us February 1st of 2010. Then we have two life skills workers II that are with our Corrections Department, Kenneth Roybal, who started with us February 2, 2010 and John Ortega, who started with us February 8, 2010. And then also in Corrections, one of our Adult Detention Center corporals who's been with us for five years since February 9, 2010, Nicholas Baca. And then last but not least, with a 10-year milestone, our transfer station caretaker in Public Works, Daryle Garris who started with us February 26, 2005.

So I just wanted to let the Commission know about those employees who've been with us for numerous consecutive years and how much we appreciate their service to Santa Fe County.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Mr. Vice Chair.

COMMISSIONER CHAVEZ: I want to echo the County Manager's sentiments and appreciation for the County employees that sit here today. Five-year and ten-year service milestone is a big investment. It's a big commitment. It means – it means a lot of dedication, but it makes the County stronger and it enables us to provide the services that are expected of us. So I want to personally thank those employees. Thank you.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I just too want to thank all of you employees who've been with us and those of you who are just starting. I've often said that the County government probably affects people's lives on a day-to-day basis more than the state government or the federal government does, and often people don't recognize that. And it really is you, you who are working on the front lines with the people in our county who make the difference as to their quality of life. And so I really appreciate all your hard work and I just want you to know that I get a lot of compliments on the hard work that you do. So people out there do appreciate it and they do tell us Commissioners that they do. Thank you.

CHAIR ANAYA: Well said, Vice Chairman Chavez and Commissioner Holian. We will continue to recognize and acknowledge all the employees and have great

appreciation for those that have been here for several years and their longevity. So thank you very much.

I. I. 3. Government Financial Officers Association Distinguished Budget Presentation Award to the County of Santa Fe for Fiscal Year Beginning July 1, 2013

MS. MILLER: Mr. Chair, I have one more employee recognition and this goes to our Finance Department. The Finance Division has received the Government Finance Officers Association Distinguished Budget Presentation Award for fiscal year 2014 for its public budget document. As you know, Santa Fe County is required by state law to submit an annual budget every – a draft budget or interim budget by May 31st and then a final budget by July 1st of every year, but the County Finance Division goes above and beyond that statutory requirement and actually puts together a public budget document that gives quite a bit more information to the public about the County's demographics, about our revenues, about our expenditures, about our performance-based budgeting, where the County sets its goals and how the policies of the Board are implemented through the budget.

It's about a two-inch document that requires a lot of writing, a lot of thought, a lot of data goes into that, and then it is submitted. Not only is it available for the public, but it's submitted to the Government Finance Officers Association which is an international organization of local and state finance individuals and public bodies, and submitted to them for an annual review. It's the highest award that can be provided for a budget document and Santa Fe County has the proud distinction of getting this award several years in a row. So I just want to say that each year, and I'll have to ask Carole how many years we've had it but I know for sure we've received this award since I've been here for the last four years, but I think that it's gone on for about seven or eight years. But the document contains information regarding the current fiscal year's budget in addition to historical information, budget policies, departmental goals and performance measures, as well as all types of other relevant information.

The award represents a significant achievement by the County and reflects its commitment to meeting the highest principles of governmental budgeting. The award is valid for a period of one year only so they have to submit for this every single year. And we believe that our current budget continues to perform to the program requirements and that we have a really outstanding budget document. So I would like to present to the Finance Division and in particular, Teresa Martinez, because this will be her final award, and to Carole Jaramillo, for all their hard work and the staff that helped them put this together and present this plaque. As I said, the GFOA got a little smarter. They now just give us little tabs to put on the plaque instead of sending us a different plaque every year, but I'd like to have the Commission present this to the Finance Division for their hard work in putting the budget document together and receiving this award.

CHAIR ANAYA: Thank you, Ms. Miller. We'll go to comments from Commissioners and then we'll do the presentation with a picture. Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Well, it's easy for me to say because all the

work's already been done, but here's another example of staff going above and beyond the call of duty doing this in addition to their normal duties and it puts Santa Fe County – it represents Santa Fe County on a national level. So that must mean that we're doing something right or we're doing a lot of things right, based on the comments that the Manager made regarding the process that you have to go through year after year just to be considered. So congratulations. Thank you for making Santa Fe County perform well and look good on a national stage. Thank you.

CHAIR ANAYA: Thank you, Commissioner Chavez. We'll go to Commissioner Holian then Commissioner Roybal, but I'd like the Finance staff, if you'd all come forward and sit in the front here we'd appreciate it very much. If you could please come forward, Finance staff. Or the second row. Second row works. We don't bite. Thanks for coming forward. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, congratulations to the Finance Department and thank you to Teresa and Carole for providing such good leadership in the department that we get these awards year after year. I know that I'm a little bit prejudiced but I really think that Santa Fe County has the best Finance Department in the entire state if not the entire country. And after hearing our County Manager's description of the public budget document it almost, but not quite, made me want to read it. Thank you.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Roybal.

COMMISSIONER ROYBAL: I'd like to thank you guys for your hard work. You can always tell when a department takes pride in their work and it's obvious with you guys that you guys take pride in what you do and it's really appreciated. Thank you guys very much.

CHAIR ANAYA: When excellence becomes routine you build tradition and you guys are setting tradition and standard very high, and for that I'm very appreciative and we can't say that without acknowledging our Manager over there who maybe is a little biased to Finance at times, but appreciate her efforts and your collective efforts as well. Thank you very much. Ms. Martinez. Let's give them a round of applause. And Ms. Martinez, the microphone is yours. When we speak of seniority and longevity and loyalty and hard work and dedication and all those things that come with a successful department and a successful County it comes with people and through people like yourself. So thank you for your continued work but the microphone is yours.

TERESA MARTINEZ (Finance Director): Thank you, Commissioners. This is hard as my ending gets closer and closer but I have to tell you that Finance in my opinion has always been a family environment, and it's like fighting with my brothers and sisters but when I need backing I've got backing like you wouldn't believe. We work hard together. We fight, believe us, but we work very hard and at the end of the day we'd give the shirt off our back for each other. So very appreciative for the people I work with and as hard as they work. And I have to say I was lucky to inherit most of the staff that was here. We're veterans; we stay a while. We obviously like it. Thank you.

CHAIR ANAYA: Thank you, Ms. Martinez. One last round of applause for all these people.

[The award was presented and photographs taken.]

II. CONSENT AGENDA

A. Final Orders

1. **CDRC CASE # S 12-5452 Cielo Colorado Estates Final Plat And Development Plan For Phase 1. Cielo Colorado LLC, Applicant, James W. Siebert, Agent, Request Final Plat and Development Plan Approval for Phase 1 (Lots 11-16) Consisting of 6 Lots of the Cielo Colorado Estates 24-Lot Residential Subdivision on Tract 15A-2 of the Eldorado at Santa Fe Subdivision Consisting of 246.30 Acres More or Less. The Applicant Also Requests Approval to Vacate and Relocate 2 Portions of the Camino Acote 50-Foot Ingress/Egress and Utility Easement That is Located within Proposed Lot 1, Vacate the Portion of Camino Acote that Runs through Lots 10, 16, 17, 18 and 19 and Vacate the Old Ingress/Egress and Utility Easement that Runs Through Proposed Lot 1, which is no Longer in Use. The Property is Located on the East Side of US 285, off Camino Acote, within Sections 20, 21 and 22, Township 15 North, Range 10 East (Commission District 4) (Approved 4-0) Vicente Archuleta, Case Manager**
2. **CDRC CASE # V 14-5270 Madeline Wells and Mary O'Brien Variance. Madeline Wells and Mary O'Brien, Applicants, Requested a Variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 6.195 Acres. The Property is Located at 30 Sibley Road, Within the Vicinity of Canoncito, within Section 13, Township 15 North, Range 10 East (Commission District 4). (Approved 4-0) John Lovato, Case Manager (AMENDED FINAL ORDER)**

B. Budget Resolutions

1. **Resolution No. 2015-28, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded through the United States Marshals Services for Fugitive Apprehension in the Amount of \$5,000 (Finance Department/Teresa Martinez)**
2. **Resolution No. 2015-29, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a 2014 State Homeland Security Grant Award / \$59,000 (Public Safety/Pablo Sedillo)**
3. **Resolution No. 2015-30, a Resolution Requesting a Budget Decrease to the Alcohol Programs Fund (241) / Community DWI Program to Budget the Precise Amount Awarded to the DWI Program / -\$5,000 (Finance Department/Teresa Martinez)**

4. **Resolution No. 2015-31, a Resolution Requesting a Budget Increase to the EMS Health Care Fund (232) for a New Mexico Department of Health Grant for Health Action Planning and Programming / \$5,000 (Community Services Department/ Rachel O'Connor)**
5. **Resolution No. 2015-32, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant Awarded through the State of New Mexico for the Vista Grande Library / \$18,440 (Finance Department/ Teresa Martinez)**

C. **Other Resolutions**

1. **Resolution No. 2015-33, a Resolution Authorizing the County to Submit Applications to the New Mexico 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 (Community Services Department/ Lupe Sanchez)**
2. **Resolution No. 2015-34, a Resolution Authorizing the County to enter Into Grant Agreement 14-1699 to Plan, Design and Construct Improvements to the Water System in Chupadero in Santa Fe County in the Amount of \$100,000 and Authorizing the County Manager to Sign the Agreement and Designating Person(s) who are Authorized to Sign and Request Reimbursement and Act as a Point of Contact for the Grant Agreement (Public Works Department/Adam Leigland)**
3. **Resolution No. 2015-35, a Resolution Authorizing the County to Enter Into Grant Agreement 14-1702 to Plan, Design and Construct Improvements, Including Replacement of the Lift Station Facility, for the Vista Aurora Sewer System in Santa Fe County in the Amount of \$70,000 and Authorizing the County Manager to Sign the Agreement and Designating Person(s) who are Authorized to Sign and Request Reimbursement and Act as a Point of Contact for the Grant Agreement (Public Works Department/Adam Leigland)**
4. **Resolution No. 2015-36, a Resolution Authorizing the County to Enter Into Grant Agreement 14-1697 to Plan and Design a Utilities Corridor for the Agua Fria Area in the Amount of \$80,000 and Authorizing the County Manager to Sign the Agreement and Designating Person(s) who are Authorized to Sign and Request Reimbursement and Act as a Point of Contact for the Grant Agreement. (Public Works Department/ Adam Leigland)**
5. **Resolution No. 2015-37, an Amendment to Resolution No.**

2010-104 to Clarify the Process for Appointment of Board Members (Housing Department/Ron Pacheco)

- D. Miscellaneous**
- 1. Approval of County Health Care Assistance Claims in the Amount of \$23,928.04 (Community Services Department/Rachel O'Connor)**
 - 2. A Proclamation Remembering and Honoring Linda Pedro For Her Outstanding Contributions and Achievement for Disability Rights in Santa Fe County and the State of New Mexico (Commissioner Stefanics and Commissioner Roybal)**

CHAIR ANAYA: Commissioners, we are now going to move onto Consent and I would ask that if on the Consent Calendar with the exception of final orders if there's anyone in the public that would like to comment on any item on the Consent other than final orders. Seeing none, are there any items that any Commissioners would like to have removed for a brief discussion? Seeing none, what's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of the Consent Calendar.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion from Commissioner Holian to approve the Consent, second from Commissioner Roybal. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

[The Clerk provided the numbers for these and all following resolutions.]

III. ACTION ITEMS

C. Resolutions

- 4. Resolution No. 2015-38. a Resolution to Support the Equine Culture in the Final Development and Implementation of the Sustainable Land Development Code (SLDC) and that Santa Fe County Promote the Development of Santa Fe as a Regional and International Horse Destination**

CHAIR ANAYA: I would ask Kat Parks to come forward. I would also like to thank staff, Ms. Miller and your staff, Penny Ellis-Green and Robert Griego and Legal staff, Mr. Shaffer, for your work in working through this resolution to assure that it's the most appropriate one we could bring forward. And so I appreciate you for those efforts. So I'm going to defer the floor to Ms. Parks for a summary and any comments, people you'd like to introduce. The floor is yours.

KAT PARKS: Thank you. My name is Kat Parks. I'm the president of the Santa Fe County Horse Coalition and I'd like to start today with a quote from Abraham Lincoln that I think is very fitting, based on everything that we've seen here today. It's

certainly fitting with the resolution. He said, "I like to see a man proud of the place in which he lives, and I like to see a man live so that his place will be proud of him." I believe that that's a powerful sentiment and it's reflected and captured by this resolution.

The goal in putting together this resolution was to recognize horses and the 400-year history equine have had in Santa Fe County as well as recognize the culture, the economic commitment, the impact within agriculture, and I think we've put together with staff, with Commissioners, a really wonderful resolution.

CHAIR ANAYA: Thank you, Ms. Parks. I would ask if you could invite all of them forward or whoever you'd like. I'd like to actually have this read in. I'd like to have it read into the record, and I'd like you guys to read it in, the people that have worked on it and put blood, sweat and tears into it. So if you call forward whoever you would like to go ahead and help me and you guys read that resolution in.

MS. PARKS: I would. If everyone who's here today, I'd like to let you know that joining us members of the Santa Fe County Horse Coalition. We're an organization, a grassroots organization with over 500 members here in Santa Fe County. We have representatives here today from the New Mexico Horse Council, the Northern New Mexico Horseman's Association, the Santa Fe County Sheriff's Posse, the Caza Ladron Fox Hunt, the Backcountry Trailriders, Horses for Heroes Cowboys were here, listening horse Therapeutic Riding and the Old Spanish Trail group. If you all could stand and please join me up here I'd appreciate it.

CHAIR ANAYA: Let's give them a round of applause. I'd also like to acknowledge that we have Christina and Jackie here from the Santa Fe County Extension Office and 4-H programs that work extensively with equine programs through their programmatic functions, so if you guys would stand and be acknowledged, Christina and Jackie. Thanks for being here. Give them a round of applause.

Then I'd also like to ask former Commissioner Anaya, snuck in the back, if he'd stand and be recognized. The floor is yours, Julia.

JULIA JARVIS: Hello, Mr. Chair, Commissioners. My name is Julia Jarvis. I'm with the Santa Fe County Horse Coalition and I'm also here on behalf of the Santa Fe County Sheriff's Posse which I'm a member of. I'm very honored to read this into the record. Thank you for inviting us, but I will need a little assistance, just in terms of formality. So I can begin by just stating Santa Fe Resolution No. 2015 - I have no number here.

CHAIR ANAYA: Madam Clerk, if this resolution's approved what will it be? What number?

GERALDINE SALAZAR (County Clerk): 2015-38.

CHAIR ANAYA: And before Julia speaks further, she also worked very hard on this resolution with the County staff and helped clean up and clear up a lot of the legal aspects. So I think everyone's on the same page. So thank you so much for your work.

MS. JARVIS: Thank you, Mr. Chair. A resolution to support the equine culture and the final development and implementation of the Sustainable Land Development Code, SLDC, and that Santa Fe County promote the development of Santa Fe as a regional and international horse destination.

Whereas, horses and equine activity have been a unique, integral part of Santa Fe

County's history and culture for over 400 years;

Whereas, Santa Fe's historic development as a transportation hub and government center could not have taken place without the significant contributions of equines;

Whereas, Santa Fe County adopted the Sustainable Growth Management Plan, SGMP, in 2010 in which Section 5.3.1.4 entitled Historic road network, scenic roads and byways, identifies the equines historic contributions to the delivery of goods and transportation of people using the Old Santa Fe Trail and the Old Spanish Trail, which trail alone was used to transport thousands of horses at a time from California to Santa Fe;

Whereas, equine activities have a substantial economic impact in Santa Fe County;

Whereas, Santa Fe County adopted the SGMP in 2010 which identifies agriculture, arts, and culture and ecotourism and outdoor recreation and three of the six target industries for economic development;

Whereas, SGMP Section 4.2.2.1, entitled Agricultural production, identifies that according to the 1998 agriculture and ranching study commissioned by Santa Fe County, cattle and horses made up the majority of the common livestock within the agriculture cattle industry. Horses are traditionally used for gathering and sorting cattle;

Whereas, SGMP Section 3.2.4.2, entitled Arts and Culture, identifies horseback riding among a number of outdoor, naturalistic pursuits that draw significant numbers of tourists to Santa Fe County;

Whereas, SGMP Section 3.2.4.5 identifies horseback riding as a form of ecotourism/outdoor recreation;

Whereas, the Santa Fe County economic development strategic plan, at Section 1.6.3 states the agrotourism bringing visitors to a farm or ranch is a growing part of the national economy and generates over \$556 million in revenues for US farmers each year and that the equestrian industry is an important component of the Santa Fe County economy with over 500 members represented in the Santa Fe County Horse Coalition; and

Whereas, horse facilities, trails and training grounds provide a robust infrastructure for clinics, agrotourism and overall health, wellness in Santa Fe County, residents and tourists alike.

Now, therefore, be it resolved that the Board of County Commissioners of Santa Fe County:

1. Recognize the historic, cultural and economic importance of the horse within Santa Fe County.
2. Collaborate with appropriate stakeholders, including the Santa Fe County Horse Coalition to promote economic growth through horse activities;
3. Support the development and maintenance of facilities and businesses that will enable horse-related economic growth.
4. Promote and preserve the equine culture and the final development and implementation of the SLDC and acknowledge the County's support in development of Santa Fe County as a regional and international horse destination.
5. Will consider the need to include equine uses and equine-related businesses in

future County plans and plan updates.

Do I continue reading? Passed –

CHAIR ANAYA: You're good.

MS. JARVIS: That's what I thought.

CHAIR ANAYA: Thank you all so much for your efforts. Commissioners, I'll probably move for approval and seek a second.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: A motion by myself, Robert Anaya, second by Commissioner Holian, an avid horse lover/rider. What else, Commissioner? Any other comments or questions? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all I really want to thank you, the members of the Santa Fe County Horse Coalition for bringing this to our attention. This very important issue. I also want to thank Chair Anaya for sponsoring this resolution. I have to admit I'm a little jealous that he's getting to do it and I'm not. But in any event, I just want to make a few remarks about horses. Horses have been a very important part of our culture ever since they were brought back to the North American continent, I guess it was in the 1500s by the Europeans who came here. And I want to emphasize brought back, because the North American continent did have horses a long time ago until they were exterminated at one point by human beings that were on the continent.

And in the 1700s and the 1800s it's important to note that horses in a way were people's most important possessions, because they were the main form of transportation in those days, and that's why horse thieving was also a very good way to make money in those days, as Billy the Kid found out. But now, thankfully, by and large don't steal horses anymore, I would say, but they're still as important in our lives, in my opinion. And I just have to say from my own point of view that they've made a tremendous difference in my own life.

Back in my 40s I was not able to go on long hikes anymore in the wilderness so at that time I talked my husband into our getting horses so I would be able to go back into the backcountry again, and he fortunately, after a lot of nagging actually paid attention to me and we go horses. And yes, indeed, I was very grateful that I was able to go into the backcountry again, into the forest again with the aid of a horse, but what I wasn't prepared for was the huge difference that they made in my life in other ways. I think that the relationship that people have with horses is unlike a relationship that we have with any other animal. And it's amazing what horses bring to your life. They have such a calming influence, such a healing influence. I know when I'm feeling bad what I do is I go out and I put my head on my horse, on her, and I just sit there and hug her, and just her presence brings me such peace and calm.

And I think that's why, for example, we have programs that help veterans with various health problems, or PTSD, to be around horses. And kids with autism. It's just amazing what an incredibly important difference horses make in our lives. And I think that we should celebrate and honor the important part that horses have played in our lives, in our culture, and we should also nurture it and hopefully this resolution will help us go forward with recognizing what we need to do. Of course I have to say as is brought out in this resolution, there's also an economic development component and that's not a bad

thing either.

But I want to thank you and I want to thank my horses for what they've brought to my life. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I just want to thank you for being here and point out that if you didn't notice on our agenda later in the evening we'll be discussing the 2015 Three Trails Conference. The Three Trails Conference will be hosted by the Santa Fe Trail Association. It will focus on obviously the Santa Fe Trail, the Old Spanish Trail and the Camino Real. They were all part of the settlement pattern in the area that was alluded to earlier. And so they were responsible for the settlement pattern but they also in some ways changed the city, changed the area, and of course when the railroad came in in 1880 that was the last of the Santa Fe Trail.

But the history is very important and it's significant. It makes us who we are. It talks about people and place and what's important to us. And so the history and the culture from all angles and from all perspectives is important. So I thank you for being here and I hope that we will be participating in the Three Trails Conference in different ways in the coming months and thereafter, because we want to keep those traditions going so that we can hopefully pass them on to the next generations. So thank you for this resolution and if you're not here to support us I know you'll be here to support us in spirit on the resolution for the Three Trails Conference. So with that, thank you.

CHAIR ANAYA: Commissioner Roybal.

COMMISSIONER ROYBAL: I too would like to thank you guys for your hard work in bringing this resolution forward. There's a lot with horses and how they're involved with our culture over time and you guys have done a great job and I do really appreciate that. Thank you.

CHAIR ANAYA: Thank you, Commissioners. I'm going to make a modification to the motion with the indulgence of the seconder. Commissioner Holian, I would move for approval of the resolution as a cosponsor and ask that you cosponsor this with me as we move forward to final approval.

COMMISSIONER HOLIAN: Thank you. That's very kind of you. I really appreciate that. And I'll second that.

CHAIR ANAYA: There's a motion and acceptance of the change. Seeing no further discussion, is there anyone else that would like to add anything at this time? Commissioner Anaya and Mr. Ryer. Mr. Ryer, the mic is yours.

MR. RYER: You know Karen and I have been in the horse community since about 78 and I think this is one of the bright stars in our 30-some years we've had here in Santa Fe. And I appreciate the council's contribution but the people behind me, that's the horse community. It's strong. It's well. We've got a lot of work to do to bring people into Santa Fe but we'll be working on it. Thank you.

CHAIR ANAYA: Thank you so much, Mr. Ryer and Karen. Thank you. Commissioner Anaya.

MIKE ANAYA: Good afternoon, Commissioners, Mr. Chair. I just wanted to voice a little opinion here. When I first saw the resolution I was thinking, what in the heck are we doing? We're in the West. Doesn't everybody know what horses did

for us out here? And then I started to think, well, you know you get some people that come in and they don't know what actually horses did for us and then they started complaining and now we got the resolution. And that's a good thing, because all these people here and a lot of people that didn't make it, we're all sticking together now and saying, okay, you came over here and you didn't want horses in our backyards and now we have to stand up and fight for what we believe in and what is right. So this is why we're here and it answered my own question as I read it, but thank you, Commissioner, and thank you for having Commissioner Holian help you sponsor that and I think it's a good thing. With that, did you vote yet?

CHAIR ANAYA: Commissioners, Commissioner Chavez.

COMMISSIONER CHAVEZ: I wanted to just give a little – I'm not a historian, but the Old Spanish Trail itself – I know a lot of this will come out in the symposium, but the Spanish Trail was a land route from New Mexico to California and I know that the area around Abiqui was very active at the time. And so again, I just wanted to touch on the history, the significance of the history and the resolution does that, but I'm hoping that as we move forward that that will be a very strong component, and not only for economic development or for tourism but for education and especially in the schools. And I know you mentioned the 4-H earlier, but I think we need to distill this down to that level and have it bounce back to the top. So I'm hoping that as we move forward with whatever programs that we're doing we're very strong in the schools and in 4-H. So, again, thank you all for being here.

CHAIR ANAYA: Thank you, Commissioners, for your comments and thank you all for your presence and work.

The motion passed by unanimous [4-0] voice vote.

[Photographs were taken and a recess occurred.]

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

B. Matters from the Commission and Other Elected Officials

1. Elected Officials Issues and Comments [con't page 62]

CHAIR ANAYA: We are back in session. And I'm going to move to an item to help out one of our elected officials. So I'm going to move to Matters from Elected Officials and afford Mr. Martinez the opportunity to say a few words. Mr. Assessor.

GUS MARTINEZ (County Assessor): Thank you. I just kind of wanted to go over just how the outreach for the agriculture outreach was going. We're on our last two outreaches. It will be tonight at the Abedon Lopez Community Center in Santa Cruz from 6:00 to 7:30 tonight and then we end in Edgewood on Thursday the 26th at the senior center from 6:00 to 7:30.

For the most part we've been educating the community about agriculture, the special method and how to apply and what they need to qualify, and so there were about 450 letters we sent out to the community. Fifty of those were cancels and we're going to give them 30 days to appeal that. The other ones were questionable which we're giving

them up to – we want to make contact with them by July I think it's 15th. But we're going to give them a year to get us the information and move forward on that part and that will kind of complete our whole agricultural outreach. There was about 2,000 accounts throughout the whole county that we reviewed and the 450 were kind of the ones that were in question.

And just for your information, we'll be mailing the notice of value April 1st. We'll be mailing that out and also we'll be going out to the community centers throughout the county, taking in property owners' property appeals. This is about the third year that we've done that and it's our time to sit one-on-one with the property owner, the constituent to go over their property assessment, file for exemptions. So we'll have staff going throughout the whole county. We'll have probably a press release on that and information going to the Commissioners regarding the places and times that we'll be at those locations.

CHAIR ANAYA: Thank you, Mr. Martinez. If I could, your comments are timely associated with making sure people are aware of the agricultural exemption based on the resolution we just passed on equestrian culture and function in our county, which is very much tied into ag. And so you've been out there providing outreach to people so that they understand what that exemption is, what steps they need to take to utilize it and what questions if any they might have if they already have it, in a nutshell. Correct?

MR. MARTINEZ: Correct.

CHAIR ANAYA: Well, thank you very much, Mr. Martinez.

MR. MARTINEZ: Thanks for your time.

CHAIR ANAYA: Commissioners, do you have any comments of Mr. Martinez?

COMMISSIONER CHAVEZ: Actually, I do have a comment. I'd like to acknowledge Mr. Martinez for your effort in going out to the community because sometimes it's easier for us to expect them to come to us, but you've done some good outreach and I think – I'm sensing that the public and the citizens appreciate that. You're getting some good feedback from those that are attending.

MR. MARTINEZ: Thank you. Yes. I appreciate that. Yes, we're getting a lot of good feedback and just trying to explain to the constituents the process and explain it in their terms. Sometimes they can read the statute and they really don't know kind of what that means, but we do that one-on-one they kind of –

COMMISSIONER CHAVEZ: That one-on-one, I appreciate that because I think sometimes it's hard to explain this on the phone, and so I do appreciate you going out and doing that outreach.

MR. MARTINEZ: I appreciate that. Thanks.

CHAIR ANAYA: Thank you, Commissioner Chavez. Thank you, Mr. Martinez. Mr. Martinez, Commissioner Roybal has a question for you. I'm sorry.

COMMISSIONER ROYBAL: Actually, it's not really a question. I actually attended at least three of the meetings that Gus has put together and he's done a really good job and I know for a fact the community really appreciated it so I wanted to say thank you for that and of course there's still some community members that have questions and concerns but you gave them your number personally to reach out to them

and that is really admirable and I really appreciate your doing that out in my district. So thank you.

MR. MARTINEZ: Thank you, and I appreciate you attending those meetings.

CHAIR ANAYA: Thank you, Commissioner Roybal. Thank you, Mr. Martinez. Since we're on this item, Madam Clerk, is there anything you'd like to bring forward at this time?

CLERK SALAZAR: Chairman Anaya, nothing, but I'd really like to acknowledge personally for the Clerk's Office, also the great work that the Department of Finance does for us. They're the ones that keep us in check and they do quality assurance, making sure that we are abiding by state statute, ordinances, and so that we are in check at all times with our finance and budget. Thank you and thank them.

CHAIR ANAYA: Thank you, Madam Clerk. I don't see any other elected officials at this time. We're going to go ahead and go on to the discussion on capital funding. There are several people that stuck around because they wanted to listen in and I appreciate them listening in on this discussion.

V. F. 3. Request Approval of Allocation and Direction of Capital Funding as Discussed at February 10, 2015, Board of County Commissioners Capital Funding Study Session

CHAIR ANAYA: This particular discussion, Ms. Martinez, Ms. Jaramillo, if you'd come forward, is a result of a long study session that the Commissioners had and numerous department meetings and discussions between staff and Commissioners and the community at large and just a culmination of many, many things. And so it impacts seniors, it impacts youth, it impacts every taxpaying citizen. It provides a capital funding package that includes projects in every district and every part of the county. And so with that we go to Ms. Jaramillo and Ms. Martinez.

CAROLE JARAMILLO (Budget Director): Thank you, Commissioner. I'll just briefly summarize. As you mentioned, you had a regular study session on February 10th. Among the items discussed was the capital projects and the financing plan for capital moving forward. There were some recommendations and you were provided with information on our projects as regards to projects that are sufficiently funded, ones that had identified needs of funding, ones that were unfunded needs and other items that we felt like the projects could not move forward and so the allocation for those projects could be redirected if that was the pleasure of the Commission.

The projects recommended for being redirected are the aquifer recharge and storage, the Greater Glorieta water supply, Greater Glorieta wastewater collection, Santa Fe Canyon Ranch, CR 26, CR 20-B, CR 113-S, and Galisteo Village basecourse. We also discussed the financing plans for future bond sales and potential financing plan for the construction of the new complex for the administrative building down the street where the old judicial court is, as well as remodeling this building.

The item that we're bringing forward to you today is to approve the allocations as discussed at the study session on the 10th with any redirection of funding that you desire. And I will stand for questions.

CHAIR ANAYA: Are there any questions or comments of Ms. Jaramillo at this time? Ms. Miller, is there anything you would like to add?

MS. MILLER: Mr. Chair, Commissioners, there is one item and it was because it was actually discussed at the study session and then a little bit again at the joint City-County meeting. We put on what I'll call in abeyance or on hold, is actually allocating funds to finish phase 1 of the South Meadows open space. The reason being there was quite a bit of dialogue with some of the open space properties and the development of those properties that are within the city limits and affected by the annexation. So we're just not allocating those funds at this time although we will not be allocating them elsewhere, but that was based on that discussion and we figured we would do that at the time that you make a decision what you would like to do with that property.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: So Katherine, could you tell us the dollar amount that we had allocated for that South Meadows? Because it was minimal improvements that we were going to be proposing, right?

MS. MILLER: Mr. Chair, Commissioner Chavez, what I believe is that we had \$400,000 already allocated to that project, and that was for phase 1, which was fencing, parking, some passive landscape improvements, things like that, I think to do the dog run as well. And we went out to bid for that. It was all designed. We went out to bid and our bids came in at around \$600,000 for all the work that was in that IFB. So we were short about \$200,000. So we have \$400,000. We were going to allocate another \$199,639. However, based on the discussion, there was a lot of discussion about kind of holding on that because we don't know what we're going to do with that. So we wouldn't spend those funds elsewhere; we just weren't going to allocate them at this time, and my thought behind putting it to the side was then if the Commission, depending on what you'd like to do – maybe you don't want to do the improvements at all or you want to hang on to the park, do more. We just thought we would hold off on that one based upon the joint City-County meeting of having a little subcommittee on annexation and how to deal with open space properties.

COMMISSIONER CHAVEZ: Thank you. I appreciate that. And I support that, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Ms. Miller, if you could help me, because I can't hardly see it. It's real small print. But point me to the direction of the senior facility on 14 and the equestrian facility, the Cyclone Center and the 4-H facility. If you could give me the numbers.

MS. MILLER: Okay. Mr. Chair, on the first – if you look at page 1, those are the projects that we would be redirecting from those projects.

CHAIR ANAYA: Right.

MS. MILLER: On page 2, these were projects that had shortfalls and we have recommendations. So if you look at item 4 on that one, so the fourth line, Stanley Cyclone Center. That's the Stanley Youth Agricultural Facility. We had about \$4.1 million is the estimate. We had about \$1.5 allocated with a shortfall of about \$2.6 million so we have a recommendation of gross receipts tax of \$2.6 million and that that would

come in this fiscal year and July 1. So current fiscal year funds and July 1. That does include redirecting funds from some of the basecourse projects as well.

Then right below that, item 6, Santa Fe County Fairgrounds. At the Galisteo, there's the comment about the Galisteo site that has reference too although we should have taken that off there. The point of that was that some of the functions at our Galisteo Public Works site would move over to the fairgrounds, but ultimately we were short on doing at least phase 1 on that project which is a new cooperative extension office, and that's estimated to be about \$1.6 million. We have \$610,000 already allocated, so we had about a million dollar gap and what we said is that we would, from our Lodgers' Tax facility, because we can do improvements to our fairgrounds from our Lodgers' Tax fund that we would move \$750,000 and build a slightly smaller facility than was originally estimated, but that would get us going on doing a new extension office, since that is, I believe, our oldest facility. We would leverage the funds that we have received from the state legislature. We would also seek additional funds going forward to finish that project.

And then the item right below that, Highway 14 area senior center. As you know we're still looking for acquisition of land but we have an estimate based upon some of the properties we have looked at and what we're working on of \$2.1 million. We had about \$1.5 million allocated to that. We were short \$600,000, so we were also looking at gross receipts, capital outlay gross receipts tax funds of \$605,000 to finish out that project.

CHAIR ANAYA: So, thank you, Ms. Miller, and the reason I highlight those, we have several people in the audience that are interested in those but when you look at the County Fairgrounds and the youth ag, and the seniors as well, those are projects that are countywide. They're in a district but they're countywide. These projects and resources touch every district, as I said before, from Glorieta to Agua Fria, to up north to Pojoaque and the northern area with the facilities, roads throughout the entire county, projects in Commissioner Stefanics' and all of our districts. So it's a comprehensive package. I will note and I would like you to say it on the record, Ms. Miller. This funding package does not have any impact based on any recommendations of additional increments of taxes that we will be discussing later today. This is based on existing tax resources. Correct?

MS. MILLER: Mr. Chair, with one exception and this would require other action, but there's a couple of different options. And that is that on the old judicial complex, and this building that we're currently in, that we would need to actually allocate some other funding source in order to do revenue bonds to complete a new facility at the old judicial site and renovate this one. However, this is just the indication of how we would go forward. If in any way you do not give us direction to do that or approval to do that one that particular project would fall off and we'd have to look for another funding source.

CHAIR ANAYA: Those are the only two exceptions on the list?

MS. MILLER: Mr. Chair, yes, on these lists. So it is just this building and that building. Everything else is based upon redirecting funds that have already been authorized or funds that are coming in in this fiscal year of capital outlay GRT or next fiscal year capital outlay GRT.

CHAIR ANAYA: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. On number 5 on that list, which is the TL-6S line going through Eldorado out to Canoncito, under notes it says I guess the extra funding is coming from the 2012 question. Is that the GO bond question that was on the 2012 ballot?

MS. MILLER: Mr. Chair, Commissioner Holian, yes. So in 2012 we had gone to the voters with three general obligation bond questions for roads, water/wastewater, and open space. We have issued \$19 million of those bonds; we still need to issue another \$16 million, which we intend to do between this spring and next spring. So some of that funding has already been issued and the remainder of this would be issued either this spring or next spring.

COMMISSIONER HOLIAN: Great. Thanks, Katherine.

CHAIR ANAYA: Thank you, Ms. Miller. Other questions?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I have a procedural question, because this item is requesting approval and allocation and direction of capital funding, and so it would take a motion and I'm going to attempt to make a motion to include the list of projects. The motion would be to approve the allocation of funding and attach the list of projects that are in the packet.

CHAIR ANAYA: There's a motion from Commissioner Chavez.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Second from Commissioner Holian. Greg, are we good on the motion?

COMMISSIONER CHAVEZ: And that would include the amendments that the County Manager mentioned earlier.

CHAIR ANAYA: Is there any further questions, comments? Seeing none.

The motion passed by unanimous [4-0] voice vote.

CHAIR ANAYA: Thank you, Commissioners. And thank you all for being here. We've got one other item we'd like, if you would indulge is, because we think it affects what you do in ag and equestrian and that is tied to the resolution from Commissioner Chavez. Commissioner Chavez.

III. C. 6. Resolution No. 2015-39, a Resolution Reserving a Portion of the Future County Complex for a Fresco Installation Commemorating the 2015 Three Trails Conference

COMMISSIONER CHAVEZ: Mr. Chair, thank you. I'd like to ask that we deviate from the agenda and go to item C. 6 which is the Three Trails Conference.

CHAIR ANAYA: The floor is yours, Commissioner.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. So I'll just give a brief background on this. A joint conference has been scheduled for September 17th through the 20th, 2015 to bring together three non-profit organizations – the Santa Fe Trail Association, the Old Spanish Trail Association and the El Camino Real de Tierra

Adentro Association, also known as ESCARTA. The conference will provide a chance to share information and learn about new ways of evaluating the trails and their impact on northern New Mexico's identity. The conference will present opportunities to explore environmental and sociological aspects of the trails and the connections as well as their history.

Santa Fe and the County has long been a productive place for the exchange of these ideas. So the resolution again focuses on the three trails. We talked about them earlier. The Santa Fe Trail, which was established from about the year 1821 to 1880. That's about a 60-year spread. It ran for 900 miles. It was used primarily as a commercial route or highway between Missouri and Santa Fe.

We have the Old Spanish Trail between Santa Fe and Los Angeles. Crossed six states during the years 1829 to 1848 and Alfonso Armijo from Abiqui is one that's credited for spearheading that and for keeping that effort going.

And then of course we have the Camino Real. And that was about 1500 miles, ran for about 300 years. It was also known as the Royal Road or the King's Highway. At one time was one of the oldest routes in the United States and linked the new part of the territory with the United States.

And so if I could now, Mr. Chair, I'd like to read the resolution into the minutes. It's a resolution titled Reserving a portion of the future County complex for a fresco installation commemorating the 2015 Three Trails Conference.

Whereas, over its 400+ year history Santa Fe County has been a commercial center historically serving as an integral trail link between Mexico and the United States markets;

Whereas, Diego Rivera, working from – born 1886 and worked until 1957, David, Alfaro Siqueiros, 1896 to 1974, and Jose Clemente Orozco, 1883 to 1949, were the three greatest participants in the so-called Mexican Mural Renaissance which led to a major revival of fresco painting, a technique of mural painting executed on freshly laid or wet lime plaster;

Whereas, fresco paintings figure prominently at the Santa Fe County Administrative building an installation of other fresco paintings at other Santa Fe County buildings would create a consistent theme;

Whereas, Santa Fe County's artistic and cultural tourism organizations are key components of a vibrant community and further enhance the quality of life and their continued existence should be encouraged and supported;

Whereas, Santa Fe County is a place where nationally recognized events occur and a Three Trails Conference has been scheduled for September 17th through the 20th, 2015, to bring together three non-profit organizations dedicated to the commemoration of three historic Santa Fe County trails, the Santa Fe Trail Association, the Old Spanish Trail Association, and the El Camino Real de Tierra Adentro Trail Association;

Whereas, the Board of County Commissioners of Santa Fe County desires to coordinate efforts to foster arts and cultural tourism activities;

Whereas, Santa Fe County intends to develop the old First Judicial District Courthouse located on Catron Street into a new County complex building;

Now, therefore, be it resolved by the Board of County Commissioners of Santa Fe County that a prominent portion of the walls in the future County complex building be

reserved for a fresco installation commemorating the 2015 Three Trails Conference.

And so we talked a little bit about history, about the local history and culture. We talked about the history of the horse and how that helped develop the area, and then we also have a technique that's known as the fresco technique that goes back 3,000 years before Christ. The technique is not a new technique. It's an old world technique and we're starting to lose some of these techniques and we're losing touch of our history and our culture. So we'll have that process, the process and the technique of the fresco painting, which is very labor-intensive. It's done, as was mentioned, on lime plaster, but it's my hope that the City and the County and the area will have a lasting, permanent feature that will be left after the symposium is finished.

I also want to mention that the County has done a lot in the area of commemorating the Camino Real. We dedicated the Santa Fe River as a retracement trail of the El Camino Real in 2012. We developed an interpretive plan for the Camino Real along the Santa Fe River Trail, installed wayside and interpretative exhibits and directional signs for the Camino Real along the Santa Fe Trail and the Agua Fria. We've also done interpretive signage at the San Ysidro Park, and then also in addition to that, the Village of Agua Fria will be doing a monument marking the entrance to the Agua Fria Village, but it will also be commemorating the Camino Real.

So the County has done a lot in this area to protect and preserve at least the Camino Real, so we need to work in conjunction with the other associations to be sure that we're safeguarding their trails as well. With the retracement trails that we're working on, these are sections of the Camino Real that have not been disturbed so we want to focus on those areas and see if we can record any archeological findings that would be in those areas.

So having said that, Mr. Chair, I'd like to open the floor for any other comments, and I don't know if you would allow for public comment at this time as well.

CHAIR ANAYA: Absolutely, Commissioner Chavez. This is an opportunity for public comment. Is there anyone here that would like to provide public comment on this item?

COMMISSIONER CHAVEZ: I was going to wait for public comment to see if there was anyone that wanted to speak to this resolution and then I would be willing to make a motion.

CHAIR ANAYA: Ms. Ryer.

KAREN RYER: My husband and I are members of the local northern chapter of the New Mexico Donkey and Mule Association and we're working with the Old Spanish Trail group that is planning part of this conference. And any support – I think this mural would be just fantastic. Look at this one. It puts life right there in front of you. And I think a mural of this type after the conference would just be marvelous in the new County space. We would support you doing that.

COMMISSIONER CHAVEZ: Well, Mr. Chair, I appreciate that and I know that in talking with some of your members during the break we did talk about the educational significance of working with historians and working with the 4-H and working with our local schools so we can have them involved in the project and involved in the ongoing history of the area. So thank you.

MS. RYER: The chapter that we belong to has already been doing a

number of things in Abiqui, Espanola and north related to aparejo packing and other – they actually have kits that they take to the schools and the kids, there's different size suitcases that the teacher chooses and then they do a curriculum based on that, what's in those suitcases. So some of it's clothing, some of it's trade materials. It's just very different and this particular Santa Fe chapter has put those together. We have one couple who have built a donkey they call Woody. He's made out of wood. He's big, and they take him and they do aparejo demonstrations. And they have retraced all of the parts of the whole packing system and reproduced them themselves. And they are right now in Spain and Portugal studying aparejo packing.

But we've been doing quite a bit that nobody knows about, but it's there and it's serving the kids in northern New Mexico with their culture, their history. And we want to continue that relationship with the County.

COMMISSIONER CHAVEZ: So we need to learn more about what you're doing and incorporate that into our efforts for this fresco project.

MS. RYER: I think we could make all of our materials available. They're going to be available during the conference we're trying to set up. It costs so much to rent a space at the convention center that we're trying to define what we as a group from the Old Spanish Trail can present there, and Woody would be the thing. Or put him on the plaza if possible and do period costume photos for visitors. This thing has not been advertised nationwide or worldwide. And you're right. Each of these groups is their own thing and they're each doing their own thing but there's no umbrella kind of helping them together to make this a big Santa Fe blowout. And for people who are interested in trails worldwide, there are trails everywhere, and it would be nice to have a unity with this here in Santa Fe and your mural as a result of the whole conference. Each group, as I said, is doing their own thing.

We have a number of riders, horseback riders from Backcountry Horsemen Association in Southern California who began the ride to Santa Fe last year. They made it into southern Utah. This year they're going to pick that trail up and hopefully come to Santa Fe City. We don't know if they're going to – nobody has any funding for this so we're all just kind of working by the seat of our pants. We'd like them to show up on the plaza and say, you know, we rode the Armijo route. It took us two years but people can still do that. There have been a lot of problems getting across private property. Most of the reservations and ranchers have said come on. It's just very difficult to do.

I believe right now there are four riders and I don't know how many horses. Northern New Mexico Horsemen has offered stabling for these people, these riders and their animals, so that they can come to and come into Santa Fe. I know there are a number of local people in the Backcountry Horsemen group from Santa Fe chapter that would like to ride into town with them. Should we charge for this? Can we make some money that way to help defray some of the costs? Road closures is the bring livestock down to the plaza and do this. So there's going to be funding somewhere. I'm going to get on the internet and try to get in touch with people from each group and see if we can come up with a meeting of the three to kind of put together the whole thing because they're each doing, as I said, their own trail and I'd like to see them do the Santa Fe issue, the City of Santa Fe that they came to. So any other questions?

COMMISSIONER CHAVEZ: No. That does it. Thank you for being here,

ma'am.

MS. RYER: Okay. Thank you.

COMMISSIONER CHAVEZ: So, Mr. Chair, I'd like to go ahead and make a motion to approve Resolution No. 2015-39.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: So there's a motion and a second, Mr. Chair.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Holian. Is there any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

IV. MATTERS OF PUBLIC CONCERN

CHAIR ANAYA: Thank you. I want to thank those guests here with us today again, but I also want to acknowledge we've been working towards that new extension center now, finally, and we have some master gardeners I think here with us today. So I'd like to extend to you, Jackie and Christina and those folks here that came and sat patiently and listened all day, if you'd please come forward and I'd offer you the microphone if there's anything you'd like to say or add to the discussion.

JACQUELINE BACA: Well, thank you, and good afternoon, Mr. Chair and Commissioners. My name is Jacqueline Baca and I'm the 4-H home economist and interim county director for New Mexico State University's cooperative extension service. We are very excited at the prospect of getting this new extension facility for many, many reasons. As you all know, we provide educational resources and programs for the residents of Santa Fe County, helping them to improve their quality of life. There are three main program areas that we provide at these educational efforts and they include agriculture, home economics, and 4-H youth development.

I've brought with me some of our faculty and staff through extension, as well as some of our volunteers through the 4-H program and from our master gardeners. I just wanted to give you all a little bit more information on why we're excited about this facility and how it's going to help us to continue to provide the educational efforts that we do to the residents of Santa Fe County.

BOB ZIMMERMAN: Hi, there. I'm Bob Zimmerman, past president of the Santa Fe Master Gardeners Association, and currently their education coordinator. I want to thank the Santa Fe County cooperative extension service for providing us with an office and access to classrooms. We are a growing organization. We have more than 200 active members but more importantly, we are growing in the community and our outreach with our gardening and gardening related programs. We have ten projects that we are currently working on. Audubon, we maintain the gardens at the Audubon Center. The El Zagan garden on Canyon Road, the Cornell Rose Garden, in cooperation with the City, we maintain that, which is a wonderful facility in the summer to sort of just sit back and look at. The Gonzales School gardens, we work with them, and we're partnering now, our new project is the New Mexico Wildlife Center and we're going to be setting that up and working there with them.

We also, on the campus, the fairgrounds have a cactus garden, an herb demonstration garden, a rose trial garden, a xerigarden and a composting center. So with these ten programs, not only are we working on them we are offering classes to the community at each of these and they've been very well received. Having this new center, this new cooperative extension center, now we can be in one area. We will be in one location with better access to resources and to the meeting rooms and increase collaboration with the County groups such as the 4-H kids that we work with. So we're really looking forward and hope we can see this in the near future. Thank you.

CHAIR ANAYA: Thank you, sir.

SYDNEY MARTIN: Good afternoon. I'm Sydney Martin. I'm the adult home economist, and I teach all kinds of classes. I'm very excited about the new facility, mainly because of the kitchen and the demonstration area that we would have. Many of the classes I teach align completely with the goals set forth by the Food Policy Council and I am on that. I teach diabetic cooking skills and it's very hard in the facility that we have now because it's not a demonstration kitchen, and so it's very hard to see. Sometimes we move up to the fairgrounds. It's not conducive to getting a lot of people in there and that's not really what it was made for. You can't see.

I also teach food preservation and I personally think it's very important not to poison your family after you grow all these healthy vegetables. I think you ought to know how to can them and preserve them, and the current kitchen that we have know you can't even can on the stove because it's not the right kind. It's not made for that. And so it would be wonderful to have a kitchen where we could actually teach classes. And I do outreach. I teach kitchen creations, which is the diabetic cooking school to Cerrillos in their parish hall with sometimes no water. But we still do the cooking class anyway. We do outreach but it would be really, really nice to be able to teach these classes that make for healthier living and a nice demonstration kitchen. Thank you.

CHAIR ANAYA: Thank you so much. Christina.

CHRISTINA TURNER: Good afternoon, Commissioners. My name is Christina Turner and I am the 4-H agriculture agent here in Santa Fe County. Here in Santa Fe we have over 200 4-H members in our traditional program, and over 200 registered volunteers. We also, through our outreach programs in the schools and working with other community youth development programs. We see approximately 2,000 kids per year throughout the county and we coordinate all of that through our tiny little office on the fairgrounds, and the possibility of having a new extension office is really exciting. We have nine clubs in Santa Fe County and really this would be a home for them, a place for our 4-H members to be able to come together, for our 4-H leaders to be able to come and help facilitate that program, and it's just a really exciting possibility to be able to provide a nice space for the hundreds of walk-in visitors we see every week in the extension office, and just a place to be able to spread the information that is so valuable to our community.

And I'd like to introduce Cassie Stewart. She is one of our esteemed 4-H volunteers here in Santa Fe County. She's joining us today.

CASSIE STEWART: Quite an introduction. Yes, my name is Cassie Stewart. I live in Edgewood and about four years ago I decided to start a new 4-H club in that area because I saw a need and the clubs in that area were full. And within three years

our membership was at 60 kids. And so there's definitely a need for 4-H and a desire by the families down there. Personally, three of my kids are in our club. They count as the numbers and it has brought such an enrichment to our lives to be a part of Santa Fe County 4-H.

And I'm really excited about the idea of a new cooperative extension building. Last year the club leaders in our area got together for a training meeting and we were all crammed into the tiny little meeting room that we had there and our registration process is all online and so Jackie and Christina wanted to teach us as club leaders some more education on how to enroll, and because of the internet access everyone brought their tablets and computers and we just couldn't get it to work. One of the members had to make a hot spot out of his tablet for the rest of us to dive in on that. And so as we see progression in the 4-H and in life in general so much of it is online now. And so this new building that would provide a better internet system for that and on the flipside, I feel like with the internet, so many of our youth are communicating via texting and not getting face to face.

And so to have an opportunity to have a better facility with meeting rooms and with a space or our own that those kids can come together and be face to face and have some of those social interactions that are so important on a county level, so that kids clear down from Edgewood all the way up here to Santa Fe can have a chance to be together and that the volunteers can get a better education and have that demonstration kitchen like Sydney talked about and the larger meeting rooms. I'm very excited about that. Thank you.

CHAIR ANAYA: Thank you very much. Jackie, anything you want to conclude with?

MS. BACA: What we do in extension is really quite unique and very diverse. We have wonderful staff and faculty in our extension office and we also have fantastic volunteers that really help us to extend the four agent positions we have and make sure that we are providing those educational materials, the research based information, and turn it into practical applications for the residents of Santa Fe County. So we really are excited to get this new facility and to be able to continue doing the work and expand upon the work that we are already doing.

CHAIR ANAYA: Thank you so much for coming and your feedback. The relationship with the County extension service goes back, I think it's pushing 100 years now.

MS. BACA: Yes. We just celebrated 100 years.

CHAIR ANAYA: So that says it all in itself. But we definitely are committed to our statutorily binding obligations but more than that our partnership and collaboration. The County, New Mexico State and the community working collectively in the same vein. So thank you so much for your comments.

MS. BACA: Thank you, Mr. Chair and Commissioners.

CHAIR ANAYA: Okay, Commissioners. I think we're going to move to the legislative update. I had a request to do that. Or is Tony not here? So we're not ready for legislative? Tony's still at the legislature?

MS. MILLER: Mr. Chair, yes. As a matter of fact he's at a hearing on a bill that I think you'll really want to hear about when he gets back, so I prefer to wait on

that.

CHAIR ANAYA: Excellent.

III. B. Appointments/Reappointments/Resignations

1. Appointment of Two Santa Fe County Ethics Board Members

MS. MILLER: Mr. Chair, the Ethics Board, Lisa Katonak is going to do that for Tony.

CHAIR ANAYA: The floor is yours, Ms. Katonak.

LISA KATONAK (County Manager's Office): Good afternoon, Chairman Anaya, Commissioners. On behalf of Mr. Tony Flores, Deputy County Manager for Santa Fe County I am presenting the appointment of two Santa Fe County Ethics Board members. The Santa Fe County Ethics Board consists of five members who are appointed by the Board of County Commission and the primary duties are to enforce the County Code of Conduct Ordinance. Each board member shall serve a two-year term subject to reappointment thereafter. Members shall not be employed by the state, a political subdivision or a school district, shall not hold an elected public office, and must be registered to vote in Santa Fe County.

All of the board positions are at-large positions and do not represent a specific Commission district. Currently the board has two vacancies for the term of February 24, 2015 through February 23, 2017. And as part of the normal process, staff has advertised a call for interested applicants via three press releases and within two Commissioner newsletters. And as a result of these efforts the County received applications and résumés and conflict of interest forms from the following individuals: Ms. Lara Katz, Mr. James Ledyard, Ms. Patricia Perrin, Ms. Adair Waldenberg, who is requesting a third term, and Mr. Sheldon Weinstein.

All applicants met the requirements of the ordinance and as part of the normal vetting process, staff met with each applicant as to ascertain their understanding of the board's responsibilities and duties and to gauge their availability to serve on this board. The recommendation – while each applicant would bring unique perspectives, backgrounds and experience to the board, staff is recommending the following applicants for consideration and appointment to the board: Ms. Sheldon Weinstein and Ms. Lara Katz.

CHAIR ANAYA: What's the pleasure of the Board? Commissioner Roybal.

COMMISSIONER ROYBAL: I'd like to move to accept staff's recommendations of Mr. Sheldon Weinstein and Lara Katz.

COMMISSIONER CHAVEZ: And I would second that motion, Mr. Chair.

CHAIR ANAYA: There's a motion from Commissioner Roybal, second from Commissioner Chavez, our Vice Chair. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

MS. KATONAK: I just would like to make a note for the County Commission that I would also like to acknowledge the service of Mr. Estevan Baca, who served for two terms, and Ms. Adair Waldenberg who also served for two terms.

CHAIR ANAYA: Thank you, and if we could have some certificates of recognition we could present at a later meeting I'd appreciate that.

MS. KATONAK: All right. Thank you so much.

CHAIR ANAYA: Thank you very much.

III. B 2. Appointment of Members to the La Bajada Ranch Steering Committee

MARK HOGAN (Public Works Department): Mr. Chair, currently the La Bajada Ranch Steering Committee has five vacant positions because the appointments of four of the members expired at the end of December, so we are asking for the Commission to reappoint four of the five vacant positions and then the appointment of a new member, Mr. Brian Nenninger, who is a development expert and will fill out that role in the committee. The other steering committee members looking to be reappointed is Eric Blinman, who does the educational program outreach, Commissioner Kathy Holian, who represents not only the Commission but District 4, Mr. Paul White representing District 1, and Maria DeAnda-Hay representing District 2. And with that I'll stand for questions.

CHAIR ANAYA: Commissioner Roybal.

COMMISSIONER ROYBAL: I'd like to move to reappoint these individuals he's recommending and also the new member.

CHAIR ANAYA: There is a motion for reappointment and the new member recommended by staff. Is there a second?

COMMISSIONER CHAVEZ: I'll second that motion, Mr. Chair, and just for clarification, Mark, so the new appointments to the La Bajada Steering Committee would be Commissioner Holian, Paul White, Eric Blinman, Maria DeAnda-Hay and Brian Nenninger.

MR. HOGAN: Nenninger, yes. Brian is the only new appointment; the others are reappointments.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: There's a motion, there's a second. Commissioner Holian on discussion.

COMMISSIONER HOLIAN: Thank you. I just want to say that I believe that the committee is now getting closer, much closer, to making a recommendation. I think we can see the end in sight. And I really want to commend the committee members and Chair Blinman for the work that they've done. This has been a committee that's sort of different than any other committee that we've ever had in the County before, and so they were sort of breaking new ground by doing this, and it was a very complicated task, and if we're completely honest with ourselves, they were sort of getting mixed messages

from the Commission. So it was not easy for them to do what they did and I just want to commend them for their hard work and to say thank you to them. But I think that the reason that they have hung in there through all of this is that it is a really special piece of land and they know that they are having an impact on ensuring that whatever happens to this will benefit our community.

CHAIR ANAYA: Thank you, Commissioner Holian. Seeing no further questions or comments.

The motion passed by unanimous [4-0] voice vote.

III. C. Resolutions

1. Resolution No. 2015-40, a Resolution Requesting a Budget Increase to the General Fund (101), Fire Tax ¼ % Fund (222), Fire Operations Fund (244), Emergency Communications Operations Fund (245), Corrections Operations Fund (247), and Water Enterprise Fund (505) As a Result of Needs Brought Forward At Mid-Year Budget Hearings / \$734,867

MS. JARAMILLO: Mr. Chair, Commissioners, back in January, the weeks of the 22nd and the 30th, we conducted some mid-year budget reviews with all of the departments and elected offices throughout the County. These are annual reviews that we do mid-fiscal year in order to determine if anybody has any needs that have arisen throughout the course of the fiscal year and we normally bring forward a resolution to you all after these hearings to make any adjustments that have been brought to our attention. That's what this resolution before you is. It includes FTE requests. These are not actually new FTEs. These are technically new FTEs. These are to increase part-timers to full-timers in the Senior Services Division of the Community Services Department. That is for driver/cook's assistant from part time to full time, a cook's assistant from part time to full time, and to reclassify a part time senior companion program coordinator to a driver. This is to accommodate increases in services in congregate and home-delivered meals as well as transportation.

There is a spreadsheet in your packet that gives you an idea of the adjustments that are being made in this resolution. We have general fund adjustments primarily with respect to insurance. We have adjustments in the fire tax, the quarter cent fire tax which is primarily for remodeling the Agua Fria fire station and some grant money that needs to be allocated. The fire operations fund is primarily for health insurance. The RECC had some capital needs that were not in the original budget. We had a need for roof repairs at the Corrections Department and then because the water utility has been successful in increasing their revenues there were some capital equipment requests that they had made at the beginning of the budget cycle that were contingent upon bringing in a certain level of revenue.

So that covers pretty much the adjustments that we're requesting to make, and I stand for questions.

CHAIR ANAYA: Thank you for the summary and overview. I appreciate it very much. What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: So Ms. Jaramillo, so the total budget, because we're talking about a budget increase, would be \$734,867?

MS. JARAMILLO: Yes, sir.

COMMISSIONER CHAVEZ: And then this resolution is a little different format than the other resolutions that we see because it's six pages. But the six pages capture the description that's on the spreadsheet.

MS. JARAMILLO: That's correct. We have to, for purposes of the budget resolution itself, we need to put down the specific line items that each particular increase needs to be assigned to.

COMMISSIONER CHAVEZ: Yes, so I just wanted to state that for the record, just more for my clarification, because it is a different format and I hadn't seen one like this.

MS. JARAMILLO: Lots and lots of details.

COMMISSIONER CHAVEZ: Yes, yes.

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

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Holian, second from Commissioner Chavez. Any further discussion, Commissioners? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. C. 2. Resolution No. 2015-41, a Resolution Requesting a Budget Increase to the Fire Impact Fee Fund (216) to Budget Impact Fees Received for the Tesuque Fire District to be Used for the Purchase of a Fire Engine Apparatus/\$363,701

MS. JARAMILLO: Mr. Chair, Commissioners, this resolution is to increase the budget at the fire impact fees fund for impact fees collected in the Tesuque fire district in order to purchase a fire engine. It's a budget increase and it's being budgeted from cash. And I stand for questions.

CHAIR ANAYA: A new fire truck? Awesome. What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Would you defer that motion to Commissioner Roybal, Commissioner Chavez?

COMMISSIONER CHAVEZ: Sure.

CHAIR ANAYA: That's a fire truck in Tesuque district.

COMMISSIONER ROYBAL: Okay. I'd like to move for approval of the purchase of the new fire truck.

COMMISSIONER CHAVEZ: Should I second? I'll second.

CHAIR ANAYA: A motion from Commissioner Roybal, second from Commissioner Chavez.

COMMISSIONER CHAVEZ: And under discussion, I'd just like to thank staff and the County for thinking outside the box on this a little bit because we're using the cooperative purchasing agreement through the independent fire company, and partnering with the Houston-Galveston area. So that gives us skill at economy, right? We can buy what we need at a little lower cost.

MS. JARAMILLO: Yes, sir. That's correct.

COMMISSIONER CHAVEZ: So that's great. So I just wanted to mention that for the record, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Vice Chair and thank you for deferring to Commissioner Roybal on that. There's a motion and a second.

The motion passed by unanimous [4-0] voice vote.

III. 3. Resolution No. 2015-42, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County

ROBERT MARTINEZ (Roads Director): Mr. Chair, Commissioners, every year the County is required to certify our County road map and road list of roads maintained by the Public Works Department in order to receive our share of motor vehicle tax and gas tax for road maintenance purposes. With the additions deletions and corrections that took place this year our total mileage is now 574.57 miles. I stand for questions.

CHAIR ANAYA: Is there any questions of staff? Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Mr. Martinez, am I accurate in my reading of the memo and we've actually decreased our miles by about 5.57 miles?

MR. MARTINEZ: Mr. Chair, Commissioner Chavez, that is correct. Approximately 5 1/2 miles went to the City due to annexation.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Robert. One thing I was wondering about was Timberwick Road. I know that the residents of that road think that maybe it isn't really a County road, but anyway, I think they've been having conversations with you or with somebody else about taking over the road. They don't necessarily even want the County to maintain it. Do you know what the status of that is?

MR. MARTINEZ: Mr. Chair, Commissioner Holian, several years ago I

received a letter from the Timberwick Village Association claiming that the road is private. It appears on our list. We have not been maintaining it to respect their wishes but we are waiting for the Transportation Advisory Committee to appoint members so we can go through the process to abandon that road for maintenance purposes.

COMMISSIONER HOLIAN: Great. Thank you, Robert.

CHAIR ANAYA: Thank you, Mr. Martinez. Other questions or comments? I have two, Mr. Martinez. In my recent discussions with the Town of Edgewood, the communications that I know you have had many times over the years relative to roads going from city to county and back to city. They did bring that up again for more discussion and evaluation so I'd like for you guys to take a look at those roads again and let's decipher which ones make more sense in their inventory and which might make more sense in ours.

The other one that I would ask you to review in collaboration with the Road Advisory Committee is Breckenridge Road that's on the county line of Santa Fe. I think we have an agreement with Torrance or Torrance takes care of that road but what I'd like to do is evaluate it because a lot of the residents live in Santa Fe County on that road. And so if we could have some internal review and then maybe we can have a discussion about it and then also the Road Advisory Committee. Other questions or comments, seeing none, do we have a motion yet, Mr. Vice Chair? Not yet. What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Move for approval.

CHAIR ANAYA: Motion from Mr. Vice Chair Chavez.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second from Commissioner Roybal. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. C. 5. Resolution No. 2015-43, a Resolution Proclaiming the Month of April 2015 as National County Government Month, the Theme of which is "Counties Moving America Forward: The Keys are Transportation and Infrastructure"

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I was really hoping that Commissioner Stefanics would be here because she's one that's participated more in the Association of Counties and even the National Association of Counties, but having said that I think that she would still be in support of this and be willing to support it. So National County Government Month is an annual celebration of county government held each April by counties across the nation to raise public awareness and understanding about the roles and responsibilities of county government. The theme for this year is Counties moving America forward, and the keys are transportation and infrastructure, and I know that we've spent a lot of time here in our county to address those transportation and infrastructure needs and even deficiencies. So the challenge is always

there and we always seem to embrace that challenge and we're able to move forward.

The National Association of Counties has been encouraging counties across the country to actively promote county government programs and services since 1991. And so Mr. Chair, I'm going to start reading this resolution but I would like for each of us to read the resolution, so I want to share that with my colleagues.

CHAIR ANAYA: Sure. Let me find it so that I'm on the right place when we're reading it, Commissioner. That's III. B. 5, correct?

COMMISSIONER CHAVEZ: Yes. So the title reads a resolution proclaiming the month of April 2015 as National County Government Month, the theme of which is Counties moving America forward, and the keys are transportation and infrastructure.

Whereas, the nation's 3069 counties serve more than 300 million Americans and provide central services to create healthy, safe, vibrant and economically resilient communities; and

CHAIR ANAYA: Whereas, counties move America forward by building infrastructure, maintaining roads and bridges, providing healthcare, administering justice, keeping communities safe, conducting elections, managing solid waste, preserving records and much more; and

COMMISSIONER HOLIAN: Whereas, Santa Fe County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of the residents in efficient and cost-effective ways; and

COMMISSIONER ROYBAL: Whereas, through the National Association of Counties, president Riki Hokama's transportation and infrastructure initiatives NACo is encouraging counties to focus on how they have improved their communities through road projects, new bridges, building new facilities, water and sewer improvements and other public works activities; and

COMMISSIONER CHAVEZ: Whereas, America's counties provide transportation and infrastructure services that play a key role in everything from residents' daily commutes to shipping goods around the world thereby helping America to remain healthy, vibrant, safe and economically competitive; and

CHAIR ANAYA: Whereas, each year since 1991 NACo has encouraged counties across the country to actively promote their own programs and services to the public they serve.

COMMISSIONER CHAVEZ: Now, therefore be it resolved that the Board of County Commissioners of Santa Fe County hereby:

1. Proclaim April 2015 as National County Government Month, the theme of which is Counties moving America forward. The keys are transportation and infrastructure.
2. Encourages all county officials, employees, schools and residents to participate in county government.

And I know, Commissioner Anaya, our local government has encouraged that public participation. We've invited that and we've been acknowledged for our open government transparency portal, so I think we're doing what we can. But this recognition does help move things forward.

CHAIR ANAYA: Thank you, Commissioner Chavez. I'd entertain a motion from yourself.

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

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Vice Chair Miguel Chavez. Second from Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would also like to note that Santa Fe County has been a county for over 160 years. That's far longer than New Mexico has been a state.

CHAIR ANAYA: Thank you for that frame of reference, Commissioner. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. D. Purchasing Agreements

- 1. Request Approval for a Waiver from Section 1 of Ordinance No. 2012-5 to Purchase a Fire Apparatus for the Tesuque Fire District/Santa Fe County Fire Department in the Amount of \$363,701 Utilizing the Houston-Galveston Area Council Cooperative Purchasing Agreement and Authorizing the County Manager to Sign the Purchase Order**

BILL TAYLOR (Purchasing Director): Mr. Chair, Commission, thank you. Mr. Chair, this is a request to approve a waiver from Section 1, Ordinance No. 2012-5 to purchase the fire apparatus for the Tesuque fire district using the AGHC cooperative agreement contract, and with that, Mr. Chair, I'll move for any questions.

CHAIR ANAYA: Commissioner Roybal.

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

CHAIR ANAYA: Do you want to put a motion forward?

COMMISSIONER ROYBAL: I'll make a motion for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Thank you, Commissioner Roybal. For the Tesuque district, right?

MR. TAYLOR: That's correct, Mr. Chair.

CHAIR ANAYA: There's a motion from Commissioner Roybal, second from Commissioner Holian. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. D. 2. Request Approval of Agreement No. 2015-0063-Corr/Ic with Keefe Group for Commissary Services at the Adult Detention Facility and the Youth Development Program in the Amount of \$1,200,000 and Grant Exemption to Section 2 of Ordinance 2012-5

MR. TAYLOR: Thank you, Mr. Chair. Purchasing Division requests approval of an agreement with Keefe, to enter into a contract with Keefe Group to provide commissary services to the inmates and residents of the Santa Fe County Adult Detention and Youth Development program in the amount of \$1.2 million for the initial two-year term agreement. We are also asking for an exemption from Section 2 of Ordinance 2012-5 which would allow the County to enter into a preliminary two-year contract and then there would be two one-year consecutive renewal options after the first two years. Mr. Chair, I'll stand for questions.

CHAIR ANAYA: So I'm going to move for approval.

COMMISSIONER CHAVEZ: I'll second, Mr. Chair.

CHAIR ANAYA: I have a second and under discussion I want to acknowledge the Warden and I want to acknowledge the Public Safety Department, Mr. Sedillo, and all of the staff at the Correctional facility, both County staff as well as contract staff which this is going to be a contract staff individual for the tour we did the other day, the professionalism and the work that's happening on a day-in and day-out basis over there, 24/7/365. So please extend the thanks from the Commission for the tour and for their daily efforts. Commissioners?

COMMISSIONER CHAVEZ: I would just echo that times ten.

CHAIR ANAYA: Any other questions or comments?

COMMISSIONER ROYBAL: Yes, I'd like to acknowledge that as well. It was a really nice tour. I actually took it a month before that and both times it was really impressive to go there and I would really like to thank them for their professionalism and everything that was disclosed that day was very informative. Thank you, guys.

CHAIR ANAYA: Thank you, Commissioners. Seeing no more discussion – Commissioner Chavez.

COMMISSIONER CHAVEZ: I have – so, Mr. Taylor, so the waiver that you're asking for, I guess would help in this case because of the nature of the business and the consecutive year helps you to keep someone in the facility that's qualified to do the work?

MR. TAYLOR: Mr. Chair and Commissioner Chavez, that is correct. The ordinance says that the County is allowed to enter into a four-year contract, but it would lay out as after the first initial year then you had three consecutive renewal options after that first year. So since we're doing the initial – rather than the initial one-year we're doing an initial two-year. But you're correct, Commissioner, in stating there is better pricing and we have the stability with that initial two-year term.

COMMISSIONER CHAVEZ: And are there just a limited pool of companies that can provide this type of service?

MR. TAYLOR: Mr. Chair, Commissioner Chavez, we found that to be the case with this particular deliverable service, and we gave every opportunity within the state and outside the state for competitive integrity on this procurement.

COMMISSIONER CHAVEZ: I appreciate that. I know that the nature of the business probably makes it a challenge but did want to ask just so that it's noted on the record. Thank you.

MR. TAYLOR: Thank you.

CHAIR ANAYA: Thank you, Commissioner. Any other questions or comments? Seeing none.

The motion passed by unanimous [4-0] voice vote.

- III. D. 3. Request Approval of Agreement No. 2015-0062-CORR/IC with Summit Food Service Management to Provide Food Services at the Adult Detention Facility and the Youth Development Program in the Amount of \$4,000,000, Exclusive of NM GRT; Request Approval of a Modified Term for Agreement 2015-0062-CORR/IC Pursuant to Section Two of Ordinance 2012-5; and Request Authorization for County Manager to Execute the Purchase Order for Agreement No. 2015-0062-CORR/IC**

MR. TAYLOR: Thank you, Mr. Chair, Commission. This is another contract for the Corrections Department for food services management for the Adult Detention facility and Youth Development program in the amount of \$4 million for a four-year period. We're also asking to grant the exemption to the Section 2 of Ordinance 2012-5. Again, we are doing the same thing, Commission, with regards to the initial two-year term and two one-year consecutive options to renew. With that, Mr. Chair, I'll stand for questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Bill, I'm wondering if we can either require or at least request that the food service company buy local if possible, and I'm talking about fresh fruits and vegetables and possibly meats or something like that. Do we have any control over that whatsoever?

MR. TAYLOR: Mr. Chair, Commissioner Holian, that language was not spelled out specifically in the RFP but we can certainly express that and try to provide our County influence on that. Renewal options are opportunities for negotiations for the renewal amendment too at those times. So we do have the latitude to discuss that with them and try to get them to do that.

COMMISSIONER HOLIAN: Well, I would encourage you to do that because I think that's a good policy for us to have and then perhaps when we renew it we can at least think about requiring a certain amount of local food.

MR. TAYLOR: And Commissioner, I will take note of that on future

RFPs, that we try to put that language in there in the criteria and evaluation, that firms would be able to accumulate more points on the evaluation for that type of deliverable.

COMMISSIONER HOLIAN: Great. Thank you.

CHAIR ANAYA: Thank you, Commissioner Holian. Any further questions or comments? What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Move for approval.

CHAIR ANAYA: Motion from Commissioner Chavez.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second from Commissioner Roybal. Seeing no further discussion.

The motion passed by unanimous [4-0] voice vote.

III. D. 4. Request Approval to Modify the Term of the Agreement with CenturyLink for CenturyLink Data Center Services/Delta Port Internet Services and Audio Reservation Line and Allow the County to Enter Into a Five (5) Year Term Agreement for Such Services, Pursuant to Section 2 of Santa Fe County Ordinance 2012-5

MR. TAYLOR: Thank you, Mr. Chair. Again, this is a request simply to come to the Board to ask approval for an exemption from Section 2 of Ordinance 2012-5 which would allow us to enter into a five-year term rather than the four-year that's required by our purchasing regulations. Mr. Chair, I'll stand.

CHAIR ANAYA: Questions or comments from Mr. Taylor? What's the pleasure of the Board?

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

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Commissioner Holian moves for approval, second by Commissioner Chavez. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. D. 5. Request Approval of Agreement No. 2015-0195-PW/PL with Accent Landscape Contractors, Inc. for the Romero Park Landscape Improvements Phase I in the Amount of \$453,738, Exclusive of GRT, and Request County Manager Signature Authority on Purchase Order

MR. TAYLOR: Thank you, Mr. Chair, Commission. This is a construction contract we're asking approval for for Romero Park. This is the landscape improvements for that park in the amount of \$453,738 exclusive of GRT, and requesting

the County Manager's signature authority for the purchase order. With that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I have no questions, Mr. Chair. I know this project has been in the works for a while now. This is phase 1 and I would go ahead and move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez, second from Commissioner Holian. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. D. 6. Request Approval of Agreement No. 2015-0194-PW/PL with EMCO of Santa Fe for the Romero Park Phase I Civil Improvements in the Amount of \$331,622.35, Exclusive of GRT, and Request County Manager Signature Authority on the Purchase Order

MR. TAYLOR: Thank you, Mr. Chair. Again, this is a construction contract for the civil work that's required in Romero Park in the amount of \$331,622.35 exclusive of GRT, and requesting County Manager approval. Just to make note, Mr. Chair, we split the two tasks due to deliverable – the disciplines that were required and the difference between the two disciplines between landscape and civil. And I'll stand for questions, Mr. Chair.

CHAIR ANAYA: Are there any questions or comments for Mr. Taylor.
Mr. Vice Chair.

COMMISSIONER CHAVEZ: On both of these, this is already budgeted?

MR. TAYLOR: Mr. Chair, Commissioner, that's correct. 2011 GOBs.

COMMISSIONER CHAVEZ: Mr. Chair, I'd go ahead and move for approval.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Roybal. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

III. D. 7. Request Approval of Amendment No. 3 to the Santa Fe County

Agreement No. 2013-0103-SD/MS, Professional Services Agreement with Santa Fe Animal Shelter & Humane Society to Provide Animal Control Services to Increase the Compensation Threshold to \$625,000, Inclusive of GRT; Authorizing the County Manager to Approve the Purchase Order

CHAIR ANAYA: Mr. Taylor, and we also have our Major here with us as well. Captain. Our captain. What am I forecasting something or what? Our captain is present with us. Captain Mendoza. Thank you for being here. You also have a guest with you as well.

MR. TAYLOR: It's Diana Lovato with the Sheriff's Department.

CHAIR ANAYA: Thank you, Ms. Lovato for being here as well. Mr. Taylor.

MR. TAYLOR: Thank you, Mr. Chair. We're requesting approval from the Commission to enter into amendment number three for this contract. The department has encountered some hoarding cases and other cases that have increased the hoarding of animals, the licensing increased and therefore we're requesting that the Commission allow for an increase to this contract to a total amount of \$625,000, and I'll stand for questions, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Taylor. I'm going to make a brief comment and then I'll defer to my colleagues and Captain if you want to make any comments feel free to do so as well. This is an item that we've had discussions over in recent years and I think it's something that maybe warrants a little more evaluation. Not on this particular amendment but on where we might go in the future or how we might conduct our business. I know that the Sheriff and Undersheriff and Manager have raised concern, I think, frankly, with the costs and prior work and services so I guess it's something that we need to evaluate. So I'll say that on the record and ask that we have those broader discussions that I know you've already started over the years and make sure we engage our Manager and Sheriff and all parties. So that's all I have. Commissioner Holian.

COMMISSIONER HOLIAN: I just want to put on the record that I'm in agreement with your request and that we look to see whether we can perhaps perform some of the services within the County itself rather than contracting with the animal shelter. I do have a question though. In the item on our agenda it says \$625,000 but in our packet material it says \$675,000.

MR. TAYLOR: Mr. Chair, Commissioner Holian, the amount is \$625,000. We did go through the process of what was needed to get through the remainder of the fiscal year and it did total the \$625,000.

COMMISSIONER HOLIAN: And what was it prior to that? What was the threshold?

MR. TAYLOR: The threshold, Mr. Chair and Commissioner, was \$510,000. Correct.

COMMISSIONER HOLIAN: Okay. Thank you, Bill.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Chavez.

COMMISSIONER CHAVEZ: We don't have a motion on the floor?

CHAIR ANAYA: We don't yet.

COMMISSIONER CHAVEZ: Mr. Chair, I'll go ahead and make a motion to approve the \$625,000.

CHAIR ANAYA: There's a motion from Commissioner Chavez.

COMMISSIONER ROYBAL: Second.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Second from Commissioner Roybal and Commissioner Holian. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

CHAIR ANAYA: Are we ready for the legislative or not yet, Ms. Miller?

MS. MILLER: Mr. Chair, I was still hoping Tony Flores would be back to give us a report on what happens at the legislature.

CHAIR ANAYA: That'd be fine. If we could go to the back real quick. Did the Commissioners have any questions of staff present on item VII. Informational items from our departments? Is there any extra information any Commissioners have at this time?

VII. 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 1/31/2015**

CHAIR ANAYA: If there's not and if it's the will of the Manager we can let them go I guess. So we don't have any questions on item VII. I thank the staff for sitting through the meeting on any questions relative to that. Ms. Miller, is there any other items we need to clean up or are we in order at ordinances?

MS. MILLER: Mr. Chair, if you wanted to do the ordinances last you could do the two miscellaneous items, the F. 1 and F. 2.

III. F. Miscellaneous
**2. Consideration of Santa Fe Metropolitan Planning
Organization Revised and Restated Joint Powers Agreement**

CHAIR ANAYA: I'd like to congratulate our Vice Chair, our outgoing chair, Commissioner Chavez, Mr. Vice Chair, served as chair, and incoming vice chair is Commissioner Roybal. So I wanted to congratulate both of them on their work on the MPO. Mr. Shaffer.

GREG SHAFFER (County Attorney): Mr. Chair, the New Mexico Department of Transportation has requested that there be certain changes made to the Metropolitan Planning Organization joint powers agreement. In your packet is a letter from the DOT explaining what those desired changes are. At a high level the request was to amend the JPA to reflect work products required by federal law, identify triggers for amending the JPA in the future, include conflict resolution provisions and update financial responsibility provisions so as to have the County contribute a share of the MPOs local operating budget and update the title of the MPO officer.

So I've worked with the MPO officer, Mark Tibbetts, who I thought was going to be present this evening as well as staff from the City on the revised JPA and the results of those efforts are included in the packet. I think the most significant changes reflect the County's go-forward financial contributions and this, as I understand it was identified and blessed in concept by the MPO board but it would have the City and County sharing a proportion of the operating expenses based upon their proportion of the population within the metropolitan planning area. Right now it's a 30 to 70 split with 70 percent of the population residing within the city and 30 percent of the population within the metropolitan planning area outside the city within the county.

So estimating, and these are just estimates, the County's annual financial contributions are expected to be less than \$35,000 per year. Again, I would emphasize that the contributions would not begin until federal fiscal year 2016, which begins October 1st of this year and that the County's contributions are contingent upon appropriations being made by the Board of County Commissioners to meet them, and that the County may terminate the JPA on 120 days notice.

The point I'm trying to make is that this is not a long-term commitment of funds as there are a variety of safeguards that would enable the Board to not continue to contribute those operational funds in the future. The other significant change is the conflict resolution paragraph and it generally commits the parties to resolve disputes through mediation, although it allows them the right to choose to mediate any disputes through arbitration and given the history of the organization I wouldn't anticipate that there would be a lot of intractable disputes that would take us down that path as it relates to planning.

So with that, Mr. Chair. I would stand for any questions.

CHAIR ANAYA: Any questions or comments for Mr. Shaffer. What's the pleasure of the Board? I'm okay with it. We're okay with it, Mr. Shaffer, over all, from a legal standpoint? I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion and a second. Any further discussion? Seeing

none.

The motion passed by unanimous 4-0] voice vote.

III. F. 1. Request Approval of a Memorandum of Understanding between Santa Fe County and State of New Mexico Department of Game and Fish for Development of an Off-Highway Vehicle (OHV) Training Site

DAVE SPERLING (Fire Chief): Thank you, Mr. Chair, members of the Board. The Santa Fe County Fire Department requests your approval of a MOU between Santa Fe County and the State of New Mexico Department of Game and Fish for the development of an off-highway vehicle training course at the Santa Fe County Fire Department property and facility located at 5 Martin Road in Edgewood. As required by state law, the New Mexico Department of Game and Fish is required to implement an off-highway vehicle safety training and certification program, the goal of which is to provide OHV safety training and safety permits showing proof of completion to children under the age of 18 and adults. The successful OHV program follows the department's hunter education program model by developing appropriate training facilities in local communities and certifying local volunteers as instructors.

In order to ensure that children and adults who are operating OHVs are following safe and appropriate practices as well as complying with state law the Department of Game and Fish has determined that OHV safety training is essential in local communities and should be readily available. They found that it's both a popular sport with both children and adults in the Edgewood, Moriarty and Stanley areas and it's also an important part of that area's rural agricultural lifestyle, but currently there's no designated OHV training site in the vicinity. The closest site is in Albuquerque, approximately 45 miles away.

So we got together with Game and Fish and made a determination that this would be an appropriate site to place a training course for both the general public and government agency employees whose duties require OHV safe operation. The State Game and Fish Department received dedicated funding for the Off-Highway Motor Vehicle Safety Act and have agreed to share some of that funding with us in the development of this site and its maintenance over a period of the next five years.

The development of the site will provide us as a department with a means to conduct safety training not only for county residents including minors but also County Fire Department employees and law enforcement personnel and other agency staff. With that I'll stand for any questions that you may have.

CHAIR ANAYA: Thank you, Chief. I'm excited. I think it's an opportunity to continue our relationship with the Game and Fish. The Director of the Game and Fish I might note is a resident of Santa Fe County, attended school here in Santa Fe, worked her way all the way through the ranks in the New Mexico Department of Game and Fish and is an excellent director, Ms. Sandoval. So I would entertain any further discussion but I'll move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion and a second from Commissioner Chavez. Is there any further discussion?

COMMISSIONER CHAVEZ: I have just a question. I know that in the area here there are not a lot of opportunities or venues for people to take their four-wheels or ATVs and sometimes you see them on a river trail and places where maybe they don't belong. Will this facility allow that kind of recreation, once they're certified and they've gone through their training? Can they use that just for recreational purposes? Or is it strictly for training?

CHIEF SPERLING: Mr. Chair, Commissioner Chavez, the training course and program is strictly to train and certify in safe operation of OHVs. The department will be providing OHVs for members of the public as well as safety equipment to do the training but we will not be allowing recreational use on our site. People in the Moriarty, Stanley, Edgewood area primarily use them for agricultural purposes. They're also a popular hunting tool for members of the general public. We use them both for emergency operations, for search and rescue operations and for our wildland program, and I know that law enforcement has regular use for their OHVs.

So our purpose is primarily to get our staff trained and certified in the correct and proper use of these types of vehicles to reduce inadvertent accidents.

COMMISSIONER CHAVEZ: Okay, so it's a little different.

CHAIR ANAYA: On that point, if I could, Mr. Vice Chair, on that point, you're bringing up an excellent point. It's a challenge that we have in Santa Fe County and I think it's something that warrants more discussion. We have just not even a quarter mile from this particular property is a private facility that does competitions for motorcycles and off-road highway vehicles and so I would like to work with you, Mr. Vice Chair, and continue this dialogue. It's been a perpetual dialogue because they do end up in arroyos and on other lands where we don't want them. I know that Commissioner Anaya had worked with the Village of La Cienega and La Cieneguilla on extensive fencing and cleanup project in that area on BLM lands and so I think – I appreciate that you brought it up and I'm hopeful that maybe you and I can work together on trying to find some alternatives for recreation because they create their own in many cases if we don't try and find some avenues.

COMMISSIONER CHAVEZ: I'd be more than willing to work with you on that, Commissioner.

CHAIR ANAYA: Thank you, Commissioners. There's a motion and a second. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote.

V. B. 3. A Proclamation Remembering and Honoring Linda Pedro for Her Outstanding Contributions and Achievement for Disability Rights In Santa Fe County and the State of New Mexico

CHAIR ANAYA: Is there a motion, given that Commissioner Stefanics and Commissioner Roybal are doing item B. 3 together, I'd entertain a motion to table to a later meeting item B. 3.

MS. MILLER: Mr. Chair, actually, Commissioner Stefanics did call and ask if we would table that. So the actual proclamation was approved on Consent but the presentation, she requested it be done at another meeting.

CHAIR ANAYA: Did you have that comment at the beginning under tabling?

MS. MILLER: Mr. Chair, I actually forgot to say it because it wasn't noted on my thing. So I was going to bring it up though. Sorry about that.

CHAIR ANAYA: Commissioner Roybal, would you move to table on that item?

COMMISSIONER ROYBAL: Yes, I'd like to move to table the proclamation remembering and honoring Linda Pedro.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion and a second.

The motion passed by unanimous [4-0] voice vote.

CHAIR ANAYA: Ms. Miller.

MS. MILLER: Mr. Chair, we could go to the presentations by the Public Works Department on the Santa Fe County utility water supply and on solid waste collection. They're not action items, if you want to go to those, and Tony is on his way back and can give an update of what happened relative to the hold-harmless legislation that's over at the legislature and then we could go into the ordinance, request authorization on three ordinances if you'd like.

CHAIR ANAYA: Ms. Miller and Commissioners, if you could provide me some input. The next two items, update on County water utility supply and solid waste are items we requested and that we want feedback on but I think these are items that I think all five Commissioners need to hear and be actively part of the discussion and maybe these are a couple items that in a future meeting we could put towards the front of the agenda. So tell me – I know you're doing this because we requested it but if my colleagues would allow I think maybe we should defer this to another meeting and then put it closer towards the front of the agenda with all five Commissioners present. I would defer to my colleagues for comment.

MS. MILLER: Mr. Chair, I would only have one request and that has to do with the water supply issue, only because at the next Commission meeting there will

be some requests relative to possible decisions that have to do with that.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Katherine, do you mean at the March 10th meeting?

MS. MILLER: Mr. Chair, Commissioner Holian, yes. So I believe, if I have this right and Adam might be able to help me with it. There are some cases on March 10th that require some knowledge and decisions based upon our water supply, some of the land use cases. So what staff wanted to do was give you an update of where we are from the last presentation, which was in the fall, of where we are on our water supply so that you would be informed because it's actually, I would say better information than what we had previously so that you'd be informed when you had those cases in front of you.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Okay, Ms. Miller. Let's go ahead and do the presentation. So I'd entertain a motion to table solid waste collection district development.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

2. Update on Solid Waste Collection District Development

COMMISSIONER CHAVEZ: Mr. Chair, I'll make a motion to postpone V. A. 2, Update on solid waste collection district development for a future meeting.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion and second.

The motion passed by unanimous [4-0] voice vote.

V. A. 1. Presentation and Update on Santa Fe County Utility Water Supply and Demand

CLAUDIA BORCHERT (Utility Director): Good afternoon, Commissioners. In your packet you have a memo that we prepared as an update to the water supply and demand. As the County Manager mentioned this is an update from a memo and a presentation you were given in the fall, and what we did this time is we looked at the growth projections as a way to ground our understanding of demand in SDA-1, and so if you would like to look at page 2 of your packet. I hoped – do you guys have it in color?

COMMISSIONER CHAVEZ: Yes.

MS. BORCHERT: Okay. Good. So that means I can talk about the colors. So what you can see here is an estimate of our total supply of around 3,000 acre-feet and how it has been thus allocated and what remains unallocated. So the new piece of

information is shown here in the blue, which shows that the SDA – sustainable development area 1, using the population projection that was done by the County as part of the growth management work, shows that around 700 acre-feet is required in SDA-1 between now and 2030. And during that, there are a couple other chunks that are uncommitted.

For example, in the white kind of hatched pattern and a ten percent County set-aside, and that's per the current policy document that was adopted in 2006 that identifies that the County for all of the water that it allocates, you should set aside ten percent according to County priorities and it lists a few County priorities. Some of that water has already been allocated, for example for the Santa Fe Studios and the remainder is available. And then the uncommitted amount can really be designated in any way you want to.

Now, as the County Manager mentioned, coming before you there is a project for example, that needs to come forward and needs to understand whether the County is willing to allocate a water supply, and that is the Elevations project that's part of the Santa Fe Community College District. They need 38 acre-feet and they are in SDA-1. So for example, if you would like to use this as a guidance as you allocate water in the future you could look at that blue pie piece and say, oh, we do have water allocated towards growth that will occur in SDA-1 and as Elevations moves forward as well as other projects, this is the water supply that will be available for them, according to the County's stated priorities of having water go to this priority district, SDA-1.

Then I guess there's one other piece of this mention maybe I'll mention before I stand for questions which is the picture that's painted here in the total supply with the pie is a part of our picture. The other part that needs to be thought about is our backup water supply, and that's what's in the next graph and for backup supply you really have to ask yourself what situation you're planning for. And if we plan for a full supply from the Buckman Direct Diversion then it is as that first stack of graphs on the left shows, blue and yellow together, we have 3,000 acre-feet. If you want to assume that there might be some less water available in that source of supply, potentially because of future climate change interruptions to our surface water, then if you assume that we have the 25 percent less of our regular Buckman Direct Diversion supply, then we still have close to our 3,000 acre-feet.

If you want to assume that we have none of our Buckman Direct Diversion water supply, some catastrophic of the Buckman Direct Diversion, then we'd see that we only have 1,375 acre-feet of our 3,000 acre-feet of water supply. That's a pretty drastic assumption about our need for backup, and I just wanted to paint those three scenarios for you here and what this really highlights is that we need to figure out how to increase our backup supplies, and we're working on that with some groundwater wells, and that's something that the Water Policy Advisory Committee recommended to you guys in January of this year and that you passed in resolution in the same time in January. So the deficit that may be there under scenario three, the one on the right, is really a scenario that we're trying to identify as need as we move forward in all kind of work to do for the utility.

So I hope that's all clear as mud and with that, I'll stand for questions.

COMMISSIONER CHAVEZ: Clear as mud if you mix water with dirt, right. Thank you, Claudia. Questions, Commissioners?

COMMISSIONER HOLIAN: Thank you, Claudia. This puts things into perspective, that's for sure. Who much water is our utility currently delivering?

MS. BORCHERT: 2014, around 1,300 acre-feet.

COMMISSIONER HOLIAN: So about the total amount that we have with no BDD supply, if that were to continue to be the case.

MS. BORCHERT: Commissioner Holian, yes.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER CHAVEZ: Commissioners, questions? Well, thank you, Claudia. I'm going to take this home with me for more reading. If I have questions I'll run it by you. Thank you for your presentation.

MS. BORCHERT: Thank you.

COMMISSIONER CHAVEZ: So where does that take us next? What do we have left? Are we ready for the legislative update? I think we could do that not. I see Katherine and Tony. Manager Miller, could we do the legislative update now?

V. C. **Matters from the County Manager**

1. **Legislative Update**

a. **Discussion of, Direction on, and Possible Vote of Support for or Opposition to Proposed or Pending Bills**

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. I am positive that Mr. Miller's emails made it quicker than my feet could get me over here walking, so you have some of this information already. Tessa Jo is passing out our legislative report for today [*Exhibit 1*] and as we indicated and committed to the Commission last year we will be doing these biweekly updates on items that are relevant to Santa Fe County, relevant to the Association of Counties, or relevant to issues that affect the state as a whole.

Two bills were up today that directly affect Santa Fe County and its attempts to move forward in improving or maintaining our revenue streams. One of them is specifically Senate Bill 101, which has been introduced by Senator Neville from San Juan County, basically covers that northwest corner of the state. All the five hold-harmless bills that are currently working through both sides of the legislature, this one and all of them, actually, have some detrimental effects that potentially impact the County.

Although the bill received no action today, in other words it was not voted for or against, and the Senate Finance decided to do as the House has done is to couple all the hold-harmless bills on the Senate side and hear them all at one time as the House is trying to do on the Appropriations House side. Part of the issues of most of the bills that are going through the process is the determination per se of all the hold-harmless that we receive back today. So in other words a lot of these bills have in their statements basically a cutoff of all those revenues that would come back to us for hold-harmless.

It was stated today on Senator Neville's bill that this is not the fix-all. This hurts

some, helps others, maintains some as neutral. Part of the issue that we discussed because we had not fully analyzed the substitute bill that was submitted today is how that affects the implementation of our program that I'm sure that we probably discussed things earlier when I was across the street, and also that affects our current bond structure as it relates to GRTs. And those are two issues that affect us tremendously, understanding that we have pledged some of the hold-harmless revenue in our GRT to pay back some of our existing debt. Those items have not been thoroughly vetted. There is not an FIR out on the substitute bill that was instituted today and that was part of the concern of some of the Finance Committee members, Senator Morales specifically, that there is not an FIR associated with the amended bill, therefore it's difficult for him to say up or down if it's a good bill.

All of the five bills, whether it be on the Senate or the House side from our initial analysis have detrimental impacts to not only Santa Fe County but the entire state, specifically dealing with the elimination or the suspension of those returns of those hold-harmless taxes back to us immediately.

The other bill that just was heard as I was walking out is Senator Rodriguez' Senate Bill 117, which basically reinstates the sunset clause on the sole community provider program that was Senate Bill 268 last year. It did receive a do-pass from Senate Finance, 4-1. What happens next is unknown. There was quite a bit of discussion while I was there on what the administration will support as far as reinstating that sunset clause that was line item vetoed out of last year's bill.

Other than that, it's an interesting session, one of the most interesting ones I've been involved with in probably 13 years. We have over 1,600 bills that have been introduced on one side or the other and of those, only one has actually passed. They were having floor debate as we left or as I left to do with House Bill 2, which is basically the budget. Senator Smith indicated they would have a lot of discussion when it came to the Senate side. So House Bill 2 is on the floor as we speak under debate.

We have also provided in the legislative update an indication of all the resolutions the Commission has passed over the last year and how those are being – or how they pertain to existing pieces of legislation and I won't go through all of them. That's in your packet on page 5. And then on page 15 and beyond to approximately page 36 are different topics, subject matters per se that would interest the Commission or you have directed us to take a look at and track those types of bills. We have again put some scheduling in there of where they're headed, where they've been, what their outcome is. As you can see there's quite a few of them that have no movement at all, which is a little disconcerting to me as we are past the halfway point in the session.

The most important factor of this session is going to be hold-harmless. They were bringing up hold-harmless discussions on a bill that had nothing to do with hold-harmless after that bill was passed over. So hold-harmless is an important key factor for not only Santa Fe County and our abilities to move forward in providing the services that we do but also as a state and we will try to inform the Commission through the County Manager on updates as they progress. And we will identify when those bills, they're stacking the bills both on the Senate Finance and House Appropriations when they are being heard.

And that, Mr. Chair, I apologize, but that's a brief update on the legislative

process or status today.

COMMISSIONER CHAVEZ: Well, thank you, Tony. I appreciate that. I know it's a moving target and it's not easy to monitor that and it's all subject to change, right?

MR. FLORES: Mr. Chair, the most important, again, the hold-harmless, even if we did what we were thinking we were going to do, because some of these bills eliminate that possibility on or after July 1st, there's some timing issues that the County will have to deal with as it relates to those pieces of legislation going through.

COMMISSIONER CHAVEZ: Yes. So that creates the moving target. But I do appreciate your work there. I don't know if there's a point in time where you would need the Commissioners to engage at a community level or whatever, but I'd offer that to you. I'd be willing to be available if the need arises and if it's appropriate. Are there any other questions from the Commission?

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Tony. Is there any late breaking news on the pre-emption bills?

MR. FLORES: Mr. Chair, Commissioner Holian, it seems this week pre-emption has taken a backseat to hold-harmless, so 199 and the one that was heard last week, there hasn't been any movement from those discussions. 199 is still sitting in a parking spot, per se, and there hasn't been the direction of all those that are in committee assignments it hasn't gone. From my analysis and from the team's analysis, 199 would be the most detrimental to Santa Fe County, whereas the other bill has the potential to be detrimental but there's not a specific legislative piece that says it shall be. The way the legislation or the statute treats it is you have to state your intent. 199 states the intent while the other bill does not.

So it seems like we're moving, as the Chairman said, we're moving targets on topics, and last week it was pre-emption. All of a sudden this week it's hold-harmless and as I indicated or prefaced my remarks this is an interesting session on where they're going.

COMMISSIONER HOLIAN: Yes, indeed.

COMMISSIONER CHAVEZ: So how many days left, Tony?

MR. FLORES: I think after today, Mr. Chair, we are under 24 days I believe.

COMMISSIONER CHAVEZ: Twenty-four. Okay. So about halfway through.

MR. FLORES: We're a little past the halfway mark.

COMMISSIONER CHAVEZ: Okay. Well, thank you, Mr. Flores, for that update and if we have any questions we can run them by the Manager or contact you.

MR. FLORES: Thank you, Mr. Chair.

COMMISSIONER CHAVEZ: So, Ms. Miller, where do we go next?

III. E. Ordinances

1. Request Authorization to Publish Title and General Summary of Ordinance No. 2015-___, an Ordinance Adopting a County Hold Harmless Gross Receipts Tax

MS. MILLER: Mr. Chair, one of the things why we somewhat waited for that update was that the item on the ordinances, when we go to publish title and general summary, so I would recommend we go there and then I can come back to other updates under Matters from the Manager. But I think that at this point we should go to the Action Items, III. E. 1, 2 and 3, and go through those. But the reason I wanted Tony to make sure that he gave you an update on the hold-harmless bills that are going through the legislature right now is depending on what the state does with existing statutes relative to the hold-harmless distributions on food and medical, and the three 1/8 local option GRTs that are eligible for the City and the County, depending on what legislation passes it could have a different impact on what you choose to do relative to potentially imposing another 1/8.

So I state that just because this request to publish title and general summary for this ordinance could change in the next month, two months, depending on what happens at the legislature and what the Governor signs into action if any of those bills do pass.

What we're putting in front of you though, is based upon the status quo. So we're saying if nothing passes and the way the statutes currently stand this is an option for the Commission. So I just preface that conversation with that and with that I would say we should go to the item of request authorization to publish title and general summary of an ordinance adopting a County hold-harmless gross receipts tax.

COMMISSIONER CHAVEZ: Okay, so we have that under consideration. Now, it's an ordinance and I would like to open it up to public comment. Is there anyone here this evening that would like to speak to this item? It's request authorization to publish title and general summary of an ordinance adopting a County hold-harmless gross receipts tax. Do we have any idea of how that gross receipts tax – so it would be status quo? It wouldn't change?

MS. MILLER: Mr. Chair, Commissioners, so what current legislation allows or what current statute allows is that the County can impose up to three 1/8 of gross receipts tax that would go across the incorporated and unincorporated areas of Santa Fe County. What this proposal or this request of an ordinance would be to put in place one of those eighths, not all three eighths, but just one of those eighths. And it also proposes that we would actually make it very specific that it would impose on any person engaging in business in Santa Fe County a tax equal to 1/8 of one percent, or .125 of the gross receipts reported or required to be reported by a person pursuant to the New Mexico Gross Receipts and Compensating Tax Act. And so what that's equivalent to is 12.5 cents or rounded 13 cents on \$100 of retail sales.

So we also are proposing that that would be dedicated, that hold-harmless GRT revenue, would be dedicated to capital and maintenance expenditures for facilities and infrastructure, wholly or partially owned by Santa Fe County including but not limited to roads, buildings, water or wastewater systems as well as acquisition of real property and water rights for such facilities and infrastructure. And also that payment of principal,

interest and other costs, including other costs of issuance related to revenue bonds issued for any purpose specified in the previous paragraph.

So that is what, based upon our discussions at the study session of looking for a way to finance our renovations or actually rebuilding of the old judicial facility, to put that into a County administration building, and renovating any of our other facilities and maintaining those facilities, which was also brought up at the last BCC meeting where we talked about our facility condition index. So the way that this is proposed is that is what the revenues would be dedicated to, based upon a draft ordinance.

COMMISSIONER CHAVEZ: Okay, so procedurally, just so that we're all understanding, this is just a request to authorize the publishing of the title and general summary of this ordinance. So this will come back for a vote. Will we have to have two public hearings on the ordinance?

MS. MILLER: Mr. Chair, Commissioners, no. It would not require two public hearings. I would, however, suggest that we have a special BCC meeting to hear this because in order for this to be imposed by July 1, 2015, the ordinance does have to be passed prior to March 31, 2015 and our next meeting that we could actually publish title and general summary and notice the public hearing with a two-week advance notice would be March 31st. So I would actually recommend that we have a meeting, a special meeting to hear this in the week prior. So probably – what would that be? The Tuesday prior to March 31st would be March 24th, if that's possible for all of the Commission to be available and that we would actually just have a public hearing that evening for this item.

COMMISSIONER CHAVEZ: Okay. So then I'd ask for a motion from the Commission?

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: I move for approval of authorization to publish title and general summary for request authorization to publish title and general summary for an ordinance adopting a County hold-harmless gross receipts tax of one-eighth of one percent. And also, I would add to my motion that we have a special meeting prior to March 31st for the public hearing.

COMMISSIONER CHAVEZ: There's a motion.

COMMISSIONER ROYBAL: I'll second.

COMMISSIONER CHAVEZ: There's a motion and a second. Thank you. For discussion, Katherine, so the memo states that it may be enacted in increments of one-eighth of one percent but not to exceed three eighths of one percent. Should that be mentioned in the motion?

MS. MILLER: Mr. Chair, the only one that we're actually requesting as far as this particular ordinance is just one-eighth, so from staff's perspective we're not recommending anything more than that.

COMMISSIONER CHAVEZ: Okay. I just wanted to clarify because it is in the memo. And then do we have to now specify the number and dates of public hearings?

MS. MILLER: Mr. Chair, I would recommend one public hearing and as

Commissioner Holian said, prior to March 31st. We will have to advertise it two weeks in advance so we'll have to firm up that date. I would recommend and just need to make sure that all Commissioners are available on the 24th. Part of the reason too I would recommend that is by then we'll also know what legislation has passed. We won't know what legislation the Governor will sign into law but we will know what passes by that point and that could have a significant bearing on what the Commission decides to do. It might be something that if certain – if no changes to current statute are in place you may not feel the need to act as quickly on this issue.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes, Commissioner Holian.

COMMISSIONER HOLIAN: I would also like to add and just let staff know that I am available March 24th.

COMMISSIONER ROYBAL: I'll be available as well. What time did you say it was?

MS. MILLER: We would do it in the evening. We'd do it after 5:00. Since it's a public hearing we try to have our public hearings after 5:00.

COMMISSIONER CHAVEZ: I'll be available as well. So we have a motion and a second. Any further discussion? Seeing none.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya voted after the fact.]

III. E. 2. Request Authorization to Publish Title and General Summary of an Ordinance Establishing Weight Limits and No Through Truck Traffic Limitations on Various County Maintained Roads

MR. MARTINEZ: Mr. Chair, Commissioners, the purpose of this ordinance that we're requesting to publish title and general summary of is to impose heavy truck traffic restrictions on four roads that we did some assessments on as to the policies and procedures the Board adopted through Resolution 2014-114. We were directed to have two public hearings and the plan was to go into the technical part of it during the first public hearing but just to let you know, the four roads that we did the assessments on were County Road 33, which is Old Lamy Trail, County Road 62, Caja del Oro Ranch Road, Caja del Rio Road, and County Road 45.

If you have any specific questions I can answer them for you now. Otherwise, at this point in time we're just asking for title and general summary. There is a draft ordinance in your packet. It will probably be modified as per the Board's direction, but at this time we're just requesting title and general summary.

COMMISSIONER CHAVEZ: Commissioner Holian, I'll yield the floor to you. I know you had a special interest in this ordinance. Do you have any questions or comments at this time?

COMMISSIONER HOLIAN: No, I don't really have any questions at this

time, Mr. Chair, and I would like to make a motion for approval of authorization to publish title and general summary of an ordinance establish weight limits and no truck through traffic limitations on various County-maintained roads.

MR. SHAFFER: Mr. Vice Chair, if I could just interject for a second and I apologize for doing so. The actual title of the proposed ordinance changed a little bit in a non-substantive way, but just for a clear record, the actual proposed ordinance is an ordinance establishing weight limits on various County-maintained roads. We took out the separate through traffic portion of it. So if I could just offer that for Commissioner Holian's consideration.

COMMISSIONER HOLIAN: Thank you, Greg. And yes, I do modify my motion to be consistent with what is in our packet.

COMMISSIONER CHAVEZ: So we're striking no through truck traffic then, right?

COMMISSIONER HOLIAN: Correct.

COMMISSIONER CHAVEZ: Okay.

COMMISSIONER HOLIAN: It just says establishing weight limits on various County-maintained roads.

COMMISSIONER CHAVEZ: Only. Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Vice Chair. If I could, I'd like to reflect on publishing title and general summary on the last one that I voted in the affirmative for that if I could. And on this one I'm looking forward to the continued dialogue and public input process. I appreciate Commissioner Holian in previous discussions we dealt with agriculture concerns so I appreciate that, Mr. Martinez and staff, and so I'm looking forward to hearing any feedback we might have and watching this progress. Thank you.

COMMISSIONER CHAVEZ: So, Mr. Chair, we do have a motion and a second on the floor to publish title and general summary. Any other discussion? Questions? So there's a motion and a second.

The motion passed by unanimous [4-0] voice vote.

III. E. 3. Request Authorization to Publish Title and General Summary of Ordinance No. 2015-___, an Ordinance Amending the Right-of-Way Use Ordinance, Ordinance No. 2003-1, as Amended by Ordinance No. 2009-5

ADAM LEIGLAND (Public Works Director): Mr. Chair, Commissioners, in 2003 the County passed an ordinance for managing the County's right-of-way that included among other things a fee for right-of-way use permit, and then in 2009 the County passed an ordinance amending that fee schedule. But that fee schedule, the new fee schedule enacted in 2009 was challenged by certain utility providers who thought the fee was too high so that 2009 fee schedule has never actually been implemented. We've been in this litigation since the fee schedule was enacted in 2009.

So what this ordinance before you does, essentially, is undoes the 2009, reverts

back to the 2003 fee schedule, which for all intents and purposes we are operating under now. And the purpose of this, undoing this 2009 schedule is to clean up the litigation in the court system, kind of start a clean slate, and allow the Commission to readdress the issue at a future date with any sort of litigation hanging over our head. This is all summarized in the memo before you and then you'll see what the fee schedule is on the draft ordinance. So again, this is just an authorization to publish title and general summary for a new ordinance, and with that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Mr. Chair.

COMMISSIONER CHAVEZ: Yes. Go ahead.

CHAIR ANAYA: I would move for approval.

COMMISSIONER CHAVEZ: There's a motion and a second. Any discussion, Commissioner Roybal? So we have a motion, a second. Seeing no further discussion.

The motion passed by unanimous [3-0] voice vote. [Commissioner Holian was not present for this action.]

COMMISSIONER CHAVEZ: So where does that take us to now, Mr. Chair? That's E. 3.

MS. MILLER: Mr. Chair, I might be able to assist with that. We have under Matters from the Commission, I don't know if we finished. If there were any items for other Commissioners. That was left. And then we had Matters from the Manager, Miscellaneous updates, and then the joint City-County update, and then we have matters from the County Attorney. So those are the items that we have left.

COMMISSIONER CHAVEZ: So, Mr. Chair, what is your – so the options then would be to do the update on the joint meeting of the City Council and the Santa Fe County Commission, or go into executive session.

CHAIR ANAYA: It's almost like, if I could, Mr. Chair, under Matters from the Commission, I don't know if we even got to those, but we might want to touch on those if anybody has those, Mr. Chair.

V. B. **Matters from the Commission and Other Elected Officials**
2. **Commissioner Issues and Comments**

COMMISSIONER CHAVEZ: We kind of skipped over those just a bit. I don't have anything right now that hasn't already been said. So I don't need to add anything at this point.

CHAIR ANAYA: I have one item. Mr. Chair and Commissioners and Ms. Miller, Commissioner Stefanics – we had a discussion at the last meeting regarding the tax rebate, the low income tax rebate, and I am willing to have a discussion about sunsetting that particular clause to deal with items that are more directly connected, for lack of a better word, to the County, and I am very much interested in what Commissioner Stefanics suggested on utilizing resources offset by not having that rebate for solid waste. And so I want to put that on the record and request staff to bring some discussion items back for possible action. That's all I have, Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Roybal, do you have anything under Matters from the Commission?

COMMISSIONER ROYBAL: Mr. Chair, I don't have anything at this time. Thank you.

COMMISSIONER CHAVEZ: Would you rather have the presentation on the joint meeting or go into executive session?

CHAIR ANAYA: I'm fine, Mr. Chair, if we just do a joint meeting presentation and then the only thing we'd have to do after executive would be close the business. So I'm fine with doing that if you guys are okay with that.

COMMISSIONER CHAVEZ: That's good to go.

MS. MILLER: Mr. Chair, can I ask one question before move on. I'll go to the Manager's update and then we can go to executive session but under the ordinances we just did, the publish title and general summary on the three ordinances, on the third item we're only required to have one public hearing but I want to make sure. On the first one we were planning on one public hearing. On the second we were planning two public hearings. On the third one, would you like one or two public hearings?

CHAIR ANAYA: The third one was to deal with the easement issues and the right-of-way stuff that we're basically going to the old one and then it sounds like we're going to regroup, it sounds like, Adam. I'm fine with one.

MS. MILLER: One.

CHAIR ANAYA: Are you guys okay with one?

MS. MILLER: Okay. Great. Thank you.

V. C. **Matters from the County Manager**
2. **Miscellaneous Updates**

MS. MILLER: All right. So then I'll go to Matters from the Manager. Just real quick, another couple other really quick miscellaneous updates before I go into the item on the joint City-County meeting. One, just a reminder that on Monday the Growth Management staff began the process of meeting with all the established community planning groups in an effort to ensure that the community planning areas and overlays are complete by June of this year in anticipation of the final adoption of the zoning map in September. So they did start that process and I just wanted to remind the Commission of that and if any communities want to know about their community plans they should contact the County and make sure that they're present at those community meetings.

And the second item, I just wanted to let the Commission know that we did hit the annual salary adjustment for the minimum wage or the living wage. So the County's living wage is now \$10.84 and we do have in the County eight County staff that will be receiving an increase from the \$10.66 to the \$10.84 and that's an adjustment of approximately 1.7 percent. And then also I believe the tipped wage went up by five cents as well. So I did want to give you that update.

V. C. 3. **February 20, 2015 Joint Meeting of the City Council of the City of Santa Fe and Board of County Commissioners of Santa Fe County**

- a. Meeting Summary**
- b. Appointment of Commissioners to Serve on Joint City-County Subcommittees Concerning**
 - (i) Water, Wastewater, and Storm Water;**
 - (ii) Public Safety, Including the Regional Emergency Communications Center; and**
 - (iii) Annexation**

MS. MILLER: And the final update was on the joint City-County meeting and I think all but Commissioner Roybal were present for that but just to give you kind of a real quick overview, we did start with a discussion on the opportunities to collaborate. Several of the attendees pointed out that the City and County do collaborate in numerous areas but in those areas there are some issues that need to be resolved before we can move into other areas, which was kind of some of the conversation was around, from the City's perspective about whether we wanted to look into a municipal utility and I think the general consensus across both governing bodies was that there are a lot of recommendations that we can move forward with today to achieve different policy goals between the City and County, like public education campaign and community solar project and we can do those things while we sort through current joint agreements that have issues. Those pending issues should be addressed before we enter into such a large-scale joint initiative.

The current issues that were brought forward by various attendees, and this is in no particular order of priority. I just tried to group them together, were water resources and regionalization of water systems, including the Jemez y Sangre water plan, the Buckman Direct Diversion project, the water resources agreement between the City and County, water and wastewater services to communities relative to the process of annexation. Other annexation issues including progress to date, open space properties like the South Meadows Park and the river property, roads, public safety, and acceleration of annexation in Area 1.

Also, the public safety issues revolved around in particular the Regional Emergency Communications Center, that joint powers agreement, and specifically the funding of that entity as well as the structure of the board. The hold-harmless gross receipts tax options, as relative to the City and County was also brought up, shared services of what I'd call back office type functions like IT, Finance, Human Resources, Fleet, Purchasing, Payroll, those type of things about whether there's opportunities to collaborate there, and social services, such as the homeless shelter and youth services, as well as economic development.

Ultimately, it was decided that both the City and County staff should develop position papers on various issues and agreements to include background information and history of particular agreements and the issues at hand. Also to line out what those areas of differences are and the positions of each party to those agreements or issues, and then the next steps that both the City and County should take to resolve those issues. Then it was also recommended that the City and County staff would develop committees to include elected officials from both governing bodies to work on the position papers and the issues, and the three areas that were identified for committees were a committee to

work on annexation issues, a committee to work on public safety to include the RECC, and a committee to work on water, wastewater and stormwater issues.

CHAIR ANAYA: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

CHAIR ANAYA: Mr. Chair, I'm going to suggest that based on comments and feedback from the meeting that I'd like to participate and work with Commissioner Roybal on the RECC committee. I would like, if you could, Mr. Vice Chair, yourself in working in concert with us on the Commission and see what other interests there are from our colleagues. I, like you, have a lot of interest in working on the annexation but if you could assist in meeting on the annexation piece, both following up on the existing annexation and then other potential annexation issues and then Commissioner Holian, on water and wastewater, if you could lead up the water and wastewater with Commissioner Stefanics working together on that committee. Those are my recommendations and I think collectively we're all going to communicate with each other on a bunch. But that was based on the feedback and on the interests I think would bode the County well. Are you guys okay with that?

COMMISSIONER CHAVEZ: I'm fine with that.

CHAIR ANAYA: Commissioner Roybal, see what happens when you leave the room. We'll get his feedback as well as Commissioner Stefanics'.

COMMISSIONER HOLIAN: Mr. Chair, is he on all three committees now?

CHAIR ANAYA: Yes, he's on all three.

MS. MILLER: He's an alternate on all three right now.

CHAIR ANAYA: So if that helps. But I think that those white papers are going to go along way for us, so the sooner we can get a snapshot from our side when we can – I know we're busy. I think it will be helpful for the Commission as we progress into those meetings. The Council also suggested, Mr. Chair, that we try and incorporate our discussions in existing meetings. I think Councilor Dominguez suggested Public Works on their end. So as best we can, I don't know that we'll be able to always do that but as best we can I would suggest we try and complement existing meetings as opposed to starting new ones. And maybe we will just – one of the things I thought was maybe on some of the committees we would invite them to participate in a certain section of our meeting for water or wastewater or annexation, so they would actually – maybe we would break off for a moment and have a committee meeting within the context of the BCC or sometime in the meeting, so food for thought. But those are some recommendations and thoughts I have. Thank you, Mr. Chair.

COMMISSIONER CHAVEZ: And just to follow up on that, I think that would be good for us to share information with the City as we're progressing, so if the chair of the Public Works, who's Councilor Trujillo, or the Chair of the Finance Committee, can share that information with their committee members so that we're all better informed about the issues and some of those stumbling blocks or hurdles that we're facing. Because one thing that I sensed from some of the participants is that some of us may have this institutional memory; others don't. Some of it's written down; some of it isn't. So I think on the position papers we may not capture everything that needs to be captured. But I think in time it will come out in the discussion. So just for the reason of

sharing information I think that would be good. I think it may also be maybe more efficient with our time. So I don't see that the City committee process would be making any decisions but it would just be for information, and I think if the City Councilors wanted to attend one of our County Commission meetings where it was specific to that item we could invite them for that portion of the meeting. So think that would be a good path to go down.

CHAIR ANAYA: Let's kick that around some more and see what we can get started with. I guess I would move just to formalize those recommendations and I spoke with Commissioner Roybal and if Commissioner Stefanics absolutely doesn't want to do that well, we'll give her the opportunity to change that. But I would move that Commissioner Holian and Stefanics lead up the wastewater component. Commissioner Chavez and myself – I think on this one it could be Commissioner Roybal and I as well working on the annexing so maybe the three of us and being cautious about what you said, Mr. Shaffer, relative to quorum issues, but on the annexation piece and Commissioner Roybal and I on the RECC component. And that we all collectively as a Commission agree that whatever discussions and deliberations we have we'll bring those back in full session and get some collective feedback. At least we'll have some working groups that are afforded to each of these to hopefully get some progress. So I put that in the form of a motion.

COMMISSIONER CHAVEZ: And I'll second that motion, Mr. Chair.

CHAIR ANAYA: So, go ahead, Mr. Chair. I'll let you.

COMMISSIONER CHAVEZ: So there's a motion and a second.

The motion passed by unanimous [4-0] voice vote.

V. B. 2. Commissioner Issues and Comments (cont.)

COMMISSIONER CHAVEZ: So now we need a motion then to go into executive session.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: Did we already go through the Commissioner issues and comments?

COMMISSIONER CHAVEZ: We did, but if you have something we can go back. Do you have –

COMMISSIONER HOLIAN: Yes, I do have one thing that I wanted to bring up.

COMMISSIONER CHAVEZ: Go ahead.

COMMISSIONER HOLIAN: After this last hernia-inducing packet I have a suggestion to make. First of all, I do like reading things in print, especially when I have to read a lot of things in print, so I think it's good to have a packet that is in print that we can take home and physically read. But I would like to suggest that we prune it back. In other words, that we go ahead and post the whole packet as it would be now on the internet, but that we have a pruned back packet that we take home. In other words, I don't see any reason why, for example, we actually have to have the minutes in the notebook. I

don't see any reason why we have to have all the contracts in all their excruciating detail or grant agreements, things like that, that actually tend to be repetitive and very thick.

Because – I don't know about the rest of the Commissioners but I don't actually read them word for word. If I am interested in something in a grant agreement, for example, I could always go on line and look at it to see whatever it is that I have a question about. But I question whether they should all be reproduced and put into our physical paper packet. For one thing, it takes a huge amount of time and actually quite a bit of money to produce these things. So I would like to get some feedback from the other Commissioners as to whether they'd be open to having a kind of a pruned back paper packet.

CHAIR ANAYA: Mr. Chair.

COMMISSIONER CHAVEZ: Yes. Go ahead.

CHAIR ANAYA: Commissioner Holian, I'm fine with that. I think that as long as we're able to access it when we need it we know where to get it. And so maybe Katherine, you could take those comments and expand on them but I'm fine with the streamlined version, as long as we have access and the public has access, I'm good with a pared down version.

MS. MILLER: Mr. Chair, actually this packet, the minutes were two inches thick and I was thinking the same thing. It would be nicer to give those to you in electronic form so that if you had something in particular you wanted to look up you could look it up but otherwise, it is a lot of paper. So I think there's a way that we can do it where anything's that either, like the minutes, we'll put together an entire packet and there will be a paper version that anybody could come in and look at. Also, that will be on line, but I was thinking as far as the one that you take home to review, anything that's standard, like contract language, minutes, things like that, that those you could look up on line and we wouldn't make 20 paper copies of it.

So if that works for you – for instance, like contracts, usually the things that change are in the first few pages from contract to contract. Most of the rest of the contracts are standard clauses. So we can pare it down to those things that are more applicable to what you're reviewing for your decision.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I guess for me, I'm going to depend more on the hard copy more than anyone else. I will say that I'm not connected – I don't depend on the technology as much, but I would support a scaled down packet to take home as long as each item had some summary with the highpoints, the dollar amount, specific on the contract, like if it's up for renewal, if it's a new contract. I think some of that could be a quick summary, and that would be enough to raise a question maybe in my mind. At that point I'd have to pick up the phone and make a phone call but I could still work with staff to get answers to questions that I may have. And so I would support the idea of using less paper. That's for sure.

CHAIR ANAYA: Thank you, Commissioner Chavez, and also thank you for helping vice chair with the meetings. I appreciate it, and chair the meetings.
Commissioner Roybal.

COMMISSIONER ROYBAL: I too would definitely support that. My one question though is would this file that would be able to download, would it be under one

file or would it be multiple files for each resolution?

MS. MILLER: Mr. Chair, currently we put the entire packet based upon how it's put on the agenda online. So at any point you can go and look up throughout the entire packet, you can search by word, by agenda item. So we'll continue to put it that way, because it is actually segmented on line in the same way that it's placed in your paper packet. And then you could look up anything based on the agenda item.

COMMISSIONER ROYBAL: And that's a file we can download and save if we need to in areas that we don't have internet, right?

MS. MILLER: Yes. And I can also, if it would be easier, I could just give it to you in either a DVD form or on a stick so that you could look it up and have it. We could actually give you that with your packet which might be the easiest way, each month just give it to you in that form so that you don't need to actually go on line. You could just put that in your computer and look at it.

COMMISSIONER ROYBAL: And when would this be available? Would it still be on Fridays or would it be sooner?

MS. MILLER: Mr. Chair, Commissioner, it's more than likely it will – we try to make sure that we have the packets completely printed and done by Thursday. We were actually trying for Wednesday, but when they get this thick it takes a really long time so actually, it might improve the time that we could have a packet available to you maybe by a day. I don't see it being much more before Wednesday but the hope would be that it would speed up when you'd be able to review stuff. We'd have it for you quicker then.

COMMISSIONER ROYBAL: Definitely, I'd be support of that.

CHAIR ANAYA: Thank you, Commissioners. We're going to go into executive but before we do I want to thank the Commission. I appreciate your work and your diligence both in and outside of the meetings and I appreciate the staff and our recorders that make sure our minutes are done and everyone that's listening in. So we progress incrementally but we progress together. And so I thank you all for your help and continue to work.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

1. **Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**
 - a. **Discussion of Threatened or Pending Litigation Involving the Sheriff's Office**
2. **Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978**
 - a. **Discussion of the Resignation of an Employee of the Adult Detention Facility**

CHAIR ANAYA: I would entertain a motion to go into executive session. Mr. Shaffer, we do have a need for an executive session?

MR. SHAFFER: Yes, Mr. Chair. I don't think it would be more than ten to fifteen minutes, maximum.

COMMISSIONER CHAVEZ: So, Mr. Chair, I'll make a motion to go into executive session to discuss threatened or pending litigation, and limited personnel matters.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion and a second and we're looking at about 15 minutes. The only thing we'll come out to do is conclude business. So we thank everyone. Madam Clerk, roll call.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2 and 7) 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	Not Present

[The Commission met in executive session from 6:27 to 6:50.]

Commissioner Holian moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Chavez seconded. The motion passed by unanimous [4-0] voice vote.

Those that participated in the executive session included the four Commissioners, County Manager, County Attorney and County Deputy Attorney.

VIII. CONCLUDING BUSINESS

- A. Announcements
- B. Adjournment

Having completed the agenda and with no further business to come before this body, Chair Anaya declared this meeting adjourned at 6:50 p.m.



Approved by:

Board of County Commissioners
Robert A. Anaya, Chair

ATTEST TO:

3-31-2015

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

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

SFC CLERK RECORD04/01/2015

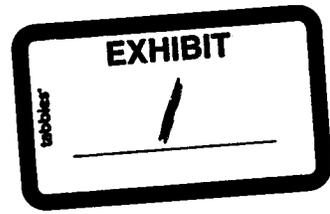


COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 103

I Hereby Certify That This Instrument Was Filed for
Record On The 1ST Day Of April, 2015 at 10:47:42 AM
and Was Duly Recorded as Instrument # **1761013**
Of The Records Of Santa Fe County

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



February 24, 2015



SANTA FE
COUNTY

2015 LEGISLATIVE REPORT

SFC CLERK RECORD04/01/2015

Board Of County Commissioners Meeting Report

DATES

February 19, 2015 - Deadline for introduction

March 21, 2015 - Session ends (noon)

April 10, 2015 - Legislation not acted upon by governor is pocket vetoed

June 19, 2015 - Effective date of legislation other than 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.

BILL STATISTICS

Current Statistics for All Bills (2015 Reg)	Total
Bills Introduced	1651
Bills Passed in 1st House	170
Bills Passed in 2nd House	4
Bills Sent to Governor	1
Bills Signed into Law	1

Current Statistics for House Bills only (2015 Reg) **Total**

Bills Introduced	774
Bills Passed in 1st House	98
Bills Passed in 2nd House	4
Bills Sent to Governor	1
Bills Signed into Law	1

Current Statistics for Senate Bills only (2015 Reg) **Total**

Bills Introduced	877
Bills Passed in 1st House	72
Bills Passed in 2nd House	0
Bills Sent to Governor	0
Bills Signed into Law	0

Santa Fe County Commission Legislative Actions and Corresponding Legislation

Resolution: 2014-135

A Resolution In Support Of New Mexico Grown Fresh Fruits And Vegetables For School Meals

The healthy kid, healthy economy concept promotes the purchase of New Mexico fruits and vegetables for school lunch programs in order to enhance the diet of school children and help school meal programs comply with new Federal rules that require additional servings of fruits and vegetables in school lunches. A Legislative appropriation of 1.44 million dollars is part of this particular initiative.

SCHEDULED WEDNESDAY 2/25

Bill: **SB415**

Sponsors: Sapien (D9)

Title: FRESH FOOD PROGRAM AND FOOD ADMINISTRATOR FOR PUBLIC SCHOOLS

Summary: Provides \$1,440,000 (GF, nonreverting) to the Public Education Department for use in FY 2016 and subsequent years for the purchase and distribution of New Mexico grown fresh fruits and fresh vegetables to school districts, charter schools and juvenile detention centers through PED's school meal programs. Funds are included for a full-time-equivalent position to administer and promote the initiative.

Progress: 1st House: Referred to Committee

Status: 02/02/2015 – Senate Education Committee

History: 02/02/2015 – S Introduced and referred to Senate Education.

02/02/2015 – S Also referred to Senate Finance.

Scheduled: 02/25/2015 – Senate Education Committee, 8:30 a.m., Room 311

TABLED IN HOUSE APPROPRIATIONS

Bill: **HB96**

Sponsors: Hall, J. C. (R28)

Title: PED APPROPRIATION: FRESH PRODUCE FOR SCHOOL MEALS

Summary: Appropriates \$1,000,000 (GF, nonreverting) to Public Education Department for expenditure in FY 2016 and subsequent fiscal years for the purchase and distribution of fresh fruits and vegetables to school districts, charter schools and juvenile detention centers, and for a FTE position to administer and promote this initiative.

Progress: 1st House: Referred to Committee

Status: 02/02/2015 – House Appropriations and Finance Committee

01/08/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Agriculture, Water and Wildlife.

01/26/2015 – H Also referred to House Appropriations & Finance.

02/02/2015 – H Reported Do Pass by House Agriculture, Water and Wildlife.

Resolution: 2014-130

A Resolution in Support of the New Mexico Association of Counties' (NMAC) Resolution Regarding Amendments To The Indigent Hospital and Health Care Act

This resolution stands in support of the NMAC executive board actions taken at the October 17, 2014 meeting regarding amendments to the Indigent Hospital and Health Care Act. NMAC supports the legislative sunset of 2014 Senate Bill 268 in the year 2018.

SCHEDULED TUESDAY 2/24

Bill: **SB117**

Sponsors: Rodriguez (D24)

Title: SUNSETS COUNTY OBLIGATION TO SAFETY NET CARE POOL FUND

(For the Revenue Stabilization and Tax Policy Committee) Sunsets on December 31, 2018, the obligation of
Summary: counties to pay the state's Safety Net Care Pool Fund annually an amount equal to that raised by a gross receipts tax rate of one-twelfth percent.

Progress: 1st House: Referred to Committee

Status: 02/09/2015 – Senate Finance Committee

01/08/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Public Affairs.

01/22/2015 – S Also referred to Senate Finance.

02/09/2015 – S Reported Do Pass by Senate Public Affairs.

Scheduled:02/24/2015 – Senate Finance Committee, 1:30 or 1/2 hour after Floor Session, Room 322

Resolution: 2014-111

A Resolution To Support The New Mexico Association Of Counties' Resolution On County Industrial Revenue Bond Act Improvements (IRB's)

This resolution supports legislation that expands the list of eligible projects for IRB's. It also supports legislation that removes the authority of the state Board of Finance to consider a complaint of direct or substantial competition with existing businesses near or within a proposed county IRB project.

NOT SCHEDULED

Bill: **SB111**

Sponsors: Leavell (R41)

Title: **INDUSTRIAL REVENUE BOND COMPLAINT PROCESS FOR BUSINESSES REPEALED**

(For the Revenue Stabilization and Tax Policy Committee) Present law provides that a business within a county, or within five miles of a county, may delay the issuance of County Industrial Revenue Bonds by filing

Summary: a complaint with the County Commission that the bond project competes with its business. The bonds may not be issued until after the state Board of Finance determines that the bond project does not compete. This bill abolishes the existing complaint process by repealing Sec. 4-59-15.

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – Senate Corporations and Transportation Committee

01/02/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Corporations & Transportation.

01/22/2015 – S Also referred to Senate Judiciary.

Resolution: 2014-110

A Resolution To Support The New Mexico Association Of Counties' Resolution On Increased Detention Facilities Funding

Supports an increase in the 2015 General Appropriations Act that would fund the County Detention Facilities Reimbursement Act at a level sufficient to reimburse counties for the actual cost of holding prisoners specified under the Act.

To be an element in HB2

Resolution: 2014-109

A Resolution To Support The New Mexico Association Of Counties' Resolution To Clarify The Authority And Reasons Necessary For Tax Schedule changes

Supports legislation that will change NMSA 1978, Section 7-38-77 and NMSA 1978, Section 7-38-78 to clarify the authority and reasons necessary for tax schedule changes.

THROUGH 2 COMMITTEES. ON HOUSE FLOOR

Bill: **HB67**

Sponsors: Trujillo, J. (D45)

Title: CORRECTION OF PROPERTY TAX SCHEDULE ERRORS BY COUNTY TREASURER OR PROPERTY OWNER

Summary: (For the Revenue Stabilization and Tax Policy Committee) Expands and clarifies what types of errors the county treasurer may correct once the annual property tax schedule is transmitted to the treasurer by the county assessor. Also, allows property tax owners additional grounds for challenging property tax schedule errors through actions brought in district court.

Progress: 1st House: Reported from Committees

Status: 02/20/2015 – House Calendar

01/02/2015 – H Prefiled in the House.

01/26/2015 – H Introduced and referred to House Safety & Civil Affairs.

History: 01/26/2015 – H Also referred to House Ways & Means.

02/04/2015 – H Reported Do Pass by House Safety & Civil Affairs.

02/20/2015 – H Reported Do Pass by House Ways & Means.

Scheduled: 02/24/2015 – House Calendar, 10:30 a.m., House Chamber

Resolution: 2014-108

A Resolution To Support The New Mexico Association Of Counties' Resolution On A Study Of Housing Options And Service Delivery For Detention Inmates With Special Medical And Mental Health Needs

The support for this proposed study for housing options is asked to be completed by November 1, 2015.

THROUGH ONE COMMITTEE

Bill: **SJM4**

Sponsors: Rue (R23)

Title: REQUESTS STUDY OF OPTIONS FOR MENTALLY ILL AWAITING TRIAL

Summary: (For the Courts, Corrections and Justice Committee) Requests the New Mexico Association of Counties to convene stakeholders to study and make recommendations for clinically appropriate housing options for persons with serious mental illness who are in custody in county detention facilities. Asks that findings be reported to the appropriate interim legislative committees by December 1, 2015.

Progress: 1st House: Referred to Committee

Status: 02/18/2015 – Senate Judiciary Committee

01/21/2015 – S Introduced and referred to Senate Rules.

History: 01/21/2015 – S Also referred to Senate Judiciary.

02/18/2015 – S Reported Do Pass as amended by Senate Rules.

Resolution: 2014-106

A Resolution To Support The New Mexico Association Of Counties' Resolution On The Safety Net Care Pool (SNCP)

This resolution has been replaced by Resolution 2014-130.

Resolution: 2014-105

A Resolution To Support New Mexico Association Of Counties' Resolution To Maintain The Southwest Chief Amtrak Service

Supports the continuation of Amtrak's Southwest Chief current historic route. Supports a Southwest Chief Rail Service Fund creation.

Resolution: 2014-64

A Resolution From Santa Fe County To Support Safe Nurse Staffing Levels In the Health Care System At The Federal, State, and Local Government, and Private Levels

Encourages the New Mexico State Legislature to develop a state standard of quality or care through prescribed minimum nurse staffing levels, and in particular through minimum registered nurse staffing levels.

NOT SCHEDULED

Bill: **HB81**

Sponsors: Trujillo, C. (D25)

Title: PATIENT SAFE STAFFING ACT

(Identical in substance to 2014 HB83 and SB151) Proposes the Patient Safe Staffing Act in order to ensure that hospitals maintain a safe number of nurses on duty at all times. Vests the Department of Health with authority to administer the act, require reports from hospitals for purposes of publication and audit, and adopt rules. Provides a \$100,000 General Fund appropriation to DOH.

Summary:

Related: 2014:HB83; 2014:SB151

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Regulatory and Public Affairs Committee

01/08/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Regulatory & Public Affairs.

01/26/2015 – H Also referred to House Health.

SCHEDULED TUESDAY 2/24

Bill: **SB284**

Sponsors: Lopez (D11)

Title: PATIENT SAFE STAFFING ACT

(Duplicate of HB 81) (Identical in substance to 2014 HB83 and SB151) Proposes the Patient Safe Staffing Act in order to ensure that hospitals maintain a safe number of nurses on duty at all times. Vests the Department of Health with authority to administer the act, require reports from hospitals for purposes of publication and audit, and adopt rules. Provides a \$100,000 General Fund appropriation to DOH.

Summary:

Related: 2015:HB81; 2014:HB83; 2014:SB151

Progress: 1st House: Referred to Committee

Status: 01/27/2015 – Senate Public Affairs Committee

01/27/2015 – S Introduced and referred to Senate Public Affairs.

History: 01/27/2015 – S Also referred to Senate Judiciary.

01/27/2015 – S Also referred to Senate Finance.

Scheduled: 02/24/2015 – Senate Public Affairs Committee, 1/2 hour after floor session, Room 321 (Revised

02/23/2015)

Resolution: 2014-33

A Resolution In Support Of Allowing Tribal Governments To Allocate a Portion Of Revenue Sharing Contributions To Local Government Within State Of New Mexico Gaming Compacts For The Purpose Of

Assisting Local Governments To Provide Services to Tribal Governments and Communities Within Which An Indian Casino Is Located

This resolution is offered as a means of support to those Tribal Governments wanting to contribute to local governments from Revenue Sharing Contributions. The contributions made to local governments would be for services that benefit the communities in which a casino is located. This resolution does not support the requirement that Tribal Governments must provide contributions to local governments.

SFC CLERK RECORD04/01/2015

ACTIONS FROM 2/10/15 BCC

-The county commission opposes legislation eliminating state issued driver's licenses for immigrants. (this does not include tiered licenses. ONLY legislation eliminating all licensing options for immigrants)

-The county commission opposes all legislation that restricts or impedes the authority of local governments in the state of New Mexico.

-The county commission supports legislation that would restrict short term loans (pay day loans) to a maximum of a 36% interest rate or an amount lower.

-The county commission opposes all legislation that would remove any funds or funding opportunities from local governments in the state of New Mexico.

-The county commission opposes all legislation that restricts or impedes the authority of a local government in New Mexico from their authority to regulate mining and oil and gas extraction operations .

-The county commission supports House Bill 70, Extend Solar Market Development Tax Credit.

NO MOVEMENT SINCE 1/30

Bill: HB70

Sponsors: Stapleton (D19)

Title: EXTENDS LIFE OF SOLAR MARKET DEVELOPMENT TAX CREDIT

Summary: Extends by four years the life of the personal income solar market development tax credit, from taxable years through December 31, 2016 to taxable years through December 31, 2020.

Progress: 1st House: Referred to Committee

Status: 01/30/2015 – House Ways and Means Committee

01/02/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Ways & Means.

01/30/2015 – H Reported Do Pass by House Energy, Environment & Natural Resources.

-The county commission supports House Bill 111, Shared Renewable Energy Facility Operations.

NO MOVEMENT

Bill: HB111

Sponsors: Gonzales (D42)

Title: QUALIFIES SHARED RENEWABLE ENERGY FACILITIES AS DISTRIBUTED GENERATION FACILITIES

Summary: (Similar to 2013 SB 394) Proposes to amend the Public Utility Act to allow shared renewable energy facilities of five megawatts or less to qualify as distributed generation facilities rather than as public utilities.

Related: 2013:SB394

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Energy, Environment and Natural Resources Committee

01/12/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Business & Employment.

-The county commission supports House Bill 20, Raise Minimum Wage.

TABLED IN FIRST COMMITTEE

Bill: HB20

Sponsors: Varela (D48)

Title: MINIMUM WAGE HOURLY RATE INCREASE

Summary: (Similar to 2014 HB213) Raises the state minimum hourly wage for an employee from \$7.50 to \$10.10.

Related: 2015:SB10; 2014:HB213

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – House Regulatory and Public Affairs Committee
12/16/2014 – H Prefiled in the House.History: 01/22/2015 – H Introduced and referred to House Regulatory & Public Affairs.
01/22/2015 – H Also referred to House Business & Employment.**-The county commission supports House Bill 138, Increase Minimum Wage.**

TABLED IN FIRST COMMITTEE

Bill: HB138

Sponsors: Garcia, Miguel (D14)

Title: HIKES MINIMUM WAGE

(Similar to 2014 HB213 and SB319) Raises over three years the New Mexico base minimum wage to \$10.10

Summary: per hour. Starting January 1, 2016, indexes the minimum wage annually for inflation. Sets the minimum wage for tipped employees at 40 percent of the general minimum wage.

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Regulatory and Public Affairs Committee
01/16/2015 – H Prefiled in the House.History: 01/26/2015 – H Introduced and referred to House Regulatory & Public Affairs.
01/26/2015 – H Also referred to House Business & Employment.**-The county commission supports Senate Memorial 29, Study Natural Gas Flaring and Venting.**

NOT SCHEDULED

Bill: SM29

Sponsors: Shendo (D22)

Title: STUDY IMPACTS OF INCREASED NATURAL GAS FLARING AND VENTING

Requests the Energy, Minerals and Natural Resources Department, Department of Environment, Indian

Summary: Affairs Department, and Department of Finance and Administration to convene a Joint Task Force to study the economic and environmental impacts of the increase in natural gas flaring and venting in New Mexico.

Progress: 1st House: Referred to Committee

Status: 01/27/2015 – Senate Rules Committee

History: 01/27/2015 – S Introduced and referred to Senate Rules.
01/27/2015 – S Also referred to Senate Conservation.

NOTABLES

Agriculture Drought Bills

THROUGH 2 COMMITTEES. GOES TO HOUSE FLOOR

Bill: **HB112**

Sponsors: Gonzales (D42)

Title: EXPANDS PROPERTY TAX DEFINITION OF AGRICULTURAL USE

(Duplicates SB112) Expands the definition of "agricultural use" for property valuation purposes and prohibits sole consideration of acreage in a determination of whether land is primarily used for agriculture. Expands the definition of "agricultural use" to include: • The use of land to raise or keep horses (does not include the use

Summary: of land to train, show or race horses); • The resting of land to maintain its agricultural capacity; and • The resting of land due to drought conditions. Also specifies that the acreage of a parcel shall not be used as the sole determinant of whether it is used primarily for agricultural purposes. The bill's provisions are applicable to the 2016 and subsequent property tax years.

Related: 2015:SB112

Progress: 1st House: Reported from Committees

Status: 02/05/2015 – House Calendar

01/12/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Agriculture, Water and Wildlife.

01/26/2015 – H Also referred to House Ways & Means.

02/05/2015 – H Reported Do Pass as amended by House Agriculture, Water and Wildlife.

THROUGH ONE COMMITTEE

Bill: **SB112**

Sponsors: Cisneros (D6); Gonzales (D42)

Title: EXPANDS DEFINITION OF "AGRICULTURAL USE" FOR PROPERTY VALUATION

Summary: (Duplicates HB112) Expands the definition of "agricultural use" for property valuation purposes and prohibits sole consideration of acreage in a determination of whether land is primarily used for agriculture.

Progress: 1st House: Referred to Committee

Status: 02/20/2015 – Senate Corporations and Transportation Committee

01/05/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Conservation.

01/22/2015 – S Also referred to Senate Corporations & Transportation.

02/20/2015 – S Reported Do Not Pass but Do Pass as substituted by Senate Conservation.

Federal Land Management

THROUGH 1 COMMITTEE

Bill: **HB291**

Sponsors: Herrell (R51)

Title: LAND MANAGEMENT STUDY COMMISSION

Summary: Creates the Land Management Study Commission to study options for the transfer of federal lands to the state; options for the transfer of state and federal lands to Indian tribes, nations and pueblos; options for the transfer of state and federal land to land grants; and possible land exchanges between the state and federal government. Appropriates \$100,000 for this purpose.

Progress: 1st House: Reported from Committees

Status: 02/12/2015 – House Judiciary Committee
 02/03/2015 – H Introduced and referred to House Government, Elections & Indian Affairs.
 02/03/2015 – H Also referred to House Judiciary.
 02/03/2015 – H Also referred to House Appropriations & Finance.
 02/04/2015 – H Referral withdrawn from House Government, Elections & Indian Affairs.
 02/04/2015 – H Referral withdrawn from House Judiciary.
 History: 02/04/2015 – H Referral withdrawn from House Appropriations & Finance.
 02/04/2015 – H Referred to House Agriculture, Water and Wildlife.
 02/04/2015 – H Also referred to House Judiciary.
 02/04/2015 – H Also referred to House Appropriations & Finance.
 02/12/2015 – H Reported Do Pass as amended by House Agriculture, Water and Wildlife.

NOT SCHEDULED

Bill: **SB483**
 Sponsors: Sharer (R1)
 Title: NEW MEXICO FEDERAL LAND MANAGEMENT STUDY COMMITTEE
 (Very similar to 2015 HB291) Creates the New Mexico Federal Land Management Study Commission to study options for the transfer of federal lands to the state; options for the transfer of state and federal lands to
 Summary: Indian tribes, nations and pueblos; options for the transfer of state and federal land to land grants; and possible land exchanges between the state and federal government.
 Related: 2015:HB291
 Progress: 1st House: Referred to Committee
 Status: 02/05/2015 – Senate Rules Committee
 History: 02/05/2015 – S Introduced and referred to Senate Rules.
 02/05/2015 – S Also referred to Senate Conservation.

NOT SCHEDULED

Bill: **SM6**
 Sponsors: Woods (R7)
 Title: REQUESTS DFA STUDY OF FEDERAL LAND MANAGEMENT
 Requests the Local Government Division of the Department of Finance and Administration to convene
 Summary: stakeholders to study and make recommendations on federal land management and ownership and to evaluate the impact of federal revenue streams on the state, local governments, and community economies.
 Progress: 1st House: Referred to Committee
 Status: 01/21/2015 – Senate Rules Committee
 History: 01/21/2015 – S Introduced and referred to Senate Rules.
 01/21/2015 – S Also referred to Senate Conservation.

WIPP Route Funding

NOT SCHEDULED

Bill: **SB632**
 Sponsors: Leavell (R41); Brown (R55)
 Title: SAFE TRANSPORT OF HAZARDOUS MATERIALS FUND
 Creates the Safe Transport of Hazardous Materials Fund in the state treasury, to be administered by DFA in
 Summary: consultation with DOE to improve the design and structural safety over infrastructure used to transport hazardous materials throughout the state. Amounts in the fund may be disbursed to any state agency.

Progress: 1st House: Referred to Committee
Status: 02/18/2015 – Senate Conservation Committee
History: 02/18/2015 – S Introduced and referred to Senate Conservation.
02/18/2015 – S Also referred to Senate Finance.

SCHEDULED FRIDAY 2/27

Bill: **HB518**

Sponsors: Trujillo, C. (D46)

Title: SAFE TRANSPORT OF HAZARDOUS MATERIALS FUND

(Identical to SB632) Creates the Safe Transport of Hazardous Materials Fund to be administered by DFA, in consultation with DOE, for the purpose of improving the design and structural safety of infrastructure used to transport hazardous materials throughout the state. Amounts in the fund may be disbursed to any state agency.

Related: 2015:SB632

Progress: 1st House: Referred to Committee

Status: 02/19/2015 – House Energy, Environment and Natural Resources Committee

02/19/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

History: 02/19/2015 – H Also referred to House Ways & Means.

02/19/2015 – H Also referred to House Appropriations & Finance.

Scheduled: 02/27/2015 – House Energy, Environment and Natural Resources Committee, 8:30 a.m., Room 309
(Revised 02/23/2015)

LEGISLATIVE TOPICS TRACKED

DRIVER'S LICENSES

FILM

MARIJUANA & HEMP

MINIMUM WAGE

OIL & GAS

SHORT TERM LOAN INTEREST

RENEWABLE ENERGY

RIGHT TO WORK

HOLD HARMLESS

DRIVERS' LICENSES

Bill: **HB32**

Sponsors: Pacheco (R23)

Title: TWO-TIERED DRIVER'S LICENSES

HJC substitute for HB32 is yet another version of the driver's license bill that has appeared in many forms in each legislative session since 2011. Provides for a restricted temporary license or ID card for certain foreign nationals; requires proof of authorized presence; provides for licenses and ID cards to be accepted by federal agencies; increases penalties and imposes new penalties.

Related: 2014:HB127; 2013:SB521

Status: 02/12/2015 – Passed in the House

12/16/2014 – H Prefiled in the House.

01/22/2015 – H Introduced and referred to House Safety & Civil Affairs.

01/22/2015 – H Also referred to House Judiciary.

01/30/2015 – H Reported Do Pass by House Safety & Civil Affairs.

History: 01/30/2015 – H Note: HSCAC Committed Report Adopted Roll Call 38-27.

02/09/2015 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

02/12/2015 – H Opened for floor debate.

02/12/2015 – H Note: Motion (Rep. Gentry) to Table Floor Substitute 1 (Rep. Egolf) Passed 38-30.

02/12/2015 – H Note: Motion to Close Debate Passed 39-29.

02/12/2015 – H Passed 39-29.

Bill: **HB79**

Sponsors: Rehm (R31)

Title: FOREIGN NATIONAL DRIVER'S LICENSE ISSUANCE, CANCELLATION, PENALTIES

(Nearly identical to 2014 HB 192) Limits the issuance of driver's licenses and ID cards to include foreign

Summary: nationals only if they have lawful status; reduces the validity period of licenses and ID cards; provides for cancellation of licenses of persons lacking a social security number; and provides penalties.

Related: 2014:HB192

Status: 01/30/2015 – House Judiciary Committee

01/08/2015 – H Prefiled in the House.

01/26/2015 – H Introduced and referred to House Safety & Civil Affairs.

History: 01/26/2015 – H Also referred to House Judiciary.

01/30/2015 – H Reported Do Pass as amended by House Safety & Civil Affairs.

01/30/2015 – H Note: HSCAC Committed Report Adopted Roll Call 38-27.

Bill: **HB117**

Sponsors: Hall, J. C. (R28)

Title: HABITUAL TRUANTS LOSS OF STUDENT DRIVING LICENSE

Amends the Compulsory School Attendance Law to provide for the suspension or denial of driving privileges for school-age persons who are in violation. Starts with the 2016-2017 school year, and applies to a student in grade eight through twelve who accumulates ten or more unexcused absences and becomes a habitual truant.

Status: 02/11/2015 – House Transportation and Public Works Committee

01/12/2015 – H Prefiled in the House.

01/26/2015 – H Introduced and referred to House Education.

History: 01/26/2015 – H Also referred to House Transportation & Public Works.

02/11/2015 – H Reported Do Not Pass but Do Pass as substituted by House Education.

Bill: **HB530**

Sponsors: Maestas (D16)

Title: INTERLOCK LICENSE CHANGES

Summary: Authorizes the issuance of an ignition interlock license based on pending revocation or denial of a driver's licenses; adds optional extended validity periods for ignition interlock licenses; provides for removal of an ignition interlock device at the owner's request.

Status: 02/19/2015 – House Judiciary Committee

History: 02/19/2015 – H Introduced and referred to House Judiciary.

02/19/2015 – H Also referred to House Safety & Civil Affairs.

Bill: **SB85**

Sponsors: Brandt (R40)

Title: DRIVING PRIVILEGE SUSPENSION FOR SCHOOL TRUANTS

Summary: SEC substitute for SB85 retains the substance of the original bill, adding that the student, as well as the student's parents, is to be afforded an opportunity as part of the notice of noncompliance to request an optional meeting with the school principal or head administrator and commit to returning to school or to request a hardship waiver.

Status: 02/16/2015 – Senate Judiciary Committee

12/21/2014 – S Prefiled in the Senate.

History: 01/21/2015 – S Introduced and referred to Senate Education.

01/21/2015 – S Also referred to Senate Judiciary.

02/16/2015 – S Reported Do Not Pass but Do Pass as substituted by Senate Education.

FILM

Bill: **HB216**

Sponsors: Trujillo, J. (D45)

Title: ASSIGNMENT OF FILM PRODUCTION TAX CREDITS

Summary: Allows the film production company eligible to receive a film production tax credit to assign it to a financial institution. Taxation and Revenue Department would direct the tax credit amount to the financial institution instead of the film production company.

Progress: 1st House: Referred to Committee

Status: 02/20/2015 – House Ways and Means Committee

01/28/2015 – H Introduced and referred to House Business & Employment.

History: 01/28/2015 – H Also referred to House Ways & Means.

02/20/2015 – H Reported Do Not Pass but Do Pass as substituted by House Business & Employment.

Bill: **HB325**

Sponsors: Egolf (D47)

Title: EXEMPTS SERIES TV PRODUCTIONS FROM FILM CREDIT CAP

Summary: Amounts of film production tax credit for series television productions shall not be counted toward the \$50 million annual tax credit cap and are not subject to an aggregate limit.

Progress: 1st House: Referred to Committee

Status: 02/05/2015 – House Business and Employment Committee

02/05/2015 – H Introduced and referred to House Business & Employment.

History: 02/05/2015 – H Also referred to House Ways & Means.

Scheduled: 02/28/2015 – House Business and Employment Committee, 9:00 a.m., Room 307 (Revised 02/23/2015)

Bill: HM29

Sponsors: McCamley (D33)

Title: HONORING GEORGE R.R. MARTIN FOR SCREENING "THE INTERVIEW"

Honors Santa Fe resident, and internationally known writer, George R. R. Martin for screening "The

Summary: Interview" when Sony Corporation withdrew distribution of the film. Recognizes Mr. Martin's passionate support of free speech and his contributions to world of literature and art.

Progress: 1st House: Passed

Status: 02/05/2015 – Signed by Officers of House

01/28/2015 – H Introduced and placed on Speaker's Table.

02/04/2015 – H Removed from Speaker's table.

History: 02/04/2015 – H Opened for floor debate.

02/04/2015 – H Passed 70-0.

02/05/2015 – H Enrolled and engrossed.

02/05/2015 – H Signed by Officers of House.

Bill: SB565

Sponsors: Payne (R20)

Title: REVISES FILM PRODUCTION TAX CREDIT ACT

Summary: Revises the Film Production Tax Credit Act to limit the types of direct production expenditures eligible for additional credit; reduce the credit amount for the use of nonresident industry crew; exclude payments to certain artists; limit the types of direct production expenditures paid to a nonresident performing artist that are eligible for the credit; and revise definitions.

Progress: 1st House: Referred to Committee

Status: 02/16/2015 – Senate Corporations and Transportation Committee

History: 02/16/2015 – S Introduced and referred to Senate Corporations & Transportation.

02/16/2015 – S Also referred to Senate Finance.

MARIJUANA AND HEMP

Bill: HB160

Sponsors: McCamley (D33)

Title: CANNABIS REVENUE AND FREEDOM ACT

Summary: (Related to 2014 HM38, SB127 and SJR10; related to SB94 and SJR2) Establishes a comprehensive regulatory framework relating to marijuana and industrial hemp, which allows a person who is licensed, regulated and taxed by New Mexico to legally manufacture and sell marijuana to a person who is at least 21 years of age, subject to the provisions of the act. Authorizes the Department of Agriculture to issue industrial hemp licenses and agricultural hemp seed production permits. Retains criminal penalties for the distribution of marijuana to a person less than 21 years of age, for violence and the use of firearms in the cultivation and distribution of marijuana, for impaired driving and other adverse public health consequences, for the growing of marijuana on public land or for the possession and use of marijuana on federal property.

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Agriculture, Water and Wildlife Committee

01/26/2015 – H Introduced and referred to House Agriculture, Water and Wildlife.

01/26/2015 – H Introduced and referred to House Regulatory & Public Affairs.

History: 01/26/2015 – H Also referred to House Ways & Means.

01/26/2015 – H Also referred to House Health.

01/26/2015 – H Also referred to House Appropriations & Finance.

Bill: **HB357**

Sponsors: Maestas (D16)

Title: INDUSTRIAL HEMP FARMING ACT

(Related to SB94) Proposes the Agricultural Hemp Act, whose stated purpose is to establish policy regarding the growing of industrial hemp so that farmers and other agricultural businesses can take advantage of this market opportunity

Progress: 1st House: Referred to Committee

Status: 02/05/2015 – House Agriculture, Water and Wildlife Committee

History: 02/05/2015 – H Introduced and referred to House Agriculture, Water and Wildlife.

02/05/2015 – H Also referred to House Business & Employment.

Bill: **HB466**

Sponsors: Armstrong (D17)

Title: PROVIDES FOR MEDICAL CANNABIS RESEARCH

(Identical to SB516) Provides for medical cannabis research, creates the Cannabis Research Board; creates the Cannabis Research Fund; limits liability for researchers.

Related: 2015:SB516

Progress: 1st House: Referred to Committee

Status: 02/16/2015 – House Regulatory and Public Affairs Committee

02/16/2015 – H Introduced and referred to House Regulatory & Public Affairs.

History: 02/16/2015 – H Also referred to House Health.

02/16/2015 – H Also referred to House Appropriations & Finance.

Scheduled: 02/27/2015 – House Regulatory and Public Affairs Committee, 1:30 p.m., Room 315

Bill: **HB527**

Sponsors: Pacheco (R23)

Title: MEDICAL CANNABIS BACKGROUND CHECKS

Authorizes DOH to require fingerprinting and obtain criminal background records of nonprofit licensed

Summary: medical cannabis producers, approved entities, and applicants; and to exchange fingerprint data directly with DPS for transmission to the FBI.

Progress: 1st House: Referred to Committee

Status: 02/19/2015 – House Judiciary Committee

History: 02/19/2015 – H Introduced and referred to House Judiciary.

02/19/2015 – H Also referred to House Business & Employment.

Bill: **SB94**

Sponsors: McSorley (D16)

Title: INDUSTRIAL HEMP FARMING ACT

(Identical to 2011 HB565 and 2009 HB403) The Industrial Hemp Farming Act allows the production and sale of industrial hemp and amends the definition of controlled substances to exclude hemp from the definition of marijuana. Makes \$150,000 in GF appropriations in support of the act's provisions.

Related: 2011:HB565; 2009:HB403

Progress: 1st House: Referred to Committee

Status: 02/11/2015 – Senate Judiciary Committee

History: 12/21/2014 – S Prefiled in the Senate.

01/22/2015 – S Introduced and referred to Senate Conservation.
01/22/2015 – S Also referred to Senate Judiciary.
01/22/2015 – S Also referred to Senate Finance.
02/11/2015 – S Reported Do Not Pass but Do Pass as substituted without recommendation by Senate Conservation.

Bill: SB383
Sponsors: Cervantes (D31)
Title: DECREASED PENALTIES FOR MARIJUANA POSSESSION
Summary: (Relates to 2015 HB160, very similar to 2013 HB465) Reduces the penalties for possession of small amounts of marijuana and for drug paraphernalia. Possession of synthetic cannabinoids penalties are unchanged.
Related: 2015:HB160; 2013:HB465
Progress: 1st House: Referred to Committee
Status: 02/23/2015 – Senate Judiciary Committee
01/29/2015 – S Introduced and referred to Senate Public Affairs.
History: 01/29/2015 – S Also referred to Senate Judiciary.
02/23/2015 – S Reported Do Pass by Senate Public Affairs.

Bill: SJR2
Sponsors: Ortiz y Pino (D12)
Title: CA: ALLOWS MARIJUANA PERSONAL POSSESSION AND USE
Proposes to amend Article 20 of the state Constitution to legalize the possession and personal use of
Summary: marijuana by persons 21 years of age and older. The Legislature will by law provide for production, processing, transportation, sale, taxation, acceptable quantities and places of use of marijuana and hemp.
Progress: 1st House: Referred to Committee
Status: 02/12/2015 – Senate Judiciary Committee
01/21/2015 – S Introduced and referred to Senate Rules.
History: 01/21/2015 – S Also referred to Senate Judiciary.
02/12/2015 – S Reported Do Pass by Senate Rules.

Bill: SM88
Sponsors: Candelaria (D26)
Title: PROTECTING MEDICAL CANNABIS PATIENTS' RIGHTS
Summary: Requests the Workforce Solutions Department to study discrimination and barriers faced by medical cannabis patients in New Mexico and offer policy recommendations to ensure that their rights are protected.
Progress: 1st House: Referred to Committee
Status: 02/16/2015 – Senate Rules Committee
02/16/2015 – S Introduced and referred to Senate Rules.
History: 02/16/2015 – S Also referred to Senate Public Affairs.

MINIMUM WAGE

Bill: HB20
Sponsors: Varela (D48)
Title: MINIMUM WAGE HOURLY RATE INCREASE
Summary: (Similar to 2014 HB213) Raises the state minimum hourly wage for an employee from \$7.50 to \$10.10.

Related: 2015:SB10; 2014:HB213
 Progress: 1st House: Referred to Committee
 Status: 01/22/2015 – House Regulatory and Public Affairs Committee
 12/16/2014 – H Prefiled in the House.
 History: 01/22/2015 – H Introduced and referred to House Regulatory & Public Affairs.
 01/22/2015 – H Also referred to House Business & Employment.

Bill: **HB75**

Sponsors: Roch (R67)

Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK MEASURE

(Similar to SB 103) (Related to SB 92 and SB 93) A right-to-work measure, cited as the Employee Preference Act, which provides that, as a condition of employment, no person may be required to become or to remain a

Summary: member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.

Related: 2015:SB92; 2015:SB93; 2015:SB103

Progress: 1st House: Reported from Committees

Status: 02/16/2015 – House Calendar

01/05/2015 – H Prefiled in the House.

01/26/2015 – H Introduced and referred to House Business & Employment.

History: 01/26/2015 – H Also referred to House Judiciary.

01/30/2015 – H Reported Do Pass by House Business & Employment.

01/30/2015 – H Note: Committee Report Adopted 37-28.

02/16/2015 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.

Scheduled:02/24/2015 – House Calendar, 10:30 a.m., House Chamber

Bill: **HB138**

Sponsors: Garcia, Miguel (D14)

Title: HIKES MINIMUM WAGE

(Similar to 2014 HB213 and SB319) Raises over three years the New Mexico base minimum wage to \$10.10

Summary: per hour. Starting January 1, 2016, indexes the minimum wage annually for inflation. Sets the minimum wage for tipped employees at 40 percent of the general minimum wage.

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Regulatory and Public Affairs Committee

01/16/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Regulatory & Public Affairs.

01/26/2015 – H Also referred to House Business & Employment.

Bill: **HB180**

Sponsors: Maez (D21)

Title: MINIMUM WAGE ACT EMPLOYEE DEFINITION CHANGE

Present law excludes persons under the age of 18 who are not school students, or who are not high school

Summary: graduates, from coverage under the Minimum Wage Act. This bill deletes these persons from those exempted from the act, thus requiring employers to pay them at least the statutory minimum wage of \$7.50 per hour.

Progress: 1st House: Referred to Committee

Status: 01/27/2015 – House Regulatory and Public Affairs Committee

History: 01/27/2015 – H Introduced and referred to House Regulatory & Public Affairs.

01/27/2015 – H Also referred to House Business & Employment.

Bill: HB360

Sponsors: Roybal-Caballero (D13)

Title: HIKES MINIMUM WAGE

(Related to HB138 and many others) Over a three-year period, raises the New Mexico base minimum wage to

Summary: \$15 per hour. Starting January 1, 2019, indexes the minimum wage annually for inflation. Eliminates the separate minimum wage for tipped employees.

Related: 2015:HB138

Progress: 1st House: Referred to Committee

Status: 02/05/2015 – House Regulatory and Public Affairs Committee

History: 02/05/2015 – H Introduced and referred to House Regulatory & Public Affairs.

02/05/2015 – H Also referred to House Business & Employment.

Bill: SB10

Sponsors: Sanchez, C. (D30)

Title: MINIMUM WAGE HOURLY RATE INCREASE

(Related to HB20) Raises the state minimum hourly wage for an employee from \$7.50 to \$8.30. However,

Summary: employers may pay trainee employees a minimum wage of \$7.50 for a training period not to exceed six months.

Related: 2015:HB20

Progress: 1st House: Referred to Committee

Status: 01/21/2015 – Senate Public Affairs Committee

12/16/2014 – S Prefiled in the Senate.

History: 01/21/2015 – S Introduced and referred to Senate Public Affairs.

01/21/2015 – S Also referred to Senate Corporations & Transportation.

Bill: SB342

Sponsors: Campos, P. (D8)

Title: HIGHER EDUCATION EMPLOYEE MINIMUM WAGES

(Identical to 2014 SB322) Raises the minimum wage to \$10.10 per hour for all state employees and every

Summary: person employed at a state educational institution named in Article 12, Section 11 of the Constitution (except student employees as defined by the Higher Education Department).

Related: 2014:SB322

Progress: 1st House: Referred to Committee

Status: 01/28/2015 – Senate Public Affairs Committee

History: 01/28/2015 – S Introduced and referred to Senate Public Affairs.

01/28/2015 – S Also referred to Senate Finance.

Bill: SJR9

Sponsors: Soules (D37)

Title: CA: STATE MINIMUM WAGE

Summary: Proposes to amend Article 20 of the state Constitution to establish a state minimum wage rate that will increase annually at the rate of inflation but will not increase more than four percent in any year.

Progress: 1st House: Referred to Committee

Status: 01/29/2015 – Senate Rules Committee

History: 01/29/2015 – S Introduced and referred to Senate Rules.
01/29/2015 – S Also referred to Senate Judiciary.

OIL AND GAS

Bill: **HB199**

Sponsors: Bandy (R3)

Title: PROHIBITS COUNTY JURISDICTION OVER OIL AND GAS OPERATIONS

Summary: Clarifies that the Oil Conservation Division of the Energy, Minerals and Natural Resources Department has jurisdiction over all oil and gas operations in the state. No political subdivision or other instrumentality shall have jurisdiction, authority or control over oil and gas operations, except municipalities and those specifically provided pursuant to law.

Progress: 1st House: Referred to Committee

Status: 01/30/2015 – House Energy, Environment and Natural Resources Committee

01/27/2015 – H Introduced and referred to House Regulatory & Public Affairs.

01/27/2015 – H Also referred to House Judiciary.

History: 01/30/2015 – H Referral withdrawn from House Regulatory & Public Affairs.

01/30/2015 – H Referred to House Energy, Environment & Natural Resources.

01/30/2015 – H Referred to House Judiciary.

Bill: **HB366**

Sponsors: Gentry (R30)

Title: STATE EXCLUSIVE JURISDICTION OVER OIL, GAS, POTASH

Summary: Specifies that the state has exclusive jurisdiction over all matters relating to oil and gas conservation, extraction, production, processing, storage and transportation. The Oil Conservation Division of the Energy, Minerals and Natural Resources Department and the Oil Conservation Commission shall have concurrent, exclusive jurisdiction.

Progress: 1st House: Referred to Committee

Status: 02/18/2015 – House Judiciary Committee

02/09/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/09/2015 – H Also referred to House Judiciary.

History: 02/18/2015 – H Reported Do Pass as amended by House Energy, Environment & Natural Resources.

02/18/2015 – H Note: HENRC Adopted Roll Call Vote 36-28.

Bill: **HB383**

Sponsors: Gallegos, David (R61)

Title: BLANKET FINANCIAL ASSURANCE FOR TEMPORARILY ABANDONED OIL AND GAS WELLS
(Duplicate of SB442) (Related to 2015 HM16, SB335, SB389, SB421 and SM 9; 2014 HB373 and HM76)

Summary: Provides discretion to the Oil Conservation Division to allow an operator of an oil or gas well held in temporarily abandoned status for more than two years to choose to cover those wells by increasing its blanket plugging financial assurance or to require one-well financial assurance on each abandoned well. An operator granted and electing blanket plugging financial assurance shall increase that assurance as follows:

Related: 2015:SB442; 2015:HM16; 2015:SB335; 2015:SB389; 2015:SB421

Progress: 1st House: Referred to Committee

Status: 02/09/2015 – House Energy, Environment and Natural Resources Committee

02/09/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

History: 02/09/2015 – H Also referred to House Business & Employment.

Scheduled: 02/25/2015 – House Energy, Environment and Natural Resources Committee, 8:30 a.m., Room 309
(Revised 02/23/2015)

Bill: **HB548**

Sponsors: McQueen (D50)

Title: NO EMINENT DOMAIN POWER FOR CARBON DIOXIDE PIPELINES

Summary: (Conflicts with HB549) Deletes the power of private persons to exercise eminent domain for necessary right-of-way for pipelines conveying carbon dioxide.

Related: 2015:HB549

Progress: 1st House: Referred to Committee

Status: 02/19/2015 – House Energy, Environment and Natural Resources Committee

History: 02/19/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/19/2015 – H Also referred to House Judiciary.

Bill: **HB549**

Sponsors: McQueen (D50)

Title: RESTRICTS EMINENT DOMAIN POWER FOR PIPELINES

Summary: (Conflicts with HB548) Restricts the power of private persons to exercise eminent domain for necessary right-of-way for pipelines, including those conveying carbon dioxide. 75% of the product volume conveyed by such pipelines must originate in, be processed in or be used in New Mexico.

Related: 2015:HB548

Progress: 1st House: Referred to Committee

Status: 02/19/2015 – House Energy, Environment and Natural Resources Committee

History: 02/19/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/19/2015 – H Also referred to House Judiciary.

Bill: **SB114**

Sponsors: Griggs (R34)

Title: LOCAL GOVERNMENT SPECIAL FUEL TAX

Summary: (For the Transportation Infrastructure Revenue Committee) Amends and re-names the County and Municipal Gasoline and Special Fuel Tax Act to allow municipalities and counties to impose by ordinance a tax of one or two cents per gallon sold at retail within the jurisdiction.

Progress: 1st House: Referred to Committee

Status: 02/17/2015 – Senate Finance Committee

01/07/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Corporations & Transportation.

01/22/2015 – S Also referred to Senate Finance.

02/17/2015 – S Reported Do Pass by Senate Corporations & Transportation.

Scheduled: 02/24/2015 – Senate Finance Committee, 1:30 or 1/2 hour after Floor Session, Room 322

Bill: **SB184**

Sponsors: Sharer (R1)

Title: STB FUNDING SANCTIONS FOR LOCAL GOVERNMENTS WITH STRICT MINING REGULATIONS

Summary: (Related to 2014 HB 55 – Chapter 66 of 2014 – and related to 2015 HB 28, HB 66, SB 26 and SB 159)

Prohibits issuance of STB bonds to communities that increase the costs of mining extraction by 25 percent or

more.

Progress: 1st House: Referred to Committee
 Status: 01/22/2015 – Senate Conservation Committee
 01/14/2015 – S Prefiled in the Senate.
 History: 01/22/2015 – S Introduced and referred to Senate Conservation.
 01/22/2015 – S Also referred to Senate Finance.

Bill: **SB319**

Sponsors: Leavell (R41)
 Title: INDUSTRIAL REVENUE BONDS TO PAY FOR FRACKING, MINING, HOUSING PROJECTS
 Expands the definition of “project” within the County Industrial Revenue Bond Act to include the extraction
 Summary: phase of mining or energy development, thereby creating the possibility for energy companies to seek public
 financing for hydraulic fracturing projects.
 Progress: 1st House: Referred to Committee
 Status: 02/17/2015 – Senate Finance Committee
 01/27/2015 – S Introduced and referred to Senate Corporations & Transportation.
 01/27/2015 – S Also referred to Senate Judiciary.
 History: 01/27/2015 – S Also referred to Senate Finance.
 02/03/2015 – S Reported Do Pass by Senate Corporations & Transportation.
 02/17/2015 – S Reported Do Pass as amended by Senate Judiciary.

Bill: **SB335**

Sponsors: Sharer (R1)
 Title: STATE SYMBOLS: NAMING OIL AND GAS AS THE OFFICIAL STATE RESOURCE
 Along with our state flower, state bird, state tree, state fish, state animal, state vegetables, state gem, state
 Summary: grass, state fossil, state cookie, state insect, state question, state answer, state nickname, state butterfly, state
 reptile, state amphibian, state aircraft, state historic railroad, state tie and state necklace we will now have a
 state resource . . . and, TA DA! . . . it is oil and gas!
 Progress: 1st House: Referred to Committee
 Status: 01/28/2015 – Senate Rules Committee
 History: 01/28/2015 – S Introduced and referred to Senate Rules.
 01/28/2015 – S Also referred to Senate Public Affairs.

Bill: **SB389**

Sponsors: Leavell (R41)
 Title: FILING RULES UNDER OIL AND GAS ACT
 No rule may be adopted under the Oil and Gas Act until after a hearing by the Oil and Gas Commission. Any
 rule adopted shall be filed and published in accordance with the State Rules Act. Any person affected by the
 Summary: rule may appeal to the Court of Appeals within 30 days after filing. The Court may set the rule aside only if it
 is found to be (1) arbitrary, capricious or an abuse of discretion; (2) not supported by substantial evidence in
 the record; or (3) otherwise not in accordance with law.
 Progress: 1st House: Referred to Committee
 Status: 01/29/2015 – Senate Conservation Committee
 History: 01/29/2015 – S Introduced and referred to Senate Conservation.
 01/29/2015 – S Also referred to Senate Judiciary.
 Scheduled: 02/24/2015 – Senate Conservation Committee, 2:00 p.m. or 1/2 hr. after session, Room 311

Bill: SB421
Sponsors: Ingle (R27)
Title: STATE PREEMPTION OF LOCAL AUTHORITY TO REGULATE AGRICULTURAL, MINING AND OIL AND GAS
(Related to 2014 HM92) Preempts on behalf of the state the authority of municipalities and counties to adopt ordinances or resolutions to regulate agricultural operations, mining activities and oil and gas activities.
Summary: Preempts on behalf of the state the authority of counties and zoning commissions to adopt zoning ordinances to regulate agricultural operations, mining activities and oil and gas activities.
Progress: 1st House: Referred to Committee
Status: 02/03/2015 – Senate Conservation Committee
History: 02/03/2015 – S Introduced and referred to Senate Conservation.
02/03/2015 – S Also referred to Senate Judiciary.

Bill: SB601
Sponsors: Griggs (R34)
Title: STATE OIL AND GAS RULES VS. COUNTY RULES
(Related to 2014 HM192 and 2015 HB199 and HB366) The thrust of this bill is to preempt the county regulation of underground reservoirs of oil and gas with state rules adopted by the Oil Conservation Commission and the Oil Conservation Division without apparently going through a public-hearing process at the local level. Applies retroactively to rules adopted at the state level between January 1, 2005 and July 1, 2015.
Summary: Commission and the Oil Conservation Division without apparently going through a public-hearing process at the local level. Applies retroactively to rules adopted at the state level between January 1, 2005 and July 1, 2015.
Progress: 1st House: Referred to Committee
Status: 02/17/2015 – Senate Conservation Committee
History: 02/17/2015 – S Introduced and referred to Senate Conservation.
02/17/2015 – S Also referred to Senate Judiciary.

Bill: SM29
Sponsors: Shendo (D22)
Title: STUDY IMPACTS OF INCREASED NATURAL GAS FLARING AND VENTING
Requests the Energy, Minerals and Natural Resources Department, Department of Environment, Indian Affairs Department, and Department of Finance and Administration to convene a Joint Task Force to study the economic and environmental impacts of the increase in natural gas flaring and venting in New Mexico.
Summary: Affairs Department, and Department of Finance and Administration to convene a Joint Task Force to study the economic and environmental impacts of the increase in natural gas flaring and venting in New Mexico.
Progress: 1st House: Referred to Committee
Status: 01/27/2015 – Senate Rules Committee
History: 01/27/2015 – S Introduced and referred to Senate Rules.
01/27/2015 – S Also referred to Senate Conservation.

SHORT TERM LOAN INTEREST

Bill: HB24
Sponsors: Roybal-Caballero (D13)
Title: 36 PERCENT ANNUAL CAP ON LEGAL LENDING RATES
(Related to HB36) Proposes to amend Sec. 56-8-9 (relating to prohibition of excessive charges under Article 8 related to Money, Interest and Usury), the New Mexico Bank Installment Loan Act and the New Mexico Small Loan Act to impose a 36 percent cap on annual interest that may be charged or received for the extension of credit. Does not apply to any federally insured depository institution of government-issued

bonds. In the event that the U.S. Prime Lending Rate exceeds 10 percent, the maximum lawful interest rate may exceed 36 percent annually but shall not exceed the Prime Lending Rate by more than 30 percentage points.

Related: 2015:HB36; 2015:SB72

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – House Regulatory and Public Affairs Committee
12/16/2014 – H Prefiled in the House.

History: 01/22/2015 – H Introduced and referred to House Regulatory & Public Affairs.
01/22/2015 – H Also referred to House Business & Employment.

Bill: **HB36**

Sponsors: Chasey (D18)

Title: LEGAL LENDING RATES CAPPED AT 36 PERCENT

(Related to HB24, but without referencing Sec. 56-8-9 relating to prohibition of excessive charges) (For the Courts, Corrections and Justice Committee) Proposes to amend the New Mexico Bank Installment Loan Act and the New Mexico Small Loan Act to impose a 36 percent cap on annual interest that may be charged or

Summary: received for the extension of credit. Does not apply to any federally insured depository institution of government-issued bonds. In the event that the U.S. Prime Lending Rate exceeds 10 percent, the maximum lawful interest rate may exceed 36 percent annually but shall not exceed the Prime Lending Rate by more than 30 percentage points.

Related: 2015:HB24; 2015:SB72

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – House Regulatory and Public Affairs Committee
12/16/2014 – H Prefiled in the House.

History: 01/22/2015 – H Introduced and referred to House Regulatory & Public Affairs.
01/22/2015 – H Also referred to House Ways & Means.

Bill: **HB425**

Sponsors: Lundstrom (D9)

Title: HIGH FEES ON SMALL LOANS, INSUFFICIENT FUNDS, DELINQUENCIES

Specifies that a loan in an amount of \$2,500 or less shall be made only pursuant to the New Mexico Bank

Summary: Installment Loan Act of 1959 (Sec. 58-7) or the Small Loan Act of 1955 (58-15); and specifies allowable fees and charges for loans. Applies to all loans subject to either act executed on or after July 1, 2015.

Progress: 1st House: Referred to Committee

Status: 02/12/2015 – House Regulatory and Public Affairs Committee

02/12/2015 – H Introduced and referred to House Regulatory & Public Affairs.

History: 02/12/2015 – H Also referred to House Business & Employment.

Scheduled: 02/25/2015 – House Regulatory and Public Affairs Committee, 1:30 p.m., Room 315 (Revised 02/23/2015)

Bill: **SB72**

Sponsors: Soules (D37)

Title: 36 PERCENT ANNUAL CAP ON LEGAL LENDING RATES

(Identical to HB 24) (Related to HB 36) Proposes to amend Sec. 56-8-9 (relating to prohibition of excessive charges under Article 8 related to Money, Interest and Usury), the New Mexico Bank Installment Loan Act

Summary: and the New Mexico Small Loan Act to impose a 36 percent cap on annual interest that may be charged or received for the extension of credit. Does not apply to any federally insured depository institution of government-issued bonds. In the event that the U.S. Prime Lending Rate exceeds 10 percent, the maximum

lawful interest rate may exceed 36 percent annually but shall not exceed the Prime Lending Rate by more than 30 percentage points.

Related: 2015:HB24; 2015:HB36

Progress: 1st House: Referred to Committee

Status: 01/21/2015 – Senate Corporations and Transportation Committee
12/19/2014 – S Prefiled in the Senate.

History: 01/21/2015 – S Referred to Senate Corporations & Transportation.
01/21/2015 – S Also referred to Senate Judiciary.

Bill: **SB579**

Sponsors: Neville (R2)

Title: HIGH FEES ON SMALL LOANS, INSUFFICIENT FUNDS, DELINQUENCIES

(Identical to HB425) Specifies that a loan in an amount of \$2,500 or less shall be made only pursuant to the New Mexico Bank Installment Loan Act of 1959 (Sec. 58-7) or the Small Loan Act of 1955 (58-15); and
Summary: specifies allowable fees and charges for loans. Applies to all loans subject to both acts executed on or after July 1, 2015.

Related: 2015:HB425

Progress: 1st House: Referred to Committee

Status: 02/16/2015 – Senate Corporations and Transportation Committee

History: 02/16/2015 – S Introduced and referred to Senate Corporations & Transportation.
02/16/2015 – S Also referred to Senate Judiciary.

RENEWABLE ENERGY

Bill: **HB14**

Sponsors: McCamley (D33)

Title: APPROPRIATION: NMSU SMART GRID, MICRO GRID AND RENEWABLE ENERGY
TECHNOLOGY

Appropriates \$250,000 (GF, nonreverting) to the Board of Regents of NMSU for expenditure in FY 2016 and
Summary: subsequent fiscal years for the Southwest Technology Development Institute to support smart grid, micro grid and renewable energy development and demonstration.

Progress: 1st House: Referred to Committee

Status: 02/20/2015 – House Appropriations and Finance Committee
12/16/2014 – H Prefiled in the House.

01/22/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

History: 01/22/2015 – H Also referred to House Business & Employment.

01/22/2015 – H Also referred to House Appropriations & Finance.

01/30/2015 – H Reported Do Pass by House Energy, Environment & Natural Resources.

02/20/2015 – H Reported Do Pass by House Business & Employment.

Bill: **HB64**

Sponsors: Trujillo, C. (D46); Wirth (D25)

Title: HOME ENERGY AND WATER EFFICIENCY TAX CREDIT

(Similar to 2014's HTRC substitute for HB124) For taxable years 2015 through 2021, allows income taxpayers who make improvements to the energy or water efficiency of the taxpayer's primary residence during a
Summary: taxable year to claim a refundable income tax credit. Tax credit of up to \$4,000 (energy) and up to \$1,000 (indoor water use) varies depending on degree of improvement in efficiency.

Related: 2014:HB124

Progress: 1st House: Referred to Committee

Status: 02/02/2015 – House Ways and Means Committee
12/26/2014 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Ways & Means.

02/02/2015 – H Reported without recommendation by House Energy, Environment & Natural Resources.

Bill: **HB70**

Sponsors: Stapleton (D19)

Title: EXTENDS LIFE OF SOLAR MARKET DEVELOPMENT TAX CREDIT

Summary: Extends by four years the life of the personal income solar market development tax credit, from taxable years through December 31, 2016 to taxable years through December 31, 2020.

Progress: 1st House: Referred to Committee

Status: 01/30/2015 – House Ways and Means Committee
01/02/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Ways & Means.

01/30/2015 – H Reported Do Pass by House Energy, Environment & Natural Resources.

Bill: **HB111**

Sponsors: Gonzales (D42)

Title: QUALIFIES SHARED RENEWABLE ENERGY FACILITIES AS DISTRIBUTED GENERATION FACILITIES

Summary: (Similar to 2013 SB 394) Proposes to amend the Public Utility Act to allow shared renewable energy facilities of five megawatts or less to qualify as distributed generation facilities rather than as public utilities.

Related: 2013:SB394

Progress: 1st House: Referred to Committee

Status: 01/26/2015 – House Energy, Environment and Natural Resources Committee
01/12/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Business & Employment.

Bill: **HB113**

Sponsors: Egolf (D47)

Title: INCOME TAX CREDIT FOR ENERGY-EFFICIENT HOMES

Summary: (Nearly identical to 2013s HB135) Offers an income tax credit up to \$8,000 for purchase or renovation of an owner-occupied single-family residence achieving a home energy-rating system (HERS) rating of 60 or better. Applies only for 2015 through 2018 taxable years to single-family residences, construction of which begins on or after July 1, 2015 but not after June 30, 2018.

Related: 2013:HB135

Progress: 1st House: Referred to Committee

Status: 02/02/2015 – House Ways and Means Committee
01/12/2015 – H Prefiled in the House.

History: 01/26/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/26/2015 – H Also referred to House Ways & Means.

02/02/2015 – H Reported without recommendation by House Energy, Environment & Natural Resources.

Bill: HB179

Sponsors: Stapleton (D19)

Title: SEVERANCE TAX PERMANENT FUND INVESTMENT IN RENEWABLE ENERGY

Permits investment of up to one percent of the market value of the Severance Tax Permanent Fund in New

Summary: Mexico renewable energy. Investment in any renewable energy project may not exceed 50% of the project's estimated cost.

Progress: 1st House: Referred to Committee

Status: 01/27/2015 – House Education Committee

01/27/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

History: 01/27/2015 – H Also referred to House Ways & Means.

Bill: HB263

Sponsors: Dodge (D63)

Title: RENEWABLE ENERGY CERTIFICATES FOR THERMAL ENERGY

(Identical to SB249) (Related to 2013 SB204) Provides additional standards for renewable energy certificates

Summary: to be issued for the generation and use of thermal energy; also defines "useful thermal energy" as used in the Rural Electric Cooperative Act.

Related: 2015:SB249; 2013:SB204

Progress: 1st House: Passed

Status: 02/20/2015 – Passed in the House

01/29/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

01/29/2015 – H Also referred to House Regulatory & Public Affairs.

History: 02/09/2015 – H Reported Do Pass by House Energy, Environment & Natural Resources.

02/17/2015 – H Reported Do Pass as amended by House Regulatory & Public Affairs.

02/20/2015 – H Opened for floor debate.

02/20/2015 – H Passed 55-0.

Bill: HB296

Sponsors: Maestas Barnes (R15)

Title: LEASES QUALIFY FOR SOLAR MARKET DEVELOPMENT TAX CREDIT

(Related to HB70 and SB371) Allows taxpayers who lease, rather than purchase, qualifying solar or

Summary: photovoltaic systems to apply for a solar market development tax credit against personal income tax. Not clear whether claims retroactive to installations on or after January 1, 2006 are intended to be included.

Related: 2015:HB70; 2015:SB371

Progress: 1st House: Referred to Committee

Status: 02/23/2015 – House Ways and Means Committee

02/03/2015 – H Introduced and referred to House Energy, Environment & Natural Resources.

02/03/2015 – H Also referred to House Ways & Means.

History: 02/03/2015 – H Also referred to House Appropriations & Finance.

02/11/2015 – H Reported Do Pass by House Energy, Environment & Natural Resources.

02/23/2015 – H Referral withdrawn from House Appropriations & Finance.

Bill: SB209

Sponsors: Soules (D37)

Title: APPROPRIATION: NMSU SMART GRID, MICROGRID AND RENEWABLE ENERGY

TECHNOLOGY

Appropriates \$250,000 (GF, nonreverting) to NMSU's board of regents for expenditure in FY 2016 and subsequent years for Southwest Technology Development Institute to support smart grid, microgrid and renewable energy development and demonstration.

Progress: 1st House: Referred to Committee

Status: 02/02/2015 – Senate Finance Committee

01/26/2015 – S Introduced and referred to Senate Conservation.

History: 01/26/2015 – S Also referred to Senate Finance.

02/02/2015 – S Reported Do Pass by Senate Conservation.

Bill: **SB242**

Sponsors: Griego (D39)

Title: RENEWABLE ENERGY PRODUCTION TAX CREDIT CHANGES

Amends both the personal and corporate income tax renewable energy tax credits to allow geothermal energy

Summary: as a qualifying energy source. Provides a lower per-kilowatt hour tax credit for claimants certified on or after January 1, 2015.

Progress: 1st House: Referred to Committee

Status: 02/23/2015 – Senate Finance Committee

01/26/2015 – S Introduced and referred to Senate Conservation.

01/26/2015 – S Also referred to Senate Corporations & Transportation.

History: 01/26/2015 – S Also referred to Senate Finance.

02/11/2015 – S Reported Do Pass by Senate Conservation.

02/23/2015 – S Reported Do Not Pass but Do Pass as substituted without recommendation by Senate Corporations & Transportation.

Bill: **SB279**

Sponsors: Wirth (D25); Trujillo, C. (D46)

Title: SUSTAINABLE BUILDING TAX CREDIT CHANGES

Amends and extends both the personal and corporate income tax versions of the sustainable building tax

Summary: credit. The current versions of the tax credit expire at the end of 2016. This bill amends that version and creates a new version for taxable years 2017 through 2026.

Progress: 1st House: Referred to Committee

Status: 02/11/2015 – Senate Corporations and Transportation Committee

01/27/2015 – S Introduced and referred to Senate Conservation.

History: 01/27/2015 – S Also referred to Senate Corporations & Transportation.

01/27/2015 – S Also referred to Senate Finance.

02/11/2015 – S Reported Do Pass as amended by Senate Conservation.

Bill: **SB280**

Sponsors: Wirth (D25)

Title: WATER HARVESTING INCOME TAX CREDIT

(Similar to 2014 SCORC SB14) Proposes the "Water Harvesting Income Tax Credit" for any taxpayer that purchases and installs a certified water harvesting system between January 1, 2015 and December 31, 2025.

Related: 2014:SB14

Progress: 1st House: Referred to Committee

Status: 02/11/2015 – Senate Corporations and Transportation Committee

History: 01/27/2015 – S Introduced and referred to Senate Conservation.

01/27/2015 – S Also referred to Senate Corporations & Transportation.
01/27/2015 – S Also referred to Senate Finance.
02/11/2015 – S Reported Do Pass by Senate Conservation.

Bill: SB391
Sponsors: Stewart (D17)
Title: EXTENDS SOLAR MARKET DEVELOPMENT TAX CREDIT
Summary: Extends the sunset date of the solar market development personal income tax credit from December 31, 2016 to December 31, 2020.
Progress: 1st House: Referred to Committee
Status: 02/23/2015 – Senate Finance Committee
02/02/2015 – S Introduced and referred to Senate Conservation.
02/02/2015 – S Also referred to Senate Corporations & Transportation.
History: 02/02/2015 – S Also referred to Senate Finance.
02/11/2015 – S Reported Do Pass by Senate Conservation.
02/23/2015 – S Reported without recommendation by Senate Corporations & Transportation.

RIGHT TO WORK

Bill: HB75
Sponsors: Roch (R67)
Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK MEASURE
(Similar to SB 103) (Related to SB 92 and SB 93) A right-to-work measure, cited as the Employee Preference Act, which provides that, as a condition of employment, no person may be required to become or to remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.
Summary: member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.
Related: 2015:SB92; 2015:SB93; 2015:SB103
Progress: 1st House: Reported from Committees
Status: 02/16/2015 – House Calendar
01/05/2015 – H Prefiled in the House.
01/26/2015 – H Introduced and referred to House Business & Employment.
History: 01/26/2015 – H Also referred to House Judiciary.
01/30/2015 – H Reported Do Pass by House Business & Employment.
01/30/2015 – H Note: Committee Report Adopted 37-28.
02/16/2015 – H Reported Do Not Pass but Do Pass as substituted by House Judiciary.
Scheduled:02/24/2015 – House Calendar, 10:30 a.m., House Chamber

Bill: SB92
Sponsors: Rue (R23)
Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK MEASURE
A right-to-work measure cited as the Employee Preference Act provides that, as a condition of employment, no person may be required to become or remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.
Summary: no person may be required to become or remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.
Progress: 1st House: Referred to Committee
Status: 01/22/2015 – Senate Public Affairs Committee

12/21/2014 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Public Affairs.

01/22/2015 – S Also referred to Senate Judiciary.

Bill: **SB93**

Sponsors: Rue (R23)

Title: NO PUBLIC EMPLOYEE UNION DUES DEDUCTION FROM PAYROLL

Summary: Under the Public Employee Bargaining Act the payroll deduction of a public employee's union membership dues is mandatory. This bill stops that practice by requiring that such deductions shall not be the subject of a bargaining agreement between a labor union and a public employer. Unions are left to find some other way to collect their membership dues.

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – Senate Public Affairs Committee

12/21/2014 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Public Affairs.

01/22/2015 – S Also referred to Senate Judiciary.

Bill: **SB103**

Sponsors: Sharer (R1)

Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK MEASURE

Summary: (Related to SB 92 and SB 93) A right-to-work measure, cited as the Employee Preference Act, which provides that, as a condition of employment, no person may be required to become or remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.

Related: 2015:SB92; 2015:SB93

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – Senate Public Affairs Committee

01/02/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Public Affairs.

01/22/2015 – S Also referred to Senate Judiciary.

Bill: **SB183**

Sponsors: Sharer (R1)

Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK

Summary: (Identical to HB 75; similar to SB 103; related to SB 92 and SB 93) A right-to-work measure, cited as the Employee Preference Act, which provides that, as a condition of employment, no person may be required to become or to remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.

Progress: 1st House: Referred to Committee

Status: 01/22/2015 – Senate Public Affairs Committee

01/14/2015 – S Prefiled in the Senate.

History: 01/22/2015 – S Introduced and referred to Senate Public Affairs.

01/22/2015 – S Also referred to Senate Judiciary.

Bill: SB664
Sponsors: Ingle (R27)
Title: EMPLOYEE PREFERENCE ACT—RIGHT TO WORK MEASURE
(Identical to HJC substitute for HB75) A right-to-work measure, cited as the Employee Preference Act, which provides that, as a condition of employment, no person may be required to become or to remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment. Provides for a small increase in the state minimum wage.
Summary:
Progress: 1st House: Referred to Committee
Status: 02/19/2015 – Senate Public Affairs Committee
02/19/2015 – S Introduced and referred to Senate Public Affairs.
History: 02/19/2015 – S Also referred to Senate Judiciary.

HOLD HARMLESS

Bill: HB421
Sponsors: Harper (R57)
Title: REVISES HOLD HARMLESS DISTRIBUTIONS TO MUNICIPALITIES AND COUNTIES
(Related to SB101, SB266, SB274; similar to 2014 HB132) Allows small municipalities (under 10,000 in population) and small counties (those under 48,000) to continue receiving an undiminished hold harmless distribution (that is, an “applicable maximum distribution”) from the state if the municipality or county has not imposed a hold harmless gross receipts tax. Other municipalities and counties (both the large municipalities and counties and the small municipalities and counties that have imposed a hold harmless gross receipts tax) will receive a hold harmless distribution equal to the lesser of (1) the applicable maximum distribution minus receipts from the hold harmless tax or (2) the applicable maximum distribution reduced by the phase-out percentage for the period.
Summary:
Related: 2015:SB101; 2015:SB266; 2015:SB274; 2014:HB132
Progress: 1st House: Referred to Committee
Status: 02/12/2015 – House Government, Elections and Indian Affairs Committee
02/12/2015 – H Introduced and referred to House Government, Elections & Indian Affairs.
History: 02/12/2015 – H Also referred to House Ways & Means.

Bill: HB581
Sponsors: Dodge (D63)
Title: REVISING PROCEDURE FOR ADJUSTING DISTRIBUTIONS TO LOCAL GOVERNMENTS
(Duplicate of SB669) Significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government being required to return previously distributed funds.
Summary:
Related: 2015:SB669
Progress: 1st House: Referred to Committee
Status: 02/19/2015 – House Government, Elections and Indian Affairs Committee
02/19/2015 – H Introduced and referred to House Government, Elections & Indian Affairs.
History: 02/19/2015 – H Also referred to House Ways & Means.

Bill: SB101
Sponsors: Neville (R2)
Title: STATE GROSS RECEIPTS AND HOLD HARMLESS TAX CHANGES

Summary: SCORC substitute for SB101, like the original bill, reduces the gross receipts tax from five and one-eighth percent to four and seven-eighths percent.

Related: 2014:SB87

Progress: 1st House: Referred to Committee

Status: 02/12/2015 – Senate Finance Committee

01/02/2015 – S Prefiled in the Senate.

01/22/2015 – S Introduced and referred to Senate Corporations & Transportation.

History: 01/22/2015 – S Also referred to Senate Finance.

02/12/2015 – S Reported Do Not Pass but Do Pass as substituted without recommendation by Senate Corporations & Transportation.

Scheduled:02/24/2015 – Senate Finance Committee, 1:30 or 1/2 hour after Floor Session, Room 322

Bill: **SB266**

Sponsors: Munoz (D4)

Title: EXCLUDING CERTAIN COUNTIES FROM REDUCTION IN HOLD HARMLESS DISTRIBUTIONS

(Related to 2014 HB155 & SB171) Allows the hold harmless distribution to a county to continue undiminished if the county's gross receipts tax base grows on average less than 11.7% annually from July 1, 2014. Defines the tax base as all taxable items other than those deductible under Section 7-9-92 ("food stamp" food) and 7-9-93 (certain medical services and products).

Related: 2014:HB155; 2014:SB171

Progress: 1st House: Referred to Committee

Status: 02/20/2015 – Senate Finance Committee

01/27/2015 – S Introduced and referred to Senate Corporations & Transportation.

History: 01/27/2015 – S Also referred to Senate Finance.

02/20/2015 – S Reported without recommendation by Senate Corporations & Transportation.

Bill: **SB274**

Sponsors: Smith (D35)

Title: REPEALS FOOD HOLD HARMLESS DISTRIBUTION; APPLIES LOCAL OPTION TAXES TO FOOD

Proposes a complex bill to eliminate the food hold harmless distribution to municipalities and counties, allow municipalities and counties to impose local option taxes on retail food sales, increase the working family personal income tax credit, cut the state gross receipts tax from 5.125% to 5% and repeal currently authorized municipal and county local option hold harmless gross receipts taxes.

Progress: 1st House: Referred to Committee

Status: 02/23/2015 – Senate Finance Committee

01/27/2015 – S Introduced and referred to Senate Corporations & Transportation.

History: 01/27/2015 – S Also referred to Senate Finance.

02/23/2015 – S Reported without recommendation by Senate Corporations & Transportation.

Bill: **SB555**

Sponsors: Munoz (D4)

Title: EXCEPTIONS TO HOLD HARMLESS DISTRIBUTION REDUCTIONS

Starting with fiscal year 2017, halts the hold harmless distribution (in lieu of revenues from state and local gross receipts taxes on retail sale of food and certain medical goods and services) to a municipality or county if the municipality or county meets certain criteria (appears intended for Gallup and McKinley County, but may affect others).

Progress: 1st House: Referred to Committee
Status: 02/12/2015 – Senate Corporations and Transportation Committee
History: 02/12/2015 – S Introduced and referred to Senate Corporations & Transportation.
02/12/2015 – S Also referred to Senate Finance.

Bill: **SB621**

Sponsors: Munoz (D4)

Title: REINSTATING THE HOLD HARMLESS DISTRIBUTIONS TO MUNICIPALITIES AND COUNTIES

(Conflicts with HB421, SB101 and SB274) Eliminates the 15-year phase-out of gross receipts tax hold harmless distributions to municipalities and counties. Instead, a municipality or county would receive full hold harmless distribution amounts less only the proceeds of any local option hold harmless tax imposed by the county or municipality.

Related: 2015:HB421; 2015:SB101; 2015:SB274

Progress: 1st House: Referred to Committee

Status: 02/18/2015 – Senate Corporations and Transportation Committee

History: 02/18/2015 – S Introduced and referred to Senate Corporations & Transportation.

02/18/2015 – S Also referred to Senate Finance.

Bill: **SB633**

Sponsors: Munoz (D4)

Title: REINSTATING THE HOLD HARMLESS DISTRIBUTIONS FOR SOME MUNICIPALITIES AND COUNTIES

(Conflicts with HB421, SB101, SB274 and SB621) Eliminates the 15-year phase-out of gross receipts tax hold harmless distributions to those municipalities and counties that do not have in effect on or after January 1, 2016 a local option hold harmless gross receipts tax. Such municipalities and counties will continue to receive the full hold harmless distribution.

Progress: 1st House: Referred to Committee

Status: 02/18/2015 – Senate Corporations and Transportation Committee

History: 02/18/2015 – S Introduced and referred to Senate Corporations & Transportation.

02/18/2015 – S Also referred to Senate Finance.

Bill: **SB669**

Sponsors: Ingle (R27)

Title: REVISING PROCEDURE FOR ADJUSTING DISTRIBUTIONS TO LOCAL GOVERNMENTS

Significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government being required to return previously distributed funds.

Progress: 1st House: Referred to Committee

Status: 02/19/2015 – Senate Corporations and Transportation Committee

History: 02/19/2015 – S Introduced and referred to Senate Corporations & Transportation.

02/19/2015 – S Also referred to Senate Finance.

NMAC EXECUTIVE BOARD ACTIONS

Opposed

House Bill 421, Revises Hold Harmless Distributions to Municipalities and Counties, Rep . Harper

Senate Bill 101, State Gross Receipts and Hold Harmless Tax Changes, Senator Neville

Senate Bill 536, Public Defenders in County Facilities, Senator Stewart

Senate Bill 274, Repeals Food Hold Harmless Distribution; Applies Local Option Taxes to Food, Senator Smith

Supporting

Senate Bill 42, Medicaid for Certain Incarcerated Persons , Senator Ortiz y Pino

House Bill 332, Probation and Good Behavior, Rep. Maestas

Senate Memorial 53, Rural Emergency Medical Systems Study, Senator Griego