

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

January 27, 2015

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



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 321

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

January 27, 2015

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 11:35 a.m. 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 Miguel Chavez, Vice Chair
Commissioner Kathy Holian
Commissioner Henry Roybal
Commissioner Liz Stefanics

Members Excused:

None

- I. C. Pledge of Allegiance**
D. State Pledge
E. Moment of Reflection

The Pledge of Allegiance was led by Mike Jaffa, the State Pledge by Henry Casanova and the Moment of Reflection by Randy Vallegos of the Public Safety Department.

- 1. F. Approval of Agenda**
1. Amendments.
2. Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Mr. Chair, we have, on page 5, an amendment adding in under Discussion/Information/Presentation items, item V.C. 1.a, under the legislative update, in case there's any legislation that the Commission would like to give direction for us to support or oppose, we've added that item. Additionally, I'd like to say that the County Attorney has indicated he does not need an executive session so you could withdraw the items under executive session. Those are the only changes that I have to the agenda, although on behalf of Commissioner Holian, she has requested that one of her resolutions be heard at 4:30?

COMMISSIONER HOLIAN: Yes. That's correct. It's item III. D. 13, which is the Endangered Species Act resolution, because I know that there will be a number of people here who would like to make a few comments on that.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I would move the amended agenda with all the amendments.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion to approve the amended agenda, second by Commissioner Chavez, and I will note, Commissioner Holian, you let me know when you're ready and we'll move that forward at that time.

COMMISSIONER HOLIAN: Thank you, Mr. Chair.

CHAIR ANAYA: Any further discussion from the Commission? Seeing none.

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

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

MS. MILLER: Mr. Chair, I'd like to just note, because there are numerous new County employees because we did not have an administrative meeting in December, but if you look in your packet there's a list of County employees from November and December that came onto our payroll. In addition we have three new elected officials that are mentioned there. Our County Commissioner, Henry Roybal, our County Assessor, Gus Martinez, and our Probate Judge, Shannon Bulman.

Additionally, I believe we have a couple of the employees here that I wanted to introduce. I think some of you met this morning in the Housing meeting our new Accounting and Financial Reporting Manager, Lynette Kinnard. She started last week. Also Carol Arrellano in the County Clerk's Office, a scanning and indexing technician. So I think those are the two that are on the list that you have in your packet that are actually present at the meeting. So I just want to – oh, I'm sorry. Also, they didn't highlight that one but Tessa Jo, who is our constituent liaison for both Districts 1 and 2 right now, and assisting the Manager's Office in other duties. So those are the ones that are here and we welcome them to Santa Fe County and if there's any others that are new that I didn't mention.

CHAIR ANAYA: Would those new employees that are here and those that aren't – let's acknowledge them. Would those employees that are here that are new would you please stand again. Let's give them all a warm round of applause and welcome to the County. And Ms. Miller, what I'm going to do, I'm going to utilize a little bit of prerogative and I'm going to have you hold the Employee of the Quarter for just a moment and I'm going to move to item H. It's necessary for the individuals that I'm going to acknowledge that to do that. So I'm going to go to item H and then we'll go back to Employee of Quarter.

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

CHAIR ANAYA: What I'd like to do, looking out there – I know there was somebody else that was going to join us and I think I see him here. Would former Commissioner Anaya, would you please stand and our Sheriff, Robert Garcia, would you please stand. Let's give them a welcome for being here with us today. And I'm going to run a little bit of risk, I think, but I'm going to go ahead and take that risk, but I'm going to ask Mr. Eugene Garcia to please come forward to the front if you would and I'm going to also ask our Sheriff Garcia if you would please come forward to the front if you would. If you guys could just have a seat right there in the front, gentlemen.

One of the things that I'm going to do in the course of my time here as a chair and I'm going to ask my colleagues that if there are individuals that served our country that they would like to acknowledge that I would invite them to please ask them to come forward and we'll provide some acknowledgement to them. And many times many of our veterans don't want this type of acknowledgement or to be put in the limelight, but I want to say a few remarks to those individuals, these two individuals in particular but we value on this Commission and this county and this country the service of those that have come to do service and serve our country and many times, and I think Mr. Gene Garcia noted this to me, many times in fact not at all for the Vietnam conflict was a welcome back given to them.

They came back to a situation of protest and concern and I respect those that provided that protest, but those that served had a difficult situation that they dealt with. So I have two individuals I want to acknowledge for their service. I'm going to start with our Sheriff and just talk a little bit about his background.

Sheriff Robert Garcia joined the Santa Fe County Sheriff's Office as Undersheriff in February 2003 and he was appointed after retiring from the Santa Fe Police Department where he served 23 years as an officer, detective and sergeant. Robert Garcia was elected as the Sheriff by the citizens of Santa Fe County on November 2, 2011 and he began his first term on January 1, 2012. I was honored to start when you did, Sheriff, and I look forward to continuing going forward with you. Mr. Garcia is a former police union president and a United States Army veteran. He's originally from Cuesta, New Mexico. He's lived in Santa Fe County for 31 years and he served in both the New Mexico and Texas National Guard.

He's married to Christine Garcia, an education technician with the New Mexico National Guard. Robert and Christine have seven children and 12 grandchildren.

The other individual – I would also say about Sheriff Garcia, in April 1975 he joined the US Army and served for four years of active duty stationed in El Paso, Texas, assigned to the Third Armored Cavalry Regiment. After living active duty he joined the Texas Army National Guard and enrolled in El Paso Community College. In May 1980 he applied and was accepted as a cadet in the Santa Fe Police Department. At that time he was transferred to the New Mexico National Guard where he continued also his education at Santa Fe Community College.

The next individual is Eugene A. Garcia, a 1969 graduate of Pecos High School in Pecos, New Mexico. His military service went from 1969 to 1971. Mr. Garcia served in the United States Marines from November 1969 to November 1971, two years active

duty. Received boot camp training in San Diego, California Marine Corp Recruit Depot, received advanced infantry training at Camp Pendleton, and served in the Vietnam War from May 8, 1970 to November 3, 1970 where he was wounded in action and received the purple heart medal with the following awards: good conduct medal, national defense medal, Vietnam service medal with one star, combat action medal, Vietnam campaign medal and a Vietnam campaign medal with device and rifle sharpshooter medal.

Mr. Garcia was honorably discharged. After military service Mr. Garcia was a security guard at Glorieta Conference Center from May 1972 to April 1973, then went to work at the New Mexico Penitentiary as a correctional officer until March 1981. And during this time he was promoted to the rank of lieutenant and was present during the riot. In 1981 Mr. Garcia was commissioned and sworn as a deputy for Santa Fe County. He received his certification in 1982 and served as an overall commander of the divisions within the department. He then received certification and appreciation for distinguished service at the Santa Fe County Sheriff's Department in 1992 and also received two medal of valor awards in February 15, 1985 for outstanding devotion and dedication in the performance of duty by placing his life in the line of protection for others in a hostage situation in the district courthouse where shots were fired.

Mr. Garcia then received several in-service trainings and retired as the major of the Santa Fe County Sheriff's Department in July 1997 with 23 years and 3 months of law enforcement service. He was also employed by the United States Marshal Service and worked at the United States courthouse in Santa Fe at the federal courthouse. Mr. Garcia is now 100 percent disabled veteran. As a lifetime member of the Disabled American Veterans, American Legion, VFW and the San Miguel Sheriff's posse where he's been for 15 years.

I would ask former Commissioner Anaya and Undersheriff Ron Madrid if he would please come forward to make a few brief remarks.

FORMER COUNTY COMMISSIONER MIKE ANAYA: Mr. Chair, members of the Commission. Thank you for honoring our veterans. There's one thing that I can say about these two individuals. If you're stranded anywhere and you need help, you can call any one of these guys and they will come help you. I don't care if you're up in the wilderness or stranded somewhere on the highway, and we have. We've called these individuals and it must be the last name, Garcia, because these individuals are special people.

We were in the mountains one time, Gene, and he was telling us about the monkey on his back – the real monkey – that saved his life many, many times. And I'll never forget that story, Gene. Never. So I pass that on to you and maybe one day you'll be lucky enough to hear that special story about the monkey on his back. Congratulations, guys. Thank you.

CHAIR ANAYA: Thank you, Commissioner. Undersheriff Madrid.

RON MADRID (Undersheriff): Mr. Chair, Commissioners, I just want to say a couple of words. Well, first of all, thank you, Gene for retiring in 1997 because I became major after you left. But I respect Gene. I've been a friend of his for 30-some years and he is a great individual and I respect him so much and I want to thank you, Gene for your service with Santa Fe County and for the country and all you've done to keep us all safe. Thank you.

CHAIR ANAYA: Thank you, Mr. Garcia. Don't be mad at me too long, Sheriff Garcia, but if you would like to please come forward and say any remarks I'll give you that opportunity at this time.

ROBERT GARCIA (Sheriff): Mr. Chair, members of the Commission, you surprise me every time I show up. I really don't seek recognition but I appreciate it. I'm not related to Gene Garcia but the last name does mean a lot to us and apparently our paths were set in following not only our military service but our law enforcement service in serving the community and the citizens of this county. So thank you.

CHAIR ANAYA: Thank you very much, Sheriff, Major Garcia. Would you like to come forward? Gentlemen, I really appreciate that you're both here and that you're coming forward and that you won't give me too much of a hard time but I think it's important to take the time to acknowledge your service to this country and the citizens, not only in this country but the freedoms that you defended for other countries while you were in conflict as well.

I would ask any other veterans that are here today if you would please stand right now. Is there any with us today if you'd please stand. All of you – we're honoring these two individuals today but all of you are part of this acknowledgement and each and every time we provide any acknowledgement we appreciate your service to this country as well. Let's give these gentlemen that are standing a round of applause. Thank you very much. Now, Commissioners, I'm going to read these in and then if we could go down I'd like these individuals, Undersheriff and former Commissioner Anaya and those individuals that stood up that served our country I'd like for you to come forward for the picture as well.

These certificates say: The certificate of recognition, the Board of County Commissioners hereby acknowledges Eugene A. Garcia and Robert A. Garcia, veterans of the United States. Eugene Garcia is a veteran of the United States Marines and Robert Garcia, veteran of the United States Army. The Board of County Commissioners extends our recognition and appreciation to Eugene A. Garcia for his years of service and Robert A. Garcia for his years of service and duty to the United States Marines and Army respectively and for Major Garcia, his service during the Vietnam War conflict 1969 to 1971. Commissioners, I'll go to you now. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. It's not specifically to these two gentlemen but it's really about all members of the armed services. Many of my relatives have had that opportunity. My father's still living, a World War II veteran, and for all those individuals who have gone through the experience, thank you very much. I know it was not easy if you were in combat. I know that you came back with memories and we're just glad to have you with us. Thank you.

CHAIR ANAYA: Other Commissioners? Commissioner Roybal.

COMMISSIONER ROYBAL: I too would like to really extend my appreciation to all of the veterans who have served and protected our country. So many times we here freedom isn't free. My father was also a veteran from Vietnam as well in 68 and 69 so thank you guys for your service.

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

COMMISSIONER CHAVEZ: Yes. I want to thank you, Commissioner

Anaya, for bringing this to our attention because I think we forget this from time to time and I think it's good to remind ourselves of the sacrifices that others have made. And what stands out for me is that New Mexico, even before we became a state, volunteered. We didn't know very much about the Civil War but we were ready to go fight to protect a country that we were not part of yet. And that continues. That doesn't stop. And so I want to congratulate you for your efforts, for your service and for being willing to continue to serve even after. Thank you to both of you and to all of the veterans here today. Thank you, Commissioner.

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

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would also like to extend my thanks, Mr. Sheriff and Mr. Eugene Garcia, to the other veterans to are here, to the other veterans who work in the County, for your service and for your sacrifice. I think it's important to remember that many young people, when they sign up for the military service, they really don't know what they're getting into at that time. But the large majority of them do their best to serve our country honorably and they make many sacrifices. We have to remember those sacrifices that they make. Sometimes they sacrifice their health. Sometimes – they almost always sacrifice their family life. And sometimes they even sacrifice their lives.

So I want you all to know that I recognize and honor the sacrifices that you have made for your community and for your country. Thank you.

CHAIR ANAYA: Thank you so much, Commissioners. I wanted to acknowledge the Garcia family, Eugene Garcia, if they would please stand, his wife, his daughter-in-law I believe, and his son, correct? If you guys would come forward, please and join us. So ladies and gentlemen, can we give these two fine individuals another warm round of applause? If we could go down and let's get some pictures. Thank you.

[Photographs were taken.]

CHAIR ANAYA: Ms. Miller, do we have any minutes for this particular meeting? Is that why they're not on the agenda? No minutes yet? Just want to state on the record and thanks, Commissioner Stefanics, for asking.

CLERK SALAZAR: That's correct, Chair. They were not prepared but they have been delivered today. So we're sorry. We apologize.

CHAIR ANAYA: That's fine. We just wanted to make sure we didn't leave anything off if it was ready.

I. G. 2. Santa Fe County Employee of the Quarter, 4th Quarter Awards (October 2014-December 2014)

MS. MILLER: Mr. Chair, if I may also, I didn't get a chance to put it on the agenda because I didn't have all of it but I'd like to just kind of also recognize some other County employees that graduated from the EDGE courses over last week at the Association of Counties conference. And if I could just read those off before we go into the Employee of the Quarter. Lillian Armijo in the Treasurer's Office, she received her

New Mexico Certified Treasury Official, Adam Bailey from the Treasurer's Office, an accountant, received his Certified Treasury Official, Amanda Hargis in our Growth Management, GIS Coordinator, received Certified Public Official, Adam Leigland, Public Works Department Director, received his second certification, Certified Public Supervisor, Danielle Miera from the Clerk's Office, recording clerk, received her Certified Public Official certification, Adamina Pino in Finance, Accounts Payable Supervisor, received Certified Public Supervisor. That's also the second level. Teresa Romero in the Treasurer's Office, Department Administrator, received her Certified Public Supervisor. I think she has three certifications now. Ardis Thomas in Public Safety, Corrections, Continuous Quality Improvement Coordinator, received her Certified Public Official, Gabriela Trujillo in Public Works, Administrative Manager, received Certified Public Supervisor. That's her second certification. And Patrick Varela, our Treasurer from the Treasurer's Office received his Certified Public Official and I believe that might be his second one as well as a Certified Treasury Official.

So we had great accomplishments last week at the Association of Counties in the EDGE program and I'd just like to congratulate all the individuals who received certification.

CHAIR ANAYA: Thank you, Ms. Miller, and we've all as a Commission been advocates in continuing education and even more involvement at the Association so thank you very much to those elected offices and all those individuals that took advantage of those courses. Any other questions or comments? The floor is yours, Ms. Miller.

MS. MILLER: And, Mr. Chair, I would like to point out we get a lot of recognition for being one of the most active counties in the Association of Counties and the EDGE programs and the director of the program expressed their appreciation to me last week for how much Santa Fe County employees participate. They really enjoy having them, and I wanted to say even our County Extension Office sends quite a few people to the classes. So it's really nice to see the dynamic. I attend a lot of the classes and teach some of them and it's nice to see our County staff really participating and learning about various facets of government. So I just want to thank the Commission for providing the opportunity and the funding in our budget for County staff to achieve these certifications and go to those trainings.

The next item that's on the agenda is the Santa Fe County Employee of the Quarter. As you know this has become a very competitive quarterly award and it gets more and more I think every quarter and I think it's harder and harder for the committees that select applicants to move to the next level, harder and harder for them to narrow it down to one deserving employee. But the purpose of the Employee of the Quarter program is to recognize employees who make a significant contribution to the County during the previous three-month period. So this quarter's award is for the last quarter of calendar year 2014.

The significant contribution may include providing excellent service to customers, developing and implementing new programs which will benefit the overall organization, for providing exemplary performance to Santa Fe County in their daily job performance, demonstrating a willingness to work above and beyond the call of duty, or other contributions to the County which supervisors and coworkers deem worthy of recognition.

Each recognition team selects one person from their department or elected office for the employee of the quarter for their team. The five departments or elected office employees of the quarter are then automatically considered for the Countywide Employee of the Quarter process. The five employees selected for the fourth quarter of 2014 are as follows: In the Public Safety and Corrections Department group, Molly Archuleta. She's a registered nurse. Her hire date was February 27, 2012, although I think she's been with the County longer on a previous employment. Molly has been credited with the success of the reaccreditation under the National Commission on Correctional Healthcare Standards for health services.

Under Growth Management, Development Review, Caleb Mente, the development review specialist who's been with the County since November 8, 2008. Caleb has a tremendous amount of knowledge and skills to perform his job and duties and continues to be a solid asset to the department. Caleb is extremely professional and courteous and we received several compliments from the public on Caleb's duties and performance.

In the Sheriff's Office, Nathan Segura, corporal, who's been with the County since March 29, 1999. Cpl. Segura has reorganized and audited all DWI seizure files and created a database for DWI tracking. This database allows the tracking of all monies generated through the seizure program.

And under the Finance Division of the County Manager's Office, Accountant Senior, Becky Meyer, who's been with the County since December 1, 1997, and I'm sad to say that Becky will be retiring this year so that will be a big loss to the County. But during Becky's tenure she has made contributions to the County Finance Division establishing systems and processes that have ensured the County's cash and other assets are well tracked and accounted for. Becky also dedicated many hours of additional work to research records for the County's comprehensive annual financial reports.

And then in Public Works, Building Services, the graffiti prevention and removal specialist, Rick Gallegos. He's been with the County since October 9, 2013. During the last quarter Rick handled 31 graffiti calls and in addition he took on the project of painting the fleet maintenance area and the Eldorado Library. He also did a great job completing cleanup and landscaping at the Public Works Complex.

So what I'd like to do is have the individuals that have been mentioned, and that is Molly Archuleta – I'd like them to all come forward. Molly Archuleta in Corrections, Caleb Mente in Growth Management, Nathan Segura in the Sheriff's Office, Becky Meyer, accountant in the Finance Division, and Rick Gallegos from Public Works, Building Services. Come forward.

And Commissioners, we have a certificate of appreciation and recognition for all of them for being nominated by their respective departments for the employee of the quarter. In addition they have a letter in with their certificate awarding them two hours administrative leave for their being nominated by their peers and recommended for Employee of the Quarter.

CHAIR ANAYA: So, Ms. Miller, before you get to where you're going to announce the Employee of the Quarter I wanted to at this time give any of the supervisors, elected officers or supervisors the opportunity to make any comments they would like if they have any they'd like to make at this time. Any of the department heads

or elected officials want to make any comments relative to these employees? Mr. Sedillo.

PABLO SEDILLO (Public Safety Director): Mr. Chair, members of the Commission, I'd like to give a few words regarding Molly Archuleta. She is a very dedicated and committed employee to the Santa Fe County. She worked very diligently in our accomplishment in our accreditation for NCCHC certificate that we received just recently. She spent many hours working on this and getting all our records together to comply with this accreditation. Without her dedication and commitment I can say we would not have achieved this. So with that I would like to thank her very much from Santa Fe County.

CHAIR ANAYA: Thank you, Mr. Sedillo. Commissioner Chavez has a comment.

COMMISSIONER CHAVEZ: No, I just want to jump in if I could here before we announce the Employee of the Quarter because I have to say that we're going to recognize one but I want to thank all of you for your dedication and your commitment and I've said it a couple of times up here and Manager Miller mentioned it too. The focus is public service. I know that that's our focus; that's my focus. And without all of you doing your job, you interface with the public on a daily basis, each one of you at a different level, but you're all serving the public. I can't do my job without you doing your job. And I may be able to do the job that I'm doing up here. I don't think I could do your jobs. I really don't think I could. I don't know that I would have the qualifications in some cases. In other cases I don't know if I could do the 8 to 5 and deal with what you're dealing with. So we come and go. We're here twice a month. We have our committee assignments, but staff is here seven days a week. Not always 8 to 5. And it takes a commitment and I really want to recognize that and thank you for all that you do. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Ms. Lucero.

VICKI LUCERO (Building & Development Manager): Thank you, Mr. Chair. I just want to say a few words about Caleb Mente. He's worked with the Growth Management Department for a little over six years. The majority of that time was actually spent working on our Building and Permits desk, which means he's in the line of fire. He's the first person that people see when they walk in the door. He's encountered numerous angry citizens and his demeanor and his patience is usually enough to defuse any difficult situation. He works really well with the public. We've continuously received compliments, both verbally and in writing, about Caleb's outstanding customer service skills. Caleb also recently has taken over a position doing administrative plat reviews and during that time he's been training to learn his new job plus he's been training our new employee over at the permits desk, so he's essentially been doing double duty for the last few months. Not only is Caleb a stellar employee but he's also involved in extracurricular activities. He serves as the committee treasurer for the Employee Benefits Committee, which is basically – entails a high level of ethics and responsibility in that position. He ensures that County functions are successful and he definitely promotes employee participation in all County functions. So we are honored to have Caleb as a member of our Growth Management team. Thank you.

CHAIR ANAYA: Thank you, Ms. Lucero. Ms. Jaramillo.

CAROLE JARAMILLO (Budget Director): Mr. Chair, Commissioners,

thank you for letting me speak about Becky. Becky's been with the County much longer than I have, since 1997. She's an instrumental part of the Finance Division. She keeps track of all our cash and that's a very large job and a very difficult job. She keeps track of our cash investments, works with the Treasurer's Office, gets out tax bills out, so she has a very diverse job responsibility. She in Finance is one of our unsung heroes. She doesn't interact with the rest of the County too, too much but she really has a huge responsibility. We're going to miss her terribly. Most recently, and the reason for this particular nomination is she spent many, many hours working on a particular aspect of the fixed assets for our CAFR and as you know, the CAFR is a very crucial part of our financial reporting for our bond rating and for our grants. So we really appreciate Becky. We're going to miss her terribly and I'm glad that she's being recognized at this time.

CHAIR ANAYA: Thank you, Carole. Sheriff Garcia.

SHERIFF GARCIA: Mr. Chair, members of the Commission, I want to congratulate every single one. I know that we do different kinds of work and if it was up to me I'd give you eight hours each because you're all deserving of this. Nathan Segura has again turned our forfeiture office dealing with DWIs around. He's been doing great work. He's responsible for setting up DWI checkpoints, saturation patrols, enforcement in the county with child restraints. The whole enforcement. So he's responsible for that. Along with that he's also – I see him as a leader in the SWAT unit where you provide training to the SWAT team members. He's one heck of an employee and I have a lot of those but as you all know, we have to come up with one individual and he's very well deserving. So congratulations, Nathan.

CHAIR ANAYA: Thank you, Sheriff. Mr. Leigland.

ADAM LEIGLAND (Public Works Director): Thank you, Commissioners. Commissioner Chavez, as you yourself said, we bask in the success of the frontline employees. Mr. Gallegos, he's our graffiti removal technician so he's the one providing a great service of removing graffiti so that we take pride in our community. But what he's really being recognized this quarter is some behind the scenes work he did. He took it upon himself to really clean up the Public Works Complex. That's our home and we can take pride in what's been done there because he's really cleaned it up. Not just for the public, because we do have a public interface but almost more importantly in the back, in particular the employee parking lot looks much better now so that when employees come to work they feel better about where they work too, and actually Commissioner Chavez, you've expressed that concern as well. So he was literally on his hands and knees out there in the sun cleaning up that place and it looks really good. So I'm glad that he's being recognized for that. Thank you.

CHAIR ANAYA: Thank you, Mr. Leigland. Ms. Miller.

MS. MILLER: So Mr. Chair, Commissioners, just to put it in perspective of how hard it is to get to this place or a County employee and be recognized we have about 900 employees and there's your top five performers of last quarter. We recognize five each quarter so 20 out of 900 or so employees per year get this recognition. So I really would like to give them all a round of applause. I wish we could recognize more employees more often for their hard work but this is your cream of the crop for the last quarter of 2014, so could we give them a round of applause.

CHAIR ANAYA: Okay, Ms. Miller, we're going to have to get us a drum

major in here.

MS. MILLER: Right. So now that they're all thoroughly embarrassed and have been put on the spot; they're on camera, we'll bring it down to the one who gets the Employee of the Quarter and actually, I don't have any idea when the committee that selects it who it's going to be. I find out when they bring me the letters to sign and the plaque with the name. So for the final quarter for 2014 I would like to, and I'm proud to announce this one because this goes back to when I worked at the County before. It's Becky Meyer.

CHAIR ANAYA: So what I'd like to do is we're going to put Becky on the spot but I would like to give our other valued nominees the opportunity if they would like to make any remarks, and I would ditto the comments of my colleagues and the comments of your supervisors. They've said it best. But I sincerely appreciate your efforts. Would any of you like to make comments at this time?

CALEB MENTE (Growth Management): Caleb Mente here. I just want to say thank you for everybody who nominated all of us here and it just really feels good to be acknowledged in that way and congratulations, Becky. Thank you.

CHAIR ANAYA: Thank you, Caleb.

MOLLY ARCHULETA (Public Safety): Thank you, Mr. Sedillo, for your nice works and thank you, everybody. This was really kind of fun. Thank you.

CHAIR ANAYA: Anyone else? Ms. Meyer. Congratulations.

BECKY MEYER (Finance Department): Thank you. Mr. Chair, Commissioners, it has always been a personal honor for me to serve as an employee of Santa Fe County and I am honored by the acknowledgement of that service. Thank you.

CHAIR ANAYA: Thank you very much. Let's go down and take a picture, and I just want to say on the record that there's no issues with deflated footballs in this process.

MS. MILLER: And Mr. Chair, I'd just like to say that we have a plaque with Becky's name on it that goes in the Manager's Office. She also receives the individual award as well as a letter with eight hours of administrative leave.

[Photographs were taken.]

II. CONSENT AGENDA

A. Final Orders

1. **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 Cañoncito, within Section 13, Township 15 North, Range 10 East (Commission District 4) (Approved 4-0) John Lovato, Case Manager**
2. **CDRC CASE # V 14-5300 Cathy and Chris Stoia Variance. Cathy and Chris Stoia, Applicants, Requested a Variance of Article III, § 10 (Lot Size Requirements) of the Land**

- Development Code to Allow a Land Division of 13 Acres into Two Lots. The Property is Located at 20 La Barbaria Road, within the Vicinity of Old Pecos Trail, within Section 17, Township 16 North, Range 10 East (Commission District 4) (Approved 4-0) John Lovato, Case Manager
3. **CDRC CASE # V 14-5230 Sam Mendoza Variance.** Sam Mendoza, Applicant, Requested a Variance of Article II, Section 4.3.3bii (Small Lot Family Transfers), of the Land Development Code to Allow a Small Lot Family Transfer of 2.79 Acres into Two Lots Prior to Being in Possession of the Family Proper For a Five-Year Period. The Property is Located at 58 Camino Don Fidel, off the 599 West Frontage Road, Within Section 36, Township 17 North, Range 9 East (Commission District 2) (Approved 4-0) Mathew Martinez, Case Manager

B. Resolutions

1. Resolution No. 2015-6, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Three (3) Grants Awarded Through the New Mexico Department of Transportation for Highway Safety Projects in the Amount of \$55,520 (Finance/Teresa Martinez) [See below.]
2. Resolution No. 2015-7, a Resolution Requesting a Budget Increase to the Federal Forfeiture Fund (225) to Budget New Forfeiture Funds Received Through the Equitable Sharing Program/\$6,251.94 (Finance/Teresa Martinez)
3. Resolution No. 2015-8, a Resolution Requesting a Budget Increase to the Law Enforcement Protection Fund (211) to Budget One (1) Carryover Funding Amount Awarded Through the State of New Mexico in the Amount of \$2,828 (Finance/Teresa Martinez)
4. Resolution No. 2015-9, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget a Grant from the New Mexico Clean and Beautiful Program to Install Signage at the Dale Ball Trailhead/\$5,000 (Finance/Teresa Martinez) [See below.]
5. Resolution No. 2015-10, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant to Install a Wi-Fi System and Wiring at the Steve Herrera 1st Judicial Courthouse in Santa Fe County/\$85,000 (Finance/Teresa Martinez)
6. Resolution No. 2015-11, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the Byrne Memorial Justice Program in the Amount of \$13,089 (Finance/Teresa

Martinez)

C. Miscellaneous

1. Approval of County Health Care Assistance Claims in the Amount of \$67,306.04 (Community Services Department/ Rachel O'Connor)

CHAIR ANAYA: We're going to go on to the Consent Agenda. Are there any items that anybody would like to pull for a brief discussion? I think Commissioner Holian has one. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I have a brief question on II. B.

4.

CHAIR ANAYA: Go ahead, Commissioner.

COMMISSIONER HOLIAN: This has to do with installing signage at the Dale Ball Trailhead and my question is what will the sign actually have on it? Is it going to be about littering or is it going to be information about the trail?

CAROL BRANCH (Open Space and Trails Department): Mr. Chair, members of the Commission, the trailhead sign that I was granted money for is for the Dale Ball trails which are 60 percent City, 30 percent County and 10 percent US Forest Service. And I have pictures of the current trailhead sign that doesn't give the County trails. So the new one will not only be updated and have all the County trails it will have a lot more information and I have pictures if you'd like.

COMMISSIONER HOLIAN: I would be interested in seeing them if possible. Thank you very much. May I keep these or would you like me to give you them back now?

MS. BRANCH: You can keep them.

COMMISSIONER HOLIAN: Okay. Thanks. That's my question.

COMMISSIONER CHAVEZ: So just a follow-up question, Mr. Chair.

CHAIR ANAYA: Sure. Mr. Vice Chairman.

COMMISSIONER CHAVEZ: So in reading the background information in the packet it states that there will be signage for the three separate trailheads that mark the Dale Ball trail.

MS. BRANCH: Actually, there are three trailheads at the Dale Ball trails and unfortunately I only got enough funding to replace one but I will reapply and hopefully we can replace all three this year.

COMMISSIONER CHAVEZ: So then reading further, and correct me if this is wrong, but the memo states that the installation for the sum that you're talking about that we're discussing here this afternoon is the Sierra del Norte trailhead.

MS. BRANCH: That is correct. It's at the Sierra del Norte trailhead, which is probably the one that's used the most.

COMMISSIONER CHAVEZ: And if you could, could you give us the other trailheads and how they would be noticed? I know this is future work but how would they be noticed in that work that's going to be done as you get the other grant money?

MS. BRANCH: Well, the other two trailhead signs, one is near St. John's College and the other is – I forget the location. But they're the three main trailheads for

what we call Dale Ball trails or foothills trails.

COMMISSIONER CHAVEZ: Okay. So then that's good. I think that – okay, so here in the information that you've provided Commissioner Holian there's a Sierra del Norte, Cerro Gordo and the Wilderness Gate trailhead. So those are all popular trailheads. They're used a lot. I think information and signage and I think even a protocol in the use of those trails would be good. So I know those are things that you're working on but I just for the record wanted to notice or mention the other trailheads.

MS. BRANCH: Thank you.

CHAIR ANAYA: Other questions, Commissioners? Commissioner Holian.

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

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Hold on, Commissioner Holian, if you'll hold that thought just for a moment I just would like if Major Johnson, if you could come forward just briefly. I see that we have under items B. Resolutions, 1, a grant from the New Mexico Department of Transportation for three – to budget three grants. Would you just briefly talk about what those grants do? We have a partnership through the – this would probably be the CDI program, I'm assuming. But could yourself or both of you comment on what this grant will do briefly? I just want to acknowledge we work closely with the DOT and get grants from them often.

KEN JOHNSON (Sheriff's Department): Mr. Chair, members of the Commission, these grants are awarded to the Sheriff's Office for traffic enforcement projects that we do throughout the county such as DWI, speed enforcement, seatbelt enforcement and things of that nature. So once we receive these grants Cpl. Segura, who was recognized earlier, he gets these grants and he plans projects throughout the county for different types of enforcement in different areas throughout the county and if you like he can elaborate a little bit on those.

CHAIR ANAYA: Yes, I think I would. If you would, Mr. Segura. If you'd just elaborate a little bit about what we do with these grants in delivering them in the community. I know that in the corridor going home to Stanley that you guys do work there. I've seen in Eldorado and I know you're all over the county but could you just briefly talk about what you're doing with these resources in the field. I knew I was going to get you up to that microphone at some point.

NATHAN SEGURA (Sheriff's Department): Mr. Chair, Commissioners, these grants are with the help of my team of course, we keep statistics about all DWI created incidents and crash incidents throughout the county and with that data we actually use these monies to provide enforcement in different problem areas, crash areas, areas that we have lots of DWIs and stuff like that. We also do a lot of seatbelt enforcement, click it or ticket. I'm sure you guys have heard of that. And one of the grants is a new grant this year to most everybody in the state. It's the Don't Text, or distracted driving. And we're in the process of trying to make that work better to keep the roadways of Santa Fe County safe for the motoring public. So generally that's what we do is with prior years of statistic keeping we actually use that information to get deputies and other commanders out on the road to protect the Santa Fe County roadways from drunk drivers

and try and keep these roads safe. So that's what these grants are for.

CHAIR ANAYA: Thank you. Vice Chairman Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. I just want to highlight the three components. You mentioned them earlier but I think it's significant to mention them again, because they're each every important components of the work that you're doing. Driving while impaired, conduct sobriety checkpoints and saturation patrols, you've budgeted about \$37,000 for that out of the grant money. Buckle up – click it or ticket, and then distracted driving – conduct special roving patrols to enforce the anti-texting laws. You've allocated \$10,000 for that and \$8,400 for the click it or ticket. So those are our areas. I know that it's hard to try and change driving habits. One area I focus a little bit more on are the distracted driving, texting or using the cell phone while you're driving. I know those are very hard to enforce. We're stubborn, I think. We just – it's hard to change our habits sometimes.

And so for you to focus in these areas, I think should send all of us a message that it's not only law enforcement but we have to do our part too. And I'm one that can work on that. I'll admit that. And I guess that's why I wanted to point that out. But thank you again for the work that you do.

CHAIR ANAYA: Thank you, both. If you could, Major, what is the Byrne Memorial Justice program? What is that? It's \$13,089. What is that?

MAJOR JOHNSON: Mr. Chair, members of the Commission, Edward Byrne was a police officer in New York City, in Queens. In 1985 he was murdered while on duty. So the Department of Justice created this grant for local governments in his name and they provide monies for departments across the country to do preventative crime projects and we plan on utilizing this money to purchase radar units for our patrol vehicles. That way it will work hand in hand with our other grants that we have that we can go out and do some traffic enforcement.

CHAIR ANAYA: Thank you very much. Just a couple notes for the record for those listening that may not have access to the agenda, we're going to take a motion that's going to also approve \$6,251.94 from the federal forfeiture funds, also a budget increase for \$2,828 for the law enforcement protection fund, and a resolution requesting a budget increase from the New Mexico Clean Trailhead fund, \$5,000, and a budget increase for the Steve Herrera Judicial Complex in the amount of \$85,000 for wiring and Wi-Fi. And the others, also miscellaneous, healthcare claims in the amount of \$67,306.04. Just noting for the record. Vice Chair Chavez.

COMMISSIONER CHAVEZ: Yes, Mr. Chair, again, I want to acknowledge all the effort that goes into securing these grants because I know that's not easy. It's a lot of paperwork, it's a lot of waiting. You don't know if you're going to be awarded the grant or not. And so that's again work that goes above and beyond the call of duty, but we're fortunate to have access to that grant money. It supplements our budget and so again, just thanks for the work that you're doing.

CHAIR ANAYA: So we have a motion from Commissioner Holian and I believe a second from Vice Chair Chavez. Is that correct? To approve the Consent Calendar. Any further discussion? Seeing none.

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

CHAIR ANAYA: Thank you very much. Commissioners, do you want to move to appointments or do you want to go ahead and break?

COMMISSIONER STEFANICS: Mr. Chair, let's break.

CHAIR ANAYA: So we'll be taking a break.

COMMISSIONER STEFANICS: Excuse me. Unless somebody's sitting in the audience for an appointment.

CHAIR ANAYA: Is there anybody present for the next two appointments? I don't think so. I think we're good. So we're going to break –

MS. SALAZAR: Mr. Chair, before we break, may I give you the numbers for the resolutions for the record?

CHAIR ANAYA: Absolutely, Madam Clerk, if you'd read those into the record.

MS. SALAZAR: Okay. The six resolutions that you just passed will begin with Resolution No. 2015-6. Next, 2015-7, 2015-8, 2015-9, 2015-10 and 2015-11.

CHAIR ANAYA: Thank you, Madam Clerk. Appreciate that very much. So we will adjourn and reconvene at 1:45. Is that okay, Commissioners? Reconvene at 1:45. Do we need a motion to adjourn and reconvene at 1:45?

GREG SHAFFER (County Attorney): Mr. Chair, Commissioners, maybe a motion to recess.

COMMISSIONER STEFANICS: Move for recess, Mr. Chair.

CHAIR ANAYA: Move for recess till 1:45.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a second by Commissioner Holian, motion by Commissioner Stefanics.

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

[The Commission recessed from 12:38 to 2:00.]

COMMISSIONER STEFANICS: I move we come back from our recess.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Stefanics, second from the vice chairman. Any further discussion?

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

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. **Resignation of Corrections Advisory Committee Member-Employee of the City of Santa Fe Police Department**

MR. SEDILLO: Good afternoon, Mr. Chair, members of the Commission. We have a resignation of a Corrections Advisory Committee member, an employee of the

City of Santa Fe Police Department. The Public Safety Department was notified by Mr. Dale Lettenberger of the resignation of his position on the Correctional Advisory Committee. The staff recommends that the Board of County Commissioners formally accept the resignation of Mr. Dale Lettenberger and thank him for his service to Santa Fe County. Staff will advertise the vacancy and bring forward a recommendation to the BCC in the near future.

CHAIR ANAYA: Thank you, Mr. Sedillo. Is there a motion to accept the resignation?

COMMISSIONER HOLIAN: So moved.

CHAIR ANAYA: Motion by Commissioner Holian.

COMMISSIONER STEFANICS: Second. But I have a question.

CHAIR ANAYA: Second by Commissioner Stefanics. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think that the Corrections Advisory Committee, we might want to tighten up the description or the responsibilities or some of the goals, so perhaps you could look at that for the future months to bring back to us. But thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics. I would thank the individual. What was their name again, Mr. Sedillo?

MR. SEDILLO: It is Dale Lettenberger. He was the Deputy Chief.

CHAIR ANAYA: I would like to thank him for his services work. Is there any further discussion? Seeing none.

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

[County Clerk Salazar provided the numbers following the vote of each resolution]

III. B. 2. Appointment of One (1) Member to the County Development Review Committee from Commission District 5

MS. LUCERO: Thank you, Mr. Chair and Commissioners. We're currently requesting appointment of one member to the County Development Review Committee from Commission District 5. We have received one letter of interest and résumé from a resident of Commission District 5 who is interested in serving on the CDRC. The applicant's name is Renea Gray. Her résumé is included in Exhibit B of the packet. Staff recommends the appointment of Renea Gray to a two-year term to the CDRC starting immediately and expiring in January of 2017.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move for approval.

COMMISSIONER CHAVEZ: Second.

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

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

III. C. Miscellaneous

1. Request Approval of Agreement No. 2015-0160-FD/PL with Big Rock Builders for the Construction Services of the Pojoaque Fire Station Improvements in the Amount of \$289,699, Exclusive of GRT, and Request County Manager Signature Authority on the Purchase Order

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. Before you we have a construction contract for the fire station improvements at Pojoaque in the amount of \$289,699. We issued the IFB in November, received bids in December. We received five bids that range from the low of \$289,699 to \$485,048. With that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Thank you, Mr. Taylor. Are the contractors here today, Mr. Taylor?

MR. TAYLOR: No, Mr. Chair.

CHAIR ANAYA: They're not? Okay. Pleasure of the Board?

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

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez and a second from Commissioner Stefanics. I would just note – is there any comments that anybody would like to make? I would just note on the record and restate this is an infusion of \$289,699 into our local economy in the northern part of the county and it's exciting that we're able to do these improvements in that area. Commissioner Chavez.

COMMISSIONER CHAVEZ: That's a good point to make, Mr. Chair, and I would expand on that and just say that there were – of the five companies that bid two were from Albuquerque, one from Espanola and two from Santa Fe, so we have that local preference working and I think that's good. Thank you, Mr. Taylor.

CHAIR ANAYA: We have a motion and a second.

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

III. C. 2. Request Approval of Agreement No. 2015-0159-PW/PL with Big Rock Builders for the Construction Services of the Hondo Fire Station No. 1 Apparatus Bay Addition in the Amount of \$280,300, Exclusive of GRT, and Request County Manager Signature Authority on the Purchase Order

MR. TAYLOR: Thank you Mr. Chair. Again, a construction contract in the amount of \$280,300 for the additional apparatus bay for the Hondo fire station. We received three bids ranging from the low bid of \$280,300 to the high bid of \$480,225.

With that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Mr. Chair, I just want to make a comment. I'm very happy to see this going forward. I think that the Hondo Volunteer Fire Department has wanted to do this ever since I've been in office, six years. So, great that this is finally happening. Thank you.

CHAIR ANAYA: Would you like to make a motion?

COMMISSIONER HOLIAN: Oh, yes. Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Motion from Commissioner Holian, second, Commissioner Stefanics. Vice Chairman Chavez.

COMMISSIONER CHAVEZ: Yes, just to point out again, the three bids were received from the construction companies here in the area, one from Espanola, one from Rivera, New Mexico, and one from Albuquerque. So again, kudos to the local preference on these bids.

CHAIR ANAYA: Thank you for pointing that out, Commissioner Chavez. Any other discussions? Seeing none.

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

III. C. 3. Request Approval of Agreement No. 2013-0014-PW/MS (NMDOT CN S100120) Amendment No. 3 with OCCAM Consulting Engineers in the Amount of \$33,392.82 for a Total Contract Amount of \$453,158.03, Exclusive of GRT

MR. TAYLOR: Thank you, Mr. Chair. This is an amendment to the contract to OCCAM Consulting Engineers for additional alignment studies required in the northeast-southeast connector study, and we're before you today – this is amendment #3 so the amendment #3, this amount will take the amount of the original contract more than ten percent of an increase which requires BCC approval. With that I'll stand for questions.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval but I have some questions after there's a second.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion and a second from Vice Chairman Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. And I am interested. Could you go over what percentage of this work was grant and what percentage is County money?

MR. TAYLOR: Mr. Chair and Commissioner, I'll defer to Mr. Hogan.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: Mr. Hogan.

MARK HOGAN (Project Division Director): Commissioners, I can't tell the exact percentage on it. I didn't bring that information, but quite a bit of the funding for this study originated between DOT and a federal grant. So I can provide back the dollars and cents of what that meant to each of the parties.

COMMISSIONER STEFANICS: So, Mr. Chair, Mr. Hogan, is it fair to say that the approximate state-federal dollar amount was around a million and we're putting in about \$500,000? Or \$453,000 here? Was it that high?

MR. HOGAN: I think that's the right range, but again, if I could confirm that.

COMMISSIONER STEFANICS: Okay. So I just wanted to let my colleagues know that this was a match and that we are not putting out the entire amount of money for this. Now, Mr. Martinez might be correcting us all.

CHAIR ANAYA: Mr. Martinez.

MR. HOGAN: The FHWA grant was for \$500,000.

COMMISSIONER STEFANICS: So we're equally matching it. If this is \$453,000.

CHAIR ANAYA: Why don't you let Mr. Martinez respond. Thanks.

ROBERT MARTINEZ (Roads Division): Mr. Chair, Commissioner Stefanics, the amount of the grant was \$500,000. I believe our match is between 10 and 25 percent in addition to the \$500,000. So the total cost of this service by OCCAM to date is \$453,000. A certain percentage of that is the County match but the bulk of that is the NMDOT agreement.

COMMISSIONER STEFANICS: Oh, I understand. Thank you so much.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Thank you, Mr. Martinez. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes. I stand in support of this study. I know that the northeast-southeast connector corridor or any new proposed roads are not always popular, but we all like to get in our cars and drive where we need to go. And so I know the Community College District has worked on this northeast-southeast connector. I understand that it's much needed to help with our traffic circulation and I'm hoping that this study will move us in that direction. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Any further discussion? Seeing none.

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

III. C. 4. Review and Approval of the Buckman Direct Diversion Water Treatment Plant Operating Budget (BDD) for Fiscal Year 2016

MS. JARAMILLO: Good afternoon, Mr. Chair, Commissioners. Right now at this agenda item we're bringing forward approval of the Buckman Direct Diversion water treatment plant operating budget for the fiscal year 2016. Back in

December of 2014 the BDD board voted to approve this budget and to recommend it to the partners' governing bodies for approval as well. The total recommended budget for all partners is \$6,807,400, which is an increase of \$282,800 over the FY 15 budget. What this amounts to for Santa Fe County's portion of the budget is a contribution of \$1,633,338, net of PNM solar rebates and a major repair and replacement fund contribution of \$106,162, for a total budget commitment from Santa Fe County of \$1,739,500, net of the solar rebates.

And I stand for questions.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I would move for approval and just comment that Commissioner Chavez is also on our Fiscal and Audit Committee for the BDD, so if there's questions he could help.

CHAIR ANAYA: Motion from Commissioner Stefanics. Is there a second?

COMMISSIONER CHAVEZ: I would second that motion.

CHAIR ANAYA: There's a second for discussion. Commissioner Chavez.

COMMISSIONER CHAVEZ: No, I think staff has covered everything. I think maybe the one piece that is a little bit of a moving target might be the major repair and replacement fund, but I think they anticipated or tried to anticipate anything that would arise within the next year based on past history and experience. Right?

MS. JARAMILLO: Mr. Chair, Commissioner Chavez, the major repair and replacement fund is built up over the course of several years as has been the emergency reserve, which is fully funded. So they are well situated to address any major repair and replacement issues that come up.

COMMISSIONER CHAVEZ: So I guess that's the only thing I would bring our attention to but I think other than that, Mr. Chair, it seems that everything has been covered.

CHAIR ANAYA: Any further questions or comments? I just have one of those that sit on the board, because I have divulged my full faith and credit to those that sit on the board, but what proportion of the budget for Buckman are we spending – what's the proportion between what we spend and what we use right now? Is that an easy enough question?

COMMISSIONER CHAVEZ: Honestly, that's not one that I would be able to answer but I would defer to staff. I think you're looking at budgeted and actual, right?

CHAIR ANAYA: Yes, and if somebody could find that I think it would be – we're in constant discussions – Oh, Claudia. Come on up.

CLAUDIA BORCHERT (Utilities Director): Chair, members of the Commission, if I understand you right you're asking – we use about 20 percent of the water that BDD produces and our budget – so \$1.7 million out of \$6.8, I think is the total. So that would be the fraction of how much we pay compared to how much we get.

CHAIR ANAYA: So is the expenditure for operations proportionate to the use? I thought it was half and half. Am I wrong?

MS. BORCHERT: Mr. Chair, members of the Commission, we pay for half of all capital expenses and the rest, our portion of variable costs.

CHAIR ANAYA: Okay, Ms. Miller, did you want to expand?

MS. MILLER: Mr. Chair, yes. The construction of the project, Santa Fe County put in equal dollars to the City, and then Las Campanas had their contributions. I want to say the entire project was something like \$220 million and about \$100 million each, City, County and then the other. Then on operations, our operating agreement is based upon capacity within this system, so they determine the budget based upon the capacity and then we have 24 percent, I believe, of the capacity and the City has 70-some percent. So that's the formula how we derive our portion of the operating costs.

CHAIR ANAYA: Excellent. Thank you very much. Appreciate it. We have a motion from Commissioner Stefanics, second from Vice Chairman Chavez. Any further discussion? Seeing none.

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

III. C. 5. Approval of Audited Comprehensive Annual Financial Report for Fiscal Year 2014 [Exhibit 1]

MS. JARAMILLO: Mr. Chair, Commissioners, each year as you know we produce a comprehensive annual financial report which is required to be audited. This year we contracted with Axiom Certified Public Accountants to conduct the audit of the County's financial statements and representatives from Axiom are here, Chris Garner and Jim Cox are here to give you a short presentation on the results of our audit.

CHAIR ANAYA: Thank you for being here.

CHRIS GARNER: Thank you. You should have a memorandum that's kind of going to summarize what I'm going to go over. With the financial statements, really what you hire us to do is express our opinion and we give two opinions but we have three reports included in the financial statement. The very first one is our independent auditors' report. That is our opinion on your financial statements overall. The second one that references our independent auditors' report on pages 231 and 232 relates to what we call the yellow book opinion. Because the County expends more than \$500,000 of federal grant funds we have to do a yellow book audit. We have to look at internal controls a little bit differently than you do for a normal audit, so that's what that report covers.

The third one is our independent auditors' report on compliance from major programs. Again, that's dealing with the federal grants that are spent. We go through them. We do a risk assessment and we look at certain grants. I think we looked at four or five grants this year that we had to make sure that the County was complying with the federal requirements related to those specific grants. The two opinions that we issued are what we call unmodified. Those are clean reports. Those are the type of reports that you want and so both of them are clean opinions. The third report does reference some findings and on the second page there's a summary of the four findings that we did have this year.

The first one is a prior period adjustment related to infrastructure really. There are some capital assets, there are some roads, that had not been capitalized in the past. One of the procedures that we did a little bit different this year is we went outside of the county

and determined the road certifications and reconciled those to the accounting records and there was an error that had been carried forward from the past. So as a result of that we had what we call a prior period adjustment. We had to in essence, adjust the beginning fund or net assets at the beginning of the year for those – the accumulation of those prior roads that had not been capitalized.

We are having a meeting next week with the County to just go through that process and make sure that everything has been identified and that all of this has been resolved. And so that happens again next week.

The second one, we had payroll disbursement transaction cycle finding. There's a couple of codes in your system and with shift differential pay there's a lot of complicated entries that relate to that so when police are working overtime on a holiday, there's a lot of different things that go into that. There was one code that we picked on two out of forty transactions that wasn't calculated properly. That code has been removed because it was taking a combination of quite a few different codes. And so that has been resolved already and fixed.

The next one is relating to special tests. Again, looking at the compliance requirements for your HUD grants, when there's a council established out at a housing establishment you are required to have an agreement. There was an agreement in place but it had expired and so a new agreement has already been put in place, and so that one again has already been resolved.

The next one is procurement. When you have a multi-source award that is done there's a couple of requirements that have to be done. You need to, first of all, end the RFP when you're putting it out to the public you've got to let them know that there may be multiple vendors that might be awarded this contract and that wasn't done. So there were a few things that just needed to be expanded upon when you do your notifications. And so those have been communicated to the Procurement Department and so that should be taken care of on future procurements when that is anticipated that there might be multiple awards.

So those were the four current year findings. The last thing I wanted to talk about, in the state of New Mexico there are over 600 governmental entities. And Santa Fe County is one of ten in 2013 that received the GFOA award. GFOA is an organization of government finance officers that takes your financial statements, reviews them, there's expanded disclosure, expanded information that's required to get this award, and then they go through your financial statements and they make sure that we're meeting all the required disclosures, that they meet the standards. So there's an extra level of review.

As a result of that you get a certificate saying that you've received the award. This is the third year in a row that the County's got the award and again, there's only ten in 2013 that received the award. There's four counties in the entire state that get this. So that actually is a pretty high level to get to, an accomplishment that your Finance Department, really who's responsible for drafting your financial statements is taken and earned for the third year in a row. With that I'll ask if there's any questions?

CHAIR ANAYA: Is there any questions? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I have a comment. At the New Mexico Association of Counties conference there are awards for the most improved audits. So we never qualify because we're getting this other award. So we'll never be

improving more since we're already there. And I just wanted to let you know that even though I listen for Santa Fe County's name it's not going to come up because our staff is doing a great job and I'd like to thank them very much.

COMMISSIONER CHAVEZ: Ditto.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Other questions or comments. You had to go find those other three findings just so you'd have something to come before us with. But I do want to say something. I want to ask Mr. Leigland or Mr. Martinez to come forward and you stay right there with us and maybe we can all help, but the project to capitalize all of the roads in Santa Fe County is no small task at all. I mean it's a monumental task to assess the roads themselves, number one. What are the parameters of the road? What's the surface type? What are the conditions? What are the – many, many variables associated with that. So I want to point that out and I want to say that I think we had some discussion about this in prior years but we knew it was going to be a monumental task. Where do we fit in with some of those other counties that have the same volume of roads? It's a big endeavor that staff took on to try and capitalize these within our financial statements. Could you just talk about that a little, then I'll give Adam a chance to comment if he'd like.

MR. GARNER: In 2001 the standards changed relating to have to report infrastructure in your records. In the past they were not even on your financial statements at all. And so back in 2001 everybody had to go through a lot of work because a lot of the roads have been around for a long time and to get that historical data, to get all that information was a huge undertaking, and to continually monitor that and keep it up is a huge undertaking. As you mentioned, there are all different kinds of roads. There are different grades. There are different widths and all of that comes into the calculation of what do we capitalize? So there's different miles, all different kinds of types of roads.

And so it is very complicated. And I believe the County has been working very diligently to try and get some of these issues addressed and that's why we're again meeting on Thursday just to make sure that we think we've gotten all the issues resolved. What we try to do is go outside of the County department and get those miles that are logged elsewhere just to see how accurate the numbers are, and that's where this came up. So I think working with everybody, hopefully we resolved most of the issues and I know the County's been working really hard to get rid of this and this is not an untypical type of issue, not only with counties but with cities, and not only with roads but with water systems. You name it. There's a lot of infrastructure that this relates to that there is a lot of concern and a lot of difficult information to gather and so it is a huge undertaking.

CHAIR ANAYA: I appreciate you expanding on that. Adam, do you want to add anything on our efforts associated with that, or Ms. Martinez?

TERESA MARTINEZ (Finance Director): Mr. Chair, I want to make it clear that Adam and his staff are doing a great job and this finding is not related to the work that they do but actually a mistake in Finance. So we were actually tracking and recording everything; we just didn't make it to the financial statements, so therefore our numbers were not stated correctly and our depreciation was off. So this is totally on the shop of the Finance.

CHAIR ANAYA: And I wasn't picking on anybody. I was actually quantifying that it's been a big task and I appreciate that you clarified it and the efforts of

Mr. Leigland. Go ahead and make some comments, Mr. Leigland, if you want. Because I want the public to understand that this is no small feat, that you take every single road that you have. How many thousand miles – how many road miles do we have, Adam?

MR. LEIGLAND: Mr. Chair, we have about 680 miles of road.

CHAIR ANAYA: 680 road miles that we've got to figure out each parameter, surface type, value, condition and then capitalize it. So, go ahead, Mr. Leigland.

MR. LEIGLAND: Mr. Chair, Commission, I wanted to mention that we actually are well positioned to solve this because a lot of the information we already have at hand and actually at the February meeting you're going to see for your approval our annual road list and that actually specifies every road, its length, its average width and its surface type – asphalt, unpaved. And that's a good starting point. And you also recall Diego Gomez has come to you a couple times and presented you our PASER, so that gives us a good condition rating. So we actually have a really good foundation to solve this, just to address all the questions, Mr. Chair, that you brought up.

I would like to mention though that this does expose a problem that I know this Board has seen elsewhere and that is the property interest, that is to say, do we own it outright? Is it an easement? Is it a prescriptive easement? And we know we're facing that so I think that kind of brings that issue to the fore, something else we'll have to tackle.

CHAIR ANAYA: Thank you, Mr. Leigland. I'd ask the others, do you have any closing remarks? I appreciate the efforts. We recognize that there will always be items that maybe slip through that we need to capture but we're in the 1.6 percentile of counties based on that 10 per 600 so I'm pretty happy that we're there and appreciate your work and efforts. I also want to acknowledge Mr. Sam Montoya sitting over there that I know has been helpful in the process as well. Any closing comments?

MR. GARNER: The one thing I'd like to add is Commissioner Stefanics talked about the worst county that received the most improved award this year, and actually, that's a client of ours that we've worked very closely with, and you don't want to receive that award because they didn't get a clean opinion for 15 years in a row. They had 24 findings that kept being on their books, that kept up year after year, and they finally, in the last couple of years have resolved those issues. And not having those issues resolved cost them grant funds, they had to have an administrator oversee some of their grants, and you guys don't have that issue and I think your Finance Department does a great job. We're always going to have findings. There's millions of transactions that flow through the County and really, just to have four is a pretty good task.

CHAIR ANAYA: Thank you very much. Ms. Miller, do you have any comments you'd like to make?

MS. MILLER: Mr. Chair, yes. I'd just like to thank the Finance staff and the auditors. It really is an effort for them to take a break from the regular day, make sure they provide the information to the auditors. I sat in on the entrance and exit conference and they stated how responsive staff is at making sure they get things to them in a timely basis. That's huge for completing these. In addition, we've had some challenges with turnover of staff and a lot of people had to pitch in that don't normally work on putting the CAFR together so I want to thank the Finance staff for doing such a good job and the auditors for being patient and working with our turnover as well and congratulations for

doing a good job.

CHAIR ANAYA: So thank you very much. My closing comment before I'll take a motion is that the custody and care of every penny that comes through this County is in the hands of every elected official, every staff person and us sitting on this bench and then you come in and see what kind of work we're doing. So credit goes to all those players and individuals and it's good we're in that position. Thank you for your work. So I'd entertain a motion to approve.

COMMISSIONER STEFANICS: I'll so move.

COMMISSIONER CHAVEZ: Second.

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

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

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I wanted to know if Teresa was coming back – Ms. Martinez was coming back next year for our audit. We will miss your handiwork in all of this. Thank you.

CHAIR ANAYA: Ditto. Thank you, Commissioner Stefanics.

III. D. Resolutions

1. Resolution No. 2015-12, a Resolution Authorizing the County Manager to Submit an Application to the New Mexico Department of Transportation Applying for Recreational Trails Program Funds

ERIK AABOE (Public Works Department): Thank you. The County is putting together applications for an NMDOT administered Federal Highway Administration funds for the recreational trails programs. There are two projects that we would like to submit applications for. One of the application requirements from the DOT is a resolution of sponsorship that indicates that the County would come up with a match for these projects if we were to be granted the award. So this resolution is something that would accompany our application in the hopes that we would get it.

The two projects – there's one for maintenance equipment. It would be acquisition of a Toolcat and various blades and brushes that the Open Space program would use in maintenance of their trail network. Additionally, there's another application for repairs to the Rail Trail, segment 1. There was erosional damage last year due to heavy rains that is beyond the current capacity of the maintenance crew and we have a submittal by a trails contractor and so we are requesting these two projects be funded and if we were to be awarded both of them it's roughly \$155,000 for both of the projects and the match would be in the neighborhood of \$21,000, \$22,000 from the County. So I'll stand for questions.

CHAIR ANAYA: Commissioners, are there any questions? What's the

pleasure of the Board?

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

CHAIR ANAYA: Commissioner Holian moves for approval.

COMMISSIONER ROYBAL: Second.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second by Commissioner Roybal and Commissioner Stefanics. Any further discussion? Just a comment. That Toolcat sounds pretty impressive.

MR. AABOE: Absolutely.

CHAIR ANAYA: What does it have on it?

MR. AABOE: So it's a four-wheel drive Bobcat device that's made in the USA and it really allows them to – you can attach tools to the front if it. It allows you to blade and you can put a mower on the back and things like that. This is something that the Open Space group will be coming in the next year's budget request and so if we're able to get these funds and get the feds to pay 85 percent of it that would be great.

CHAIR ANAYA: Great. Thank you, Mr. Aaboe. There's a motion and a second. No further discussion?

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

III. D. 2. Resolution No. 2015-13, a Resolution Establishing the Transportation Advisory Committee; Repealing Resolution Nos. 2011-52 and 2012-15 Establishing the Road Advisory Committee; and Amending Resolution No. 2012-151 to Replace the Road Advisory Committee with the Transportation Advisory Committee

MR. MARTINEZ: Mr. Chair, the Road Advisory Committee was originally created in 1988 by resolution and by ordinance and has been restructured several times over the past 26 years. Most recently the Road Advisory Committee was created in 2011 and modified in 2012, both by resolution. The Road Advisory Committee currently consists of 15 members, which were appointed by the BCC and the number and breakout of appointments were per mileage with respect to Commission districts.

Per resolution, the Road Advisory Committee meets every two months and the current appointments are as follows: There are currently eight vacancies on the Road Advisory Committee with the remaining seven that are still in place set to expire this March. The Public Works Department feels that the Road Advisory Committee is an important tool for the County and the committee has reviewed several policies that have passed through the Public Works Department and approved by the BCC, for example, the Road Acceptance Policy, and the Traffic Calming Policy.

The Road Advisory Committee also did a site visit on one of the roads that was being recommended for acceptance to the Board and provided a report to the Department which later on was the basis for accepting Horcado Ranch Road by the Commission a

couple years ago on a limited basis. The staff feels that the Road Advisory Committee can be a little more effective if we include other duties like trails, bikeways, transit improvements and not to limit them just to roadway improvements. The Road Advisory Committee would have more involvement with the MPO, which would really help. An example of that would have been if the Road Advisory Committee would have been able to review in the planning stages the southeast connector, which we're all dealing with at this point in time.

There are currently eight vacancies on the committee and like I said, the seven remaining members will expire now in March. The staff recommends that these appointments be allowed to expire and reduce the number of members on the committee to 11. There would be two from each Commission district and one at-large, and staff would also like to consider that the Commission change the name of the Road Advisory Committee to the Transportation Advisory Committee.

If the BCC adopts the attached resolution we will solicit for volunteers and bring these potential appointments to the BCC at the March 31st BCC meeting. I stand for questions.

CHAIR ANAYA: Commissioner Chavez, then Commissioner Holian.

COMMISSIONER CHAVEZ: I'll yield to Commissioner Holian, Mr. Chair, and then I'll go after.

CHAIR ANAYA: Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Robert for your presentation. I'm very much in support of establishing a new Transportation Advisory Committee. I think that our transportation needs and services are evolving and so this committee should also evolve. And I think it's really good to have equal representation from each district; I'm in favor of that that. But I think it would be appropriate to specify that one of the two members from each of the districts may be allowed to reside in the incorporated area. That would, I think, particularly affect Districts 2 and 4 if we could not have a member from the incorporated areas. It would be more difficult for us to come up with two members that were only in the unincorporated area.

MR. MARTINEZ: Mr. Chair, Commissioner Holian, it would also affect Commission District 3 because of the Town of Edgewood. But the reason we did that was because we wanted people that resided outside of the city limits and were exposed daily to County roads. I know in the past Commissioner Stefanics, when she had some appointments in the Rancho Viejo area, she was set on getting somebody – and it was her choice – that lived outside of the incorporated areas. But we can –

COMMISSIONER HOLIAN: I'm just saying that I have no objection to having two members in the unincorporated area, it's just that I would like for it to be a little more flexible so that we could indeed also have people who lived in the incorporated areas be a member. They use the roads too, and so I just would like that flexibility.

MR. MARTINEZ: Okay.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez, then Commissioner Stefanics.

COMMISSIONER CHAVEZ: In concept, Robert, I would agree with Commissioner Holian. I think that when we draw those lines it can make things a little bit more cumbersome, a little bit more difficult to do. I agree with her on the point that in many cases, whether I live in the city or in the county, we're paying for those roads and we need to share the roads. So I would encourage you to move in that direction if at all possible.

I'm excited that the Road Advisory Committee would have more involvement with the MPO, especially more so with the Growth Management transportation planner because all those pieces need to fit together. It needs to understand that we have limited jurisdictions, we have limited finances and we all have our favorite road project on the list. It may be on the top of the list or in the middle or on the bottom but it's on that list. Getting it to the top of the list is half of the battle, and then getting it funded is the rest of the battle. So I think the more involvement we have, especially on this level, that will help us to get that information out to the general public, maybe in a better way. So I think the direction that you're proposing is a good direction to go in. Again, it's trying to connect all those moving parts and bringing them together in one place.

MR. MARTINEZ: So, Mr. Chair, if I may, on page 2 of the resolution, paragraph 6, and I will ask Greg to help me out here, we will just strike the word "not".

CHAIR ANAYA: Mr. Martinez, hold on, because we might have some other feedback from other Commissioners and then we could work on any potential amendments. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I had a couple comments. Overall, I support regrouping with the Roads Committee. I am of the opposite opinion than the other two Commissioners who have spoken. I do believe they need to be from the unincorporated area, and there's a reason. It is the tax dollars in the county. The City has a responsibility for their own roads and the annexed roads, which aren't really occurring. We have some responsibilities in bringing certain roads up to snuff to transfer to the City. And so I do see this as a unique county perspective that's needed.

The second question I have for you – the second comment is really a question. On D at the top of page 2 of the resolution, how would this interface with COLTPAC?

MR. MARTINEZ: I'm sorry, Mr. Chair, Commissioner Stefanics.

COMMISSIONER STEFANICS: On page 2 of the resolution, on D of trails.

MR. MARTINEZ: Trails.

COMMISSIONER STEFANICS: So how does this interface with COLTPAC?

MR. MARTINEZ: Well, the way that I would see this interacting with COLTPAC would be the maintenance aspect of the trails and open space. When COLTPAC recommends to the Commission to purchase a specific piece of property I would think that the Road Advisory Committee would probably want to see – I mean the Transportation Advisory Committee would want to see any maintenance issues that may be a burden to the department or maybe bring some kind of plan, maintenance plan,

phasing in some type of improvements as far as the Open Space and Trails too, the Transportation Advisory Committee and staff.

So I don't think that there's going to be a whole lot of interaction but definitely, we need to realize the trails and bike lanes are a big part of our transit or ways and means of transportation for people.

COMMISSIONER STEFANICS: So, Mr. Chair, since I sit on the MPO, we plan and talk about trails and bikeways and pedestrian walkways a lot. What percentage – I have a variety of questions about this. How does your department even come to work on the County's trails? Is it by request to COLTPAC? Is it an assessment that's done? What percentage of the work of your maintenance crews on trails? Just explain to be a little bit about that.

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, there are several ways that we are notified if a particular maintenance is needed. One by the users, another by staff and another by volunteers that work on these trails. We do have an Open Space and Trails maintenance department and we also have the volunteer coordinator, Carol Branch, with her group of masters that go out regularly and maintain these trails. Earlier today she was telling me that on a section of the Rail Trail which is three miles, there were 116 areas that needed some maintenance, and in the last year, they were able to address all but 33.

So there's different ways that we are notified whether maintenance is needed on these particular trails or open space or even parks.

COMMISSIONER STEFANICS: So Mr. Chair and Robert, do you have – how many staff do you have to do trails maintenance?

MR. MARTINEZ: Open space and trails, we currently have five employees, one supervisor and four maintenance techs.

COMMISSIONER STEFANICS: And the maintenance for the trails has a separate line item in your budget?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, that is correct. They have their own independent budget from Roads, Administration, Fleet. They have their own budget.

COMMISSIONER STEFANICS: And Mr. Chair, Robert, has that amount of money been adequate in the past?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, most recently it is becoming apparent that it may not be sufficient. We really haven't had a designated staff for open space and trails, so we are being more pro-active on maintenance now. So I think you will see that maybe in this upcoming budget process now in March that we will be requesting more maintenance funding. But now that we're fully staffed and we're doing more maintenance operations, you heard Erik just a minute ago talk about the grant that he applied for for a Toolcat, that is a piece of equipment that will assist with maintenance. But we are continually building new trails, which requires more maintenance, so you will see that our maintenance budget needs to increase over time.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Roybal, then Commissioner Holian.

COMMISSIONER ROYBAL: In this situation where you want to reduce the amount on the Advisory Committee, in my district, it's a pretty large district where it starts on La Joya Street in Espanola and goes to West Alameda here in Santa Fe. I really feel that I need probably three representatives on there so that they can represent the entire district because I'd like one to be in the northern area of Arroyo Seco, Pojoaque, and then in the Tesuque area. So I'd like to have the advisory in my area, the amount of people on that board to stay the same. Because I feel that it would be easier that somebody that's from Tesuque to try and represent the community in Arroyo Seco. So it would be my recommendation for that amount to stay the same for my district.

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

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Commissioner Stefanics' comments on trails brought up another thought in my mind and that is since trails will be another focus of this particular committee, and trails go in and out of the city, that is actually another argument for possibly having a member from a district that lives in the city as well as in the unincorporated areas.

CHAIR ANAYA: Are there any other questions or comments? I have several but I'll defer to my colleagues for any other comments and then we may need to have some more comments. So this reminds me, Mr. Martinez of the Highway Department, when the Highway Department changed its name to the Transportation, NMDOT, it took a while for people to get used to that change but they changed because the transportation network has changed and became a multi-modal transportation system. So I think that that refocus gets to where we are today. And so I think that makes a whole lot of sense. It will probably take a little time for those of us that have been around it for a while to get used to it, but I think it's a good thing. I echo and agree with the comments of my colleagues.

Relative to Commissioner Holian, Chavez, Stefanics' comments as well as Commissioner Roybal, yours, I have a couple suggestions. My own take on the incorporated or unincorporated, I think what I've done on the Commission is deferred to my colleagues in their districts and afforded them the recommendations that they feel are most appropriate in their district and so I would have a deferral. But I would concur with Commissioner Stefanics that if you ended up with a majority, potentially, which could happen, a majority of members or close to a majority of members that were all in incorporated areas that we might lose value to the roads that we are chartered to oversee and uphold.

So one suggestion might be that we have some language that allows for people to be appointed in the municipal area if that's emphatically what a Commissioner feels is most important for them, but that no more than three members of that committee be from an incorporated area. So that if you had three members from the incorporated area and somebody else wanted to add another, that we couldn't do that. But at least it would afford Commissioners that absolutely want to have the opportunity, we'd prevent any majority stake. So I offer that as a suggestion. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I want to speak to that for just a

minute because we really need to as much as we can look at our infrastructure, our funding capabilities, we need to look at that from a regional perspective and not either city or county but look at what's good for the region, and I think what Commissioner Anaya is suggesting that it strikes that balance. So I just wanted to add to that if I could, Mr. Chair. Thank you.

CHAIR ANAYA: Thank you, Commissioner Chavez. The other comment I would make has to do with membership, and I enjoy the district that I have but when you look at it on the map it's 51 percent of the geographic area of Santa Fe County. So I can clearly understand what Commissioner Roybal is bringing up in saying if you only had two members that represent 51 percent of the county it would be pretty tough on those appointees to that Road Advisory Committee – Transportation Committee – I'm already doing it. But it would be difficult for those two individuals to be able to cover that wide an area. So I kind of think in the same light associated with that.

And I know, Mr. Martinez, one of the concerns, because you brought it up to me individually as well as in these chambers was the larger committee had issues with quorums at times, but I think now, and I want to hear what your thoughts are, but I think now that there's an expanded purpose that includes other things other than just roads and other opportunities, if we expanded that size of the committee where the Commissioners had three appointments, do you think with that expanded change that we might be able to make that work, just given the purpose has changed? Going to what Commissioner Roybal is suggesting.

MR. MARTINEZ: Mr. Chair, it may help in some situations. For example, your district, which is La Cienega to Edgewood to Stanley, to Ojo de la Vaca, it may help in those situations to where you may be able to get one more representative in one of those remote areas. The problems that we were seeing is that the large number of committee members, for one, we were having a hard time getting a quorum. Number two, it just seemed like some of these members seemed disinterested. They were either not showing up or they would not participate. And maybe it was because of the background that these volunteers had.

But back in the early 90s a big function of this committee was to create – and I'm going to call it an ICIP plan, that the County was not doing it as a whole. The Road Advisory Committee and staff would put this together and take it to the legislature. Now that we as a whole, the County, submits an ICIP from everything from water, sewer, buildings, roads, that type of responsibility has been removed from the Road Advisory Committee and now there's a capital outlay committee that kind of takes over these types of tasks.

But if your concern is that you would like these members to actually go out in the field and drive roads like they used to back in the early 90s when gas was 95 or \$1.00 a gallon, we saw that when fuel prices were up these members were not going out in the field and driving the roads, because it wasn't cost-effective for them. So it may be a change that now that fuel is lower that people will actually go out there and look at roads and give us their feedback, but for the last five, six years that wasn't happening.

CHAIR ANAYA: So if we could, I'm going to go ahead and made a couple of amendment motions. I move an amendment to see if I could get a second that

would afford municipal appointments, one of the two, but no more than three could sit on that committee at any one time. So I would move that as an amendment.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion and a second by Commissioner Holian. Discussion on just the amendment.

COMMISSIONER CHAVEZ: Mr. Chair, you are on paragraph 4, right? Section 4?

CHAIR ANAYA: You know, I haven't gotten to the point of a paragraph. I think I'm just stating an amendment and Greg, you tell me where it would make most sense, but the amendment would basically afford municipal appointments by Commissioners – only one – but that no more than three municipal appointments could be on the full board at any one time. Is that clean enough, Mr. Shaffer?

MR. SHAFFER: Mr. Chair, yes, I think it is. I think the concept that I heard and what I would suggest is in paragraph 6, the first sentence be replaced with the following: One committee member from each Commission district may reside within an incorporated municipality; provided, however, that no more than three committee members may reside within an incorporated municipality. I think that captures both concepts that you're interested in.

CHAIR ANAYA: Thank you, Mr. Shaffer. There's a second on the amendment. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, so Gregory, would we have to also amend paragraph 4. It states the committee shall be made up of 11 members, two from each Commission district, one at large. I think we're going to have some cleanup language in that paragraph or that section as well. I could be wrong.

CHAIR ANAYA: If we could, Commissioner Chavez, if we could take one at a time and I'm going to propose another one after that or I'll give you or one of my colleagues if you guys have thoughts. Any other comments on the amendment? No other questions?

The amendment was approved by unanimous [5-0] voice vote.

CHAIR ANAYA: So is there another proposed amendment? Commissioner Stefanics.

COMMISSIONER STEFANICS: I have a question first. Mr. Shaffer, how do we remove people from committees when they don't attend? Does it need to be written into the resolution? Or once they're appointed are they there for the life of their appointment?

MR. MARTINEZ: Mr. Chair, if I could chime in on that. I believe there was a policy that was adopted that said if a committee member misses three or more meetings he or she can be removed from the committee.

MR. SHAFFER: Mr. Chair and Commissioner Stefanics, if I may, in paragraph 5, it provides that members may be removed by the Board of County Commissioners with or without cause. And then it goes on to say that a member shall be deemed to have resigned their position if they fail to attend two consecutive meetings of

the committee, although they may request basically dispensation from the Board to excuse their absences. So you have a general removal provision for any reason, but then you also have a provision that was specifically designed to deal with instances when committee members are not attending.

COMMISSIONER STEFANICS: So, Mr. Chair, the reason I'm asking the question is if in fact – in number 8 it says the committee shall meet no fewer than two times per year and no more frequently than once per month. If we were more specific about that, that's two to 12 times. If we said this committee is going to meet quarterly, and then there were some consecutive meetings then obviously the person doesn't have the time to participate. But if it was delineated in advance, just like our meetings are, it would be the first Thursday of each quarter, something to that effect, so that people when they accept go, okay, I'm putting it on my calendar, or not. Maybe that would help.

So I'm just – I'm trying to tie in the removal of members to date-specific meetings and limited number of meetings so maybe we don't have the same problem. That's all. Thank you.

MR. MARTINEZ: Mr. Chair, if I could make a recommendation on that.

CHAIR ANAYA: Go ahead, Mr. Martinez. I'm going to comment real quick first. I concur with that. This committee hasn't met in quite a while so I think they're going to have more work as opposed to less work earlier on. So my preference is that they meet at least once every two months, because there's so much work and things we haven't done. But Mr. Martinez, you go ahead.

MR. MARTINEZ: Mr. Chair, we were meeting every other month and it seemed that we did not have enough items for the committee to discuss at those meetings. So I would suggest quarterly, but more if needed, because the Transportation Committee, if this resolution is adopted, will also review road acceptance and road abandonment processes. So I would recommend quarterly, but more if needed, not to exceed 12 times in a year.

CHAIR ANAYA: Commissioners. Commissioner Roybal.

COMMISSIONER ROYBAL: I would move to accept this but I still would like to have three representatives per district.

CHAIR ANAYA: So your motion is for quarterly meetings, no more than 12, and three members for a Commission district?

COMMISSIONER ROYBAL: Yes.

CHAIR ANAYA: I'd second that for discussion. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I would somehow like that to be optional, because I really only want two members from my district. It might be hard to find three people and I think it can be covered effectively by two people.

CHAIR ANAYA: So the maker of the motion has said he would accept up to three members per district?

COMMISSIONER ROYBAL: Yes. I'd accept up to three.

CHAIR ANAYA: And I would accept that as a seconder. Further discussion on the amendment? Commissioner Stefanics, does that get to where you wanted to go as far as number of meetings or are we still not providing enough latitude?

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COMMISSIONER STEFANICS: So, Mr. Chair, let me ask Robert. Robert, when are the regular meeting dates per month?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, they were the second Wednesday of every other month at 5:00 at the Public Works Facility.

COMMISSIONER STEFANICS: So, Mr. Chair, Robert, in your opinion, if you were to propose – if people applied, they were vetted, and they were told here are the dates of at least four meetings this year. If you cannot make them please don't accept the appointment, would that help you?

MR. MARTINEZ: Mr. Chair, Commissioner Stefanics, I believe it would because that would ensure that we maintain a regular schedule of meetings. I have here in front of me, in 2012 we had scheduled 11 meetings and eight of them were cancelled due to a lack of a quorum. So if we do advise them of the meeting schedule that may help.

COMMISSIONER STEFANICS: Well, Mr. Chair, I don't think this is unique just to this particular committee. And so that's why I believe, and I hope Tony or Katherine are listening to this, that's why I believe that committees need to be very clear about expectations and if you can't meet the expectations perhaps it's not the right thing for you. That's where I'm going with my conversation on this. I'm going to be flexible about how we structure it. My issue is can we structure it so that people only accept if they're going to do it. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Roybal, would you consider adding additional language as a friendly amendment to the motion to state that the meetings will be set on a standard date for the quarterly meetings and special meetings will be noticed pursuant to the County requirements, and we can give that a try?

COMMISSIONER ROYBAL: Yes. That sounds good.

CHAIR ANAYA: So going to what Commissioner Stefanics is saying, Greg, that make sure we have the right language that says that the quarterly meetings will be held on specific dates and times so that there's I guess better authority for clear awareness to the members before they come on board what their expectations are. Are there any other questions? I think we can give it a try and see how it works. Mr. Shaffer.

MR. SHAFFER: Mr. Chair, if I could, just as a practical issue in terms of having the committee membership be increased, if I understand the idea correctly, at the direction of an individual Commissioner, I'm just thinking of how a quorum would work in that instance. Because usually you pick – your quorum requirements are tied to the number of committee members that are possible, not the ones that are actually appointed. And so if we have a floating notion that the committee membership could increase by up to five. It may be difficult to determine exactly what a quorum is in those instances.

Are there particular Commission districts – I mean that would be one way to write into the resolution would be to say these particular districts could have three members, so we wouldn't have to deal with that practical difficulty.

CHAIR ANAYA: Well, Mr. Shaffer, you bring up a good point but we were trying to avoid part of that equity issue, I think, but if there's Commissioners willing to not have an appointment I guess I would defer to them to get to what you're suggesting, because that's what it would take, a Commissioner to take less than three

members on the board. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, I think that for District 2, two members on the board would be enough if we've already taken care of the factor, whether it's in the unincorporated or not. I think that kind of strikes that balance. So I would be comfortable with two for District 2, if that helps the discussion. I'm a little bit concerned though, about the overall number of committee members if it goes past 11. I think that's going to be harder to manage. So I think we need to strike a balance between the incorporated and the unincorporated. We need to have a number that's manageable for staff and to meet the quorum requirement also. So I think it's a fine line that we're walking here but I think we're getting close.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: District 5 can go with two. I see I have two vacancies, but when I think about it I really have the 285 area and I have the 14 area, so I could go with two.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I can go with two as well for District 4.

CHAIR ANAYA: Okay, so then Commissioner Roybal, your motion would read three members in Commission District 3 and Commission District 1 if you accept it and two members in the other Commission districts, and I'm going to also say no at-large member. Would you accept that as a friendly amendment. Right, Mr. Martinez?

MR. MARTINEZ: Mr. Chair, then you still have the even –

CHAIR ANAYA: Okay, so then we'll keep that at-large member. So does that get us where we need to be, Mr. Shaffer?

MR. SHAFFER: Yes, it would, Mr. Chair.

CHAIR ANAYA: Do you want to restate any language, Mr. Shaffer to help clean up?

MR. SHAFFER: I think then what we're looking at is in the first sentence of paragraph 4, if I've done the math right, the committee shall be made up of 11 members, two from Commission District –

MR. MARTINEZ: It's going to be 13.

MR. SHAFFER: Yes. I'm sorry. The committee shall be made up of 13 members; two from Commission District 2, 4 and 5, three from Commission District 1 and 3, and one at-large.

CHAIR ANAYA: And meetings shall be held at a standard time quarterly and additional meetings will be scheduled as necessary, no more than 12 meetings a year. What's the point of the no more than 12? What if you guys got into a project where you really needed to take care of it? Why the limitation on total? Do you think that helps you?

MR. MARTINEZ: Mr. Chair and Commissioners, we were just looking at making sure we don't overburden the members in meeting more than once a month. Now, there may be subcommittees as per the Road Acceptance Resolution that we appoint three members to a viewing committee that would meet more often. That may happen and it has happened. But for the entire 13-member committee to meet once a month or

even more would be pretty taxing.

CHAIR ANAYA: Excellent. Thanks. Point taken. Thank you for that. We have a motion on the floor that Greg just restated, essentially recreates our Road Advisory Committee, creates a 13-member Transportation Committee that's going to meet on a quarterly basis and more if necessary, and has additional members from the larger Commission districts as noted in the record. Any further discussion? Thank you, Commissioners.

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

[For further discussion on this item see page 71.]

- III. D. 3. Water Policy Advisory Committee Analysis of Aquifer Storage and Recovery and Backup Water Supply**
- a. Presentation of Water Policy Advisory Committee's White Paper**
 - b. Resolution No. 2015-14, a Resolution Adopting the Recommendations of the Water Policy Advisory Committee on Aquifer Storage and Recovery and Backup Water Supply**

MS. BORCHERT: Good afternoon, Mr. Chair, members of the Commission. I would like to introduce Charlie Nylander who is the chair of the Water Policy Advisory Committee. Before I do so I would like to just thank the work that the committee has been doing. They've been very diligent in working on the work plan that you have approved for the past year. You'll also see before you another work plan for the upcoming year and I also just want to note that this is a 12-member board. We have 11 of the spots filled and we're seeking applicants. The deadline is the end of this month, the 31st, for that final seat and I again just want to thank the committee. I think they've been really working well together, putting their heads together and producing some really good work.

CHARLIE NYLANDER: Mr. Chair, members of the committee, thank you for letting me appear today. I am Charlie Nylander, chair of the www and the package materials that you received, there was a memorandum regarding our recent study of aquifer storage and recovery and it referred to a white paper that was prepared by the committee with two attachments to that white paper, and then there is a separate resolution addressing the subject of aquifer storage and recovery.

I would just point out that the white paper, which is really a good ten-page primer if you will on the concept of aquifer storage and recovery. On page 4, the executive summary and the recommendations section, that first full paragraph on page 4 does help to define what aquifer storage and recovery is and explains some of the acronyms that we use. Aquifer storage and recovery is ASR. Aquifer recharge is AR and aquifer storage is AS. And the first paragraph does go into the four prerequisites that you need to really be able to accomplish ASR. And I'm just going to touch on those.

You need a source of permitted and often treated water supply to infiltrate or

inject in the aquifer. Second thing you need is the geohydrologic conditions that allow infiltration or injection of water to be received, stored, and without any excess loss, and then reliably recovered. The third thing is infrastructure that you need to convey the water to the injection or recovery location. And then the fourth thing is an accommodating legal framework, and by that I mean there are permitting requirements by the Office of State Engineer and the New Mexico Environment Department that have to be met.

Our committee in last year's work plan we spent a considerable amount of time looking at this concept. We identified 20 potential locations in the county where ASR might be considered and the four sources of water that we considered were basically water pumped from the Rio Grande, reclaimed wastewater effluent as a second one, stormwater runoff, and then the fourth one was infiltration from streams and acequias.

So there is, attached to the white paper a table that lists those particular potential projects and so forth.

The recommendations, the white paper actually lists I think nine recommendations and those are summarized in the memorandum that was provided, but also rearticulated in the resolution that you have before you. The committee along with some staff assistance broke our white paper recommendations down to six recommendations that are embedded in the resolution. So I don't want to confuse you that they aren't numbered one for one, but the resolution recommendations are probably the ones to focus on.

In effect what we found was ASR is not the panacea in the short term for solving water supply for the county. It is a valuable tool in water resource management. It is something that should always be considered in your master planning and in your long-range planning, but it isn't something that we recommend in the short term. In the short term and the mid-term we recommend re-examining the concept of acquiring groundwater wells or drilling new wells to provide additional water supply or a backup water supply in the short and mid terms. In the meantime we do emphasize continuation on a parallel path of looking at ASR in all of its different aspects and applications as it really is a vital tool and down the road could be very helpful to the County.

So in summary I just want to touch on those. I was not going to take the time to read any recommendations but I will answer questions on behalf of the committee and I want to emphasize I do represent the present 11 members of the committee and I thank them also for their hard work on this activity.

COMMISSIONER CHAVEZ: Thank you, Mr. Nylander and send our thanks to the rest of the committee members for the work that you've been doing over the last year and a half, I guess. Right?

MR. NYLANDER: Yes.

COMMISSIONER CHAVEZ: Commissioner Stefanics, you have a question or comment?

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I learned quite a bit reading the white paper and the report, but do we then go to the conclusion that we should be focusing on the wells, short term?

MR. NYLANDER: Yes.

COMMISSIONER STEFANICS: And did the committee get into any

specific recommendations about the wells?

MR. NYLANDER: Mr. Chair, Commissioner Stefanics, we spent some time considering information from all the past work activities that have occurred largely in the 2009 timeframe when the County at that time was interested in possibly developing 11 groundwater wells as a backup water supply. We became well versed in the history of siting those wells and some of the difficulties and controversy that was caused, and we in essence really encouraged through the resolution and the white paper for the Commission to take into account that history and not replot that same ground.

But we do recognize that acquiring an existing well or developing a brand new well, that it's always going to be controversial as to where that's located and whom it might impact and so forth. But we think that if done properly and in concert with conversations with the City of Santa Fe and with other entities within the county that it's certainly possible to ameliorate most of the impacts if you do want to site a new well or acquire an existing well. So we think it's quite possible and we've recommended that the budget that has been at present set aside for implementing ASR that that be redirected to some well work.

And we think it's very feasible. We just – we don't want to start at square one; we want to start where we left off and then improve on that because we knew that there was, in the historical time some controversy about that.

COMMISSIONER STEFANICS: And Mr. Chair, Mr. Nylander, what parts of the county do you feel were underrepresented in this water discussion? Any?

MR. NYLANDER: No, I think the last two committee meetings we've had we've had good representation from our 11 existing members. We have one vacancy. But I think that we had representation from the southern side of the county, from up north in the Pojoaque Valley, and certainly in the immediate Santa Fe area, Eldorado area and so forth. So I didn't feel like we were missing some voice from some part of the county.

I think our committee discussions sort of focused on the fact that the development of additional groundwater supply was likely to be more focused in the City of Santa Fe area, the immediate area of Santa Fe, rather than some of these other disparate parts of the county. And it's not to say that in the studies that there couldn't be a recommendation for the Pojoaque Valley or for Edgewood or wherever but it was kind of recognized that it was going to be population-based and demand-based and then more importantly, or most importantly is if you're going to develop a water supply you have to have the infrastructure to get it to your customers. And so it's sort of dependent on your distribution system if you will, rather than areas of the county where you don't have a distribution system.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian, you had a question or comment?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you very much, Charlie and thank you to the committee for their hard work. I was really impressed with how thorough the study was as to what it would actually be like to implement an ASR project and it was very sobering. It does seem to me that it would have to be a long-term effort and it does not seem like it would necessarily be cost-effective right now, so I think it is prudent to keep it in mind, to keep it in the back of our mind but not to rush

into anything. So I'm in agreement with your recommendations and I would like to move for approval of the resolution.

COMMISSIONER CHAVEZ: So there's a motion.

COMMISSIONER ROYBAL: Second.

COMMISSIONER CHAVEZ: And a second on the resolution. But if we could focus on the resolution for just a minute and be sure that everything is included and if anything needs to be amended we should do it now. Because the resolution does speak to some of the short-term suggestions that were proposed, and then also goes into the uncertainty in the interplay of the four prerequisites for the aquifer storage don't seem to play out. It then goes to short- and medium-term solutions. So are we all comfortable with the resolution the way it's worded? Seems to be. So there's a motion and a second. Any discussion?

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

III. D. 4. Resolution No. 2015-15, a Resolution Approving the Water Policy Committee's Calendar Year 2015 Work Plan

COMMISSIONER CHAVEZ: Mr. Nylander, are you going to present that?

MR. NYLANDER: Mr. Chair, I am. Before you you have a memorandum and an attached resolution. Your County Resolution under which the www was formed requires us to prepare an annual work plan every January and so you have attached to the resolution our draft work plan for 2015, and you will notice in that work plan there are four different tasks that are highlighted or bolded for your consideration, and I will note that those four tasks basically embed comments that we've received from Commissioners. We did go out with email requests last fall to request any input for the 2015 work plan, and so the input that we did receive we've embedded in those four tasks and we think we're covering all the bases.

I will say that this work plan compared to last year's work plan – last year we had two major tasks. This year we have four. We've increased our meeting frequency from quarterly to bimonthly and so we're going to take on a lot more work this year. We feel like we're up to it. Everybody is in gear and really looking forward to it. I would comment on your discussion previously on the resolution dealing with transportation that the establishment of a quorum is a consideration when you have a committee and one of the other parts that I didn't hear mentioned in discussion is the committee's manner of working. A committee needs to assign sub-tasks to smaller subgroups and it becomes difficult some times to make sure you're not getting out of compliance with the Open Meetings Act if you have a certain number of your committee members meeting separately on some sub-task.

So that's been on our radar screen. We're very careful about that so that if we do, offline do some work we always maintain compliance with the Open Meetings Act.

But we have those four tasks before you and I stand for any questions.

COMMISSIONER CHAVEZ: Any questions from the committee?

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER STEFANICS: I appreciate how organized they are and I would move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: We have a motion and a second.

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

COMMISSIONER CHAVEZ: Mr. Chair, I've been asked if we could take a brief, short, very short break.

CHAIR ANAYA: Absolutely.

COMMISSIONER CHAVEZ: Fifteen minutes?

CHAIR ANAYA: We'll be on recess for 15 minutes. Motion to recess for 15 minutes?

COMMISSIONER CHAVEZ: So moved.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Motion and a second.

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

[The Commission recessed from 3:25 to 3:45.]

CHAIR ANAYA: We'll get started. I'd entertain a motion to reconvene the Board of County Commissioners' meeting.

COMMISSIONER STEFANICS: So moved.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Motion, Commissioner Stefanics, second Commissioner Roybal.

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

CHAIR ANAYA: Sir, if you could just give me one moment I'm going to let Mr. Martinez, our Assessor, I'm going to give him a brief opportunity, or you take the time you need, Mr. Assessor. There's a 2015 agricultural outreach program that's happening and I'm going to turn the floor over to you, Mr. Assessor. Also, before the Assessor comes up, Greg, if you could pass along to the Manager when she gets back in, what I'd like to do on the BCC agenda is I would like to have matters, similar to what we have for the Commissioners, I'd like to have a Matters for Elected Officials. They may or may not have some every month but I'd like to have a standing item on the agenda so they're able to – if you have issues that come up that you're able to bring those forward. So, Mr. Assessor, the floor is yours.

GUS MARTINEZ (County Assessor): Thank you. I just want to keep you guys informed and the County informed about an agricultural outreach that we are going to start tomorrow, through the month of February. Basically, what came about with this is

that we, the Property Tax Division last year did an evaluation of our office and they dinged us on a couple of issues regarding agricultural property. So basically what was happening is people receiving agricultural property that they weren't utilizing. So for instance, there would be a lot with a bunch of cars on there and they had agricultural and they should have been taken off or been reported to our office.

So basically what we did is we sent our staff out there and reviewed all agricultural properties and we broke it up into two areas. There were about 50 accounts that were denied and about 400 accounts that we call probable. And probable is not that we're denying them agriculture we just need a little bit more information from them stating what type of use – what they're using their property for. And so I'm a big advocate of agricultural property and I want people to utilize it and use it we just need more information. *[Exhibit 2]*

So we're going to start with Bennie Chavez Center up in Chimayo tomorrow night from 6:00 to 7:30 to take applications, to inform them about what's going on, legislation that's regarding agricultural properties and any questions that they may have at that time. And so it starts with Bennie Chavez on the 28th of January. Then we will be in Nambe Community Center on February 4th. And then we will be in El Rancho Community Center on February 11th, Galisteo Community Center on February 16th, La Cienega Community Center on February 17th, and up in Santa Cruz at Abedon Lopez Community Center on February 24th and then we'll end with Edgewood on February 26th.

CHAIR ANAYA: Thank you, Mr. Assessor. Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Gus, I really appreciate you bringing this forward because I think it's safe to say that taxes are not very popular no matter what they're for, but in this case having agricultural assessment on your property would in fact give you a lower property rate at the end of the day, right? You would be paying less even though you may not be using that for an agricultural application. So that's what you're trying to address, is the use of the property and tie that to your assessment for property tax purposes.

MR. MARTINEZ: That's correct.

COMMISSIONER CHAVEZ: It's going to be pretty challenging. So in the outreach that you'll be doing moving forward people will be aware when they're attending these meetings specifically what you will be discussing.

MR. MARTINEZ: Yes. We are giving the property owner up to a year to notify us with information that would promote agricultural use. The people we are denying agricultural use which is going to be 50 applicants, is going to be – we're going to give them, when the notice of value goes out April 1st 30 days to just give us more information. If we've made a mistake we want to correct it and so we're just trying to gather that information from them. But by no means, like I said, we're not trying to take away agricultural use; we're just trying to get information for our records updated because Property Tax Division through the state in our evaluation dinged us on those issues.

COMMISSIONER CHAVEZ: Mr. Chair, Gus, that's one level but I think the public, the taxpayer, needs to understand that as unpopular as taxes may be that's how we're able to provide a lot of the services that we provide to our residents. So you really can't have one without the other. The taxes need to be fair, they need to be equitable but

unfortunately there's not too much we can do otherwise to provide the services that we're expected to provide. So I thank you for the work that you're doing.

CHAIR ANAYA: Questions of Mr. Martinez? Thank you, Mr. Martinez, for your efforts in making sure people are aware that they have the opportunity to get the exemption and to have sustained agricultural use which is good. So thank you so much.

MR. MARTINEZ: Thank you for having me.

III. D. 5. County Facility Conditions
a. Presentation of the State of the County Facility Inventory

CHAIR ANAYA: Mr. Chair, were you going to do any comments to lead in? This gentleman is ready to go.

TERRY LEASE (Public Works): Ready to go, sir. My name is Terry Lease.

CHAIR ANAYA: Terry, you work with us here at the County? It's good to see you, Terry. They were talking about you earlier and here you are. It's good to see you. The floor is yours.

MR. LEASE: My ears were burning a little bit earlier.

CHAIR ANAYA: It was all good.

MR. LEASE: Thank you. The presentation today will talk about the facilities conditions assessment and the presentation will cover the following. We'll start with a really short background. Resolution No. 2013-40 was unanimously approved by the Commission in April 2013 and it was a resolution creating an assessment management system for the County facilities. Of the three tasks you see above there, the first task, creating the FCIs for County facilities has been completed. We have FCI scores on 66 County facilities and some of the facilities – those are all the major facilities that are occupied. Some of the facilities that were assessed was the Bokum Building because it's a leased facility. The Judge Steven Herrera Judicial Center wasn't done; we will be doing that later this year, definitely, and the other ones that weren't done is the former judicial center on Catron is vacant. Some of the transfer stations, water utility outbuildings, some of the open space properties and so on, but all of the major facilities we have have been assessed.

And the second and third task above we hope to address here and finish today.

There are two rating systems developed. The FCI, which was required by resolution 2013-40, and in the process of creating these FCI scores we saw the value in a second rating system, the ARC rating system, which was developed by the contractor. The contractor on this project that worked with us is Architectural Research Consultants, Incorporated out of Albuquerque and Alena Raymond is here now, she's from ARC and she'll be available to answer any technical questions that may come up. ARC staff of architects and engineers actually did the assessments on these 66 facilities and their IT staff constructed and will host the website going forward for future assessments done by County staff.

I do want to take this time just to thank Alena and the entire staff from ARC. They did a great job working with us. They're very patient, very responsive to our needs and really worked hard to give us exactly what we need with this program.

The FCI rating system has been around, it was developed in the early 1980s. It's used extensively by federal and state governments and school systems and as you can see from the slide here, the FCI rating system is just a simple ratio of the estimated repair and deficiency costs divided by the estimated replacement value of the facility. And you can see the scoring there. So if the repair and deficiency cost of the facility is five percent or less of the estimated replacement cost it's considered good. If those repair and deficiency costs are five to ten percent of the replacement, fair, and more than ten percent is considered poor.

And the key here is the smaller the number the smaller that ratio, the better the condition the facility is in.

The ARC rating system is a weighted snapshot of the current facility conditions. 125 components are evaluated, the scoring book here, and those 125 components are evaluated and scored using a 1,000-point scoring system. And you can see from the scoring here the site is 24 percent of the possible points available are attributed to the site; 37 percent of the possible points are attributed to physical plant which is the building – everything in it, on it, and top of it; and 39 percent of those points are attributed to the adequacy of operations.

Within each of those components there's also different weightings as well. For example, the physical plant, a roof may be awarded up to 15 points and the flooring may be up to 5. And you can see from the scoring here if any facility scores 90 to 100 percent of the possible points it's considered excellent, 70 to 89, satisfactory and so on. So here we're looking for the higher. The higher the number, the higher that percentage, the better the condition of that facility.

I have a hypothetical example here, the County health spa. Replacement value of a million dollars. You see three of the repair and deficiency projects there – HVAC – heating, ventilation and air conditioning is HVAC – roofing, and a parking lot renewal project. So to get the FCI you simply add those three together, divide by the estimated replacement cost of that building to get an FCI of .15 which falls into the poor category. And then as you can see after fixing the roof and the HVAC units those are removed from the numerator of this ratio leaving on the parking lot renewal. So after fixing those two, the roof and HVAC, you have \$53,000 divided by the million so we have an FCI of .0535, so doing those projects moved it up one category from poor to fair.

And just to demonstrate how – I'll take this one step further and demonstrate it's very important to keep in mind with the FCI, any project that's beyond five years is not even included in the FCI. So if you take this FCI here of \$53,500 and for example, B.J. Mr. Montano and his staff spend a day at the County health spa, come out and take another look at the parking lot and think that it doesn't have to be redone within five years it could go into that program and actually push the parking lot renewal project out to six years or more and that would remove it from the FCI altogether, changing the FCI score. So it's very important that with the FCI you keep in mind that it's only projects within five years.

We're going to take a look at five County facilities starting with Fire Prevention. Fire Prevention last year was remodeled and Fire Prevention is our County's highest rated facility. You see the FCI score of good and an ARC score of excellent. Moving up that FCI score, they still identified over \$31,000 of repair and deficiency projects. It

happened to be mostly exterior projects, stabilize a hillside, cap a wellhead, extend the asphalt and so on. So you can see how the FCI and the ARC score complement what's going on with the FCI. Even though it's still excellent the site has a little bit lower score than the other two categories and those are those exterior projects that are identified in the FCI score.

Human Resources Building also had an interior remodel last year. You see the FCI score of fair and an ARC score of excellent. So within these \$96,000 of FCI projects that were identified two of those, just two large projects make up 50 percent of that \$96,000. One is a security project which would secure the office areas in back from the lobby area up front, and a second one is a \$17,000 ADA parking lot project. So if both of those projects were completed it would move the FCI score up one category to the top category which is good.

I think this slide is important to show. It really illustrates how the two scores complement one another. In this scenario if we only saw the FCI score we would think we have a fair, kind of an average kind of facility. But in conjunction with the ARC score it shows we really have an excellent facility here but we still have another project or two to take a look at.

And two slides ago we had the top scoring facility, the Fire Prevention facility. Now we move to the Fairgrounds Extension building that happens to be the lowest ranked facility we own. You see the FCI score of poor and an ARC score of poor as well. Within those repair and deficiency costs, over \$3 million, and with a replacement value of only \$500,000. So it needs some explanation here. What the assessment discovered here really is that in this building, the all the major components need to be replaced or repaired, redone. But also there's a large component, over a million dollars which are identified as abandoning – this facility is on a well and a septic, so the assessment has recommended abandoning the well and the septic system and tying into the City water and City sewer. As you can see down here the ARC score also supports that with a very low physical plant score and adequacy for operation. On the bright side I have seen floor plans for a new extension building out there so obviously County staff has identified the need to address those buildings. And I know also that Projects is working on, for lack of a better word, a master plan for the entire fairgrounds out there. So things will be addressed here.

And we have the State Health building on Letrado. We have an FCI score of poor and also an ARC score of satisfactory. Within this FCI score most of the – well, 50 percent of that, almost \$2 million, are just in the heating, ventilation and air conditioning system and the roof alone. Most of the other components there are also in need of work. Taking a look at the ARC score, the lowest is borderline for adequacy for operations, and taking into consideration everything here the adequacy of operations, they're making it work out there but this building also needs some work and the question arises whether this is appropriate for the operations of an office/clinic in that facility. So this is a building that needs some work that we'll have to address.

The juvenile detention facility, the FCI score of poor and the ARC score of satisfactory. Within that over \$8.5 million we have again the major component there is the heating, ventilation, air conditioning and the roof are two of the major components there. Taking a look down at the ARC score with the adequacy for operations and what

they've noted here is that the building is far underutilized. There's a large vacant space that we're maintaining for the size of operation out there.

Now we get to the heart of the matter. The annual report, there are several reports available and this is the report that seems to be the most comprehensive and the one that we will be bringing back annually to report the condition of the County facilities to this Commission. And I think you have the report in your packet there, the complete report. As you can see, moving across the top we have just an ID number, arbitrarily assigned, the facility name, the building type, which is really by department, age of the building, gross square footage, site acres, then we get over to the ARC scores. This is where we're really getting into the heart of the matter here.

So you see the ARC score, the FCI score and the FCI rating. Actually, this is an old report there. The reports in your packet will show a project budget. Actually, the project budget is up there, which is the total of all the repair and deficiency costs that were identified in these assessments. The column that's missing from the slide up there that we asked ARC to add, the estimated replacement costs of all the facilities, and so that's the final column on the right.

As you page through this report on page 3 you get near the bottom you'll start seeing some zeroes there. So page 1, 2 and most of page 3 are all the 66 facilities that were assessed and where you start seeing zeroes, we still want to use this report as a complete inventory of all County properties and any of these with zeroes by them have not been assessed at this point. Resolution 2013-40 calls for all County facilities on the inventory to be assessed so these will at some point in the future be assessed as well.

And coming back to page 5, at the bottom there you'll see the totals and we see that just over 860,000 square feet of space was assessed, 408 site acres, and then you have the average score. So right now, the average score for all County facilities is 81.4, or satisfactory, and the average FCI score is .2731 which falls into the poor category.

So it's this report and these numbers that will be coming back to you annually and wanting to see improvement in these facility scores. So we'll be looking for a decrease in the FCI scores, and increases to the ARC scores. And of that, almost \$46 million of the repair and deficiency costs are identified. I do want to point out that there are four projects that make up over a third of that number, four projects equaling about \$16.5 million, and these are buildings and facilities that we've already identified that we have some issues with and we're taking steps to address them. Those four are the District Attorney's Office, and then we have remodel plans for that. This building here, the County Administration building, which we've talked about a remodel here in conjunction with developing the property up on Catron Street, the old Public Works building on Galisteo which I know has been talked about slating to remove that facility and repurpose the land, and the Fairgrounds Extension building which we briefly discussed.

And we have a couple other slides that really draw from this report and we see a breakout by department. As far as the – you can see these scores are by department – Fire, pretty consistent across the board where all of the FCI scores are poor, and the ARC scores are in the average category. And then we have a second one that shows the five highest rated facilities and it looks like we have four out of five of those are fire. They've been doing a lot of work. And then of the lowest rated facilities, two are fire and again, the other three are properties that we've identified with deficiencies and already planning

on some remodel work and different activities with those.

I do want to take a minute and just pause for a minute and talk about how we're going to use this report coming back to the Commission annually, and how this will help us prioritize the projects when we come back and ask for in our 2016 budget and beyond. One method might be to start at the bottom of this list with really the worst facilities and take a facility at a time and ask for funding to bring each of those facilities one at a time up to an acceptable level.

Another method and one that's really preferred by Property Control in Public Works would really be focusing on the projects that first protect our asset, and those are primarily the roofing systems. Secondly, focus on projects that affect the comfort of the tenants, which are primarily the heating, ventilation, air conditioning systems, and then projects for security and ADA. And what we plan to do is sit down with all the departments and talk about these reports, talk about their facilities and prioritize the projects going forward.

Obviously we want the input from this Commission, what your thoughts are and desires and how we should move forward using this information to prioritize the projects going forward.

And we have the final slide here. What we're asking the Commission to do is to set a minimum acceptable FCI score as required in Resolution 2013-40 and we're also going to ask the Commission to set a minimum acceptable ARC score as well. And just to review, the FCI ratings are good, fair and poor, and the staff is recommending we set the minimum acceptable condition for County facilities at fair, which is one category below the top. And the categories for the ARC scores are excellent, satisfactory, borderline, poor and very inadequate. And here again, staff are recommending that we set the minimum ARC score one category below the top at satisfactory.

And with that I'd take any questions.

CHAIR ANAYA: Thank you, Terry. So if I could just summarize and you correct me if I'm wrong. We have an annual report that comes to us which is what you went over in detail where you talked about our facilities and where they fall within the rating, and then the rating begins to take us to a more systematic approach to not only understand the condition but move in some pragmatic way towards resolving and fixing the buildings and before us in the resolution, just gives us the baseline, minimum standards. It won't – I guess my question is we understand we're going to have to infuse resources and set priorities on buildings, but the minimum standards isn't going to hamstring us into being behind the edge of a barrel having to do everything overnight. Correct? If you could just answer that for me.

MR. LEASE: That's absolutely correct. It's the minimum standard – we're always going to strive for the top, the excellent and good in both categories, but the minimum acceptable is what we'll focus our attention on those facilities. Anything that's not – that really isn't good and acceptable.

CHAIR ANAYA: Essentially it cuts to the health/safety aspects immediately on those properties that are in the poorest condition, correct?

MR. LEASE: Right.

III. D. 5. b. Resolution No. 2015-16, a Resolution Adopting Minimum

**Acceptable Facility Condition Scores in Accordance with
the Facility Asset Management System Created Pursuant to
Resolution No. 2013-40**

CHAIR ANAYA: So with that, Commissioners, I'd entertain a motion on the resolution and then we can have some discussion.

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

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion to approve the resolution adopting minimum acceptable facility condition scores in accordance with the facility asset management system. There's a second by Commissioner Chavez. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I just want to thank staff. It's been a little over – I guess about a year and a half. No, maybe about a year since 2013-40 was adopted and that set us on a new course, a course that we had never taken before. And from my memory, it started with the HR building. And to your point, Commissioner Anaya, it speaks to the health, safety and welfare of the employees and the public using those facilities. And if we could use HR as an example, checking off the facilities in an orderly fashion, year after year, even getting to this building, HR is an example that we want to aspire to for all of our buildings.

It's going to take time. It's going to take some very deliberate thought and it's going to take dollars. But I really don't see any other way around it. But I do want to thank staff for their work in the last year, getting us to this point. I'm hoping that with this resolution and continued work that staff will undertake in the next year or two, or maybe five, at some point we'll come full circle and have this building remodeled and the new site on Catron Street redone, then we'll have to start all over again.

But anyway, I think we're going in the right direction. We're addressing the existing facilities, addressing the needs and trying to attach priorities and dollars to those needs. So again, I want to thank staff for all their work.

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

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Thank you for the work on this and it's very interesting to see where our problems are. But I have a legal and a liability question for the Manager and the County Attorney. If in fact we adopt a rating system for our facilities, does that increase our liability? Where I'm going with this, is let's say there is an accident with staff and/or the public and it's due to something that has not been addressed in the rehab that shows up in our scoring system. Have we publicly acknowledged that we were in the wrong?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, it's a great question. I think the short answer I would give is no, because you have a variety of different types of maintenance and possible repairs, not all of which would create a hazardous condition or a threat to person or property, which is where our liability would be. So I don't believe that adopting this minimum standard would in fact expose the County to any greater risk or liability than already exists.

COMMISSIONER STEFANICS: Well, Mr. Chair and Mr. Shaffer, we just heard about prioritizing at three different levels and for example, the ADA was put in

the third level. And if we really didn't make changes to a building based upon priority levels it seems to me that we're making a specific statement. I think this is a great tool but I am wondering about identifying all of our shortfalls for both insurance purposes and for liability purposes. And I'm wondering if this has really been thought about before we vote on something.

CHAIR ANAYA: Commissioner Stefanics, on this point, we spend a lot of time – now our Manager is going to get immersed even more on the liability aspect associated with multi-line, so I think those are good questions posed. I think – and I had a brief conversation with Mr. Leigland regarding a similar comment as Commissioner Stefanics. So what suggestions would you have, Mr. Shaffer or Ms. Miller? I think from my perspective is the bottom line is that we analyze and understand where our gaps are and where we need to work to improve things. But in a policy statement, how might we assure that we create a system but that we don't put ourselves in a jam over the policy statement itself? So I think those are valid questions. Commissioner Chavez.

COMMISSIONER CHAVEZ: I don't know if this helps but paragraph 3 of the Now, therefore be it resolved might address part of your concern. Because I think we have to accept that there may be some deficiencies. We can't ignore that; we can't sweep that under the rug because the liability will be there. And that's one reason that compelled me to focus on the HR building was the liability for both employees and for the public in that building. So I'll read paragraph 3. The minimum acceptable scores established in paragraph 2 of this resolution shall guide facility investment decisions with a priority being to raise as appropriate and then maintain the condition of all County facilities at these minimum acceptable scores.

So it is accepted and acknowledged that there are deficiencies; we're working to address those, and we're stating that once that's done our intention is to maintain the condition of those County facilities so that we don't slip back into the state of disrepair that we're in now. So I don't know how else we can package it, right? But I hope that that would address maybe some of the concerns that have been raised so far.

MR. LEASE: Mr. Chair, Commissioner Stefanics, it's a valid concern. I would like to point out that while I'm not sure if the state and federal governments that use the FCI at least extensively, and the school system set minimum standards, but the FCI and scores identifying the shortfalls have been used extensively by state and federal governments and school systems, and I'm not sure if that really addresses the fact of a possible liability or not, but that is hopefully a comforting fact.

CHAIR ANAYA: One thing I want to do and then I'm going to go to Commissioner Stefanics if we could is I want to make sure on the record that I appreciate your intent and your comments, Commissioner Chavez, but in your last comment of state of disrepair, I understand that we want to acknowledge where we have gaps but I wouldn't classify the system and the County buildings as state of disrepair. I think we have facilities that we have to target and make improvements to but on the record I would say of most counties we have been in a financial position that is unlike many others and have advanced many improvements like the ones you noted on the screen. So I just want to make that clarification that we acknowledge that we have work to do but we've been trying diligently over the years to invest resources, much of which many other counties never can get to. But I know where the intent is and where we're headed and where

Commissioner Chavez' comments fall. I just want to say on the record I think we have a pretty good system of workers with yourself and the staff and Mr. Montano and even the other contract work that we've done that helps us get to where we need to get.

Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. So I am reading this as the County needing \$45,965,500 to accomplish the upgrades to all of the facilities that are in this chart. And circling back to my questions, I'm not sure number 3 in the resolution gets to it but if the County had an action plan that identified that we are moving forward with specific activities or a specific funding level or – and maybe you think this is specific enough here, Mr. Shaffer and Ms. Miller, but where I'm going with this is if we're going to have some kind of rating system and we've identified areas for improvement, should we in fact not then make a plan to address those improvements?

CHAIR ANAYA: So if I could, Commissioner Stefanics, my understanding, and I want more clarity and I have a few more questions myself, but my understanding is that if you have a minimum base that you're looking at, which is what the resolution says, that the next sequence of events will be what are those projects and then how might the County move forward to address those and what priority will the Commission desire based on those recommendations. So that's kind of step 2. Is that right, Terry?

MR. LEASE: That's correct, sir.

MS. MILLER: Mr. Chair, Commissioners, maybe I could add an example that would help kind of guide this discussion. When I was at the State I served on the Public School Capital Outlay Committee with legislators and department directors and basically we used a system like this for recommending where state dollars would go into the different public schools. There were over 800 schools and they ranged from the poorest of condition to brand new schools. But the only way – what we did each year, we determined how much funding was available through the state's severance tax bonding. They had a certain percentage of the bonding, funds that were available to the schools, and what we do is kind of set – so all the schools had an evaluation. They all had to keep a maintenance plan and they all had to have facility condition index rating. All different, 89 school districts, 850-some schools, and where they come up on the list also helped determine whether they received the limited funding.

It didn't increase their liability to be the worst building on the list it just meant that they were first in line for some of the funding if the school district and the state had the funds available in order to build that new school or renovate it or whatever the actual proposal was. So what it did is help us as a committee guide which projects – we even put a cutoff. We said, okay, the top 50 or top 100 schools on the FCI would be eligible for funding this year if they apply and they meet a variety of other requirements that were put there. But it was just one other tool to help us determine out of the limited resource, which ones were in the most need for funding in that given year. And then they came off the list and something else rose to the top.

So I think that what the intent from County staff was to try to set up some kind of recommendation system to the Commission as we come forward in any given budget year and we say, well, these are the items that we need that are on the top of the list. Here's how much money we have. We can maybe go for the top ten this year, the top ten

items that would bring a couple of those particular facilities off of the worst of the list and bring the overall rating of all of our buildings up as a result. So that was how we used it at the state level. That's somewhat what I believe Terry and Adam and staff were hoping to do at this level to just try to help guide and inform the Commission on budget decisions relative to our limited capital and all of our assets that we have.

CHAIR ANAYA: So just on that point, Ms. Miller, I'm going to ask you a simple but pretty poignant question. The system is to evaluate and figure out what the condition is and then use as a tool for recommendations. It's not a tool to pre-empt a new construction project, for example, if there was a senior center or other project that's being pursued. It's not being brought forward as a pre-emption in any way, is it? Because I – I guess I'm asking a leading question. I wouldn't want to pre-empt and say we only do this first and we won't do anything new second. So I couldn't support it if that was the intent. Is that the intent?

MS. MILLER: Mr. Chair, that's not the intent. I think it would be – that's a policy decision by the Commission in any given year, how much of available capital you want to allocate towards maintenance and dealing with existing stock versus whatever portion you'd want for new facilities. And I think that's always going to be a policy decision by the Board each time we deal with capital budgeting.

CHAIR ANAYA: Thank you, Ms. Miller. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, if you don't mind, I would like to answer that question also because that was not my intent. My intent in working with Adam and staff in introducing the first resolution 2013-40 was to simply do a list, inventory our buildings which we had not done to date. We didn't know what we owned. The HR building in fact wasn't even on our list of inventory at that time, right, Adam? So we've gone a long way in the year in knowing and understanding what we have, what we're liable for, what we're responsible for, and if we want to fix anything that needs fixing we know what needs to be done and how much it's going to cost. That was simply – that was my intention.

CHAIR ANAYA: I thank you, Commissioner, for that clarification.

COMMISSIONER CHAVEZ: So where we go with this, how we move forward with this is yet to be determined but I think it's a good start. We have the list, we have the inventory and we know what it's going to take to improve the facilities that we have.

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

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'm still believing that now that this work has been done we need some type of action plan to go with it. And if we – I am assuming that even if we did everything that was on this list we would fill up the list again with aging and deterioration. So if you don't start a recurring rehab or recurring renovation, then we fall into disrepairs. And I'm not sure if people watched the news last night where Bernalillo County is thinking of like just razing, knocking down to the ground, their old county jail downtown, because it was never kept up and it would cost so much to rehab. And it would only cost \$3 million to knock it down and it was going to cost \$18 million to rehab it.

Now, my issue is that if we have a nice list and we don't do anything about it

we're going to end up in that situation. And so we might not – I might not be ready to vote on this until I thought we were going to really do something with it. So that's my comment.

MS. MILLER: Mr. Chair, to Commissioner Stefanics' point, we have been actually including in the budget and it was actually at your recommendation, fixed asset and renewal and replacement. So in our capital budget – and we have different capital funds, some that are more geared towards what I'd call maintenance and asset renewal and replacement that we do during our regular budget process, and then we also have the capital outlay. Some of the capital outlay funds, like GO bond funds and some of the quarter-cent capital outlay GRT wouldn't even be eligible to do maintenance type work, whereas general fund and some of our other general taxes would be.

So I guess what I was trying to get at earlier is during that budget process we do actually put money towards maintenance on our existing facilities but it's not what I'll call necessarily an informed decision where you could say, well, this one's needed more than this one because I have a document to go back to where we've done an assessment of that facility compared to our other facilities. So what we have is each department comes forward – Corrections comes forward with their top ten capital needs, Public Works comes with theirs, Seniors comes with theirs, and everybody comes with a different list and we don't have enough money to fund it all.

So it becomes a guide for the Commission and for me as the Manager to say, well, across the County from department to department, three things on Corrections might outweigh five of the things on the Public Works or the senior center list from a condition of the overall facility and the condition of, say, that roof versus another roof. You might be able to stretch one out for another couple years or something like that. So that was what the intent of – aside from what Commissioner Chavez wanted when he asked that we do this, but for staff, for making budget decisions and recommendations to the Commission for budget decisions, how they would use this tool.

So it is happening, it's just not happening in as formal a process. We can tie as we go into the next budget, we can tie it back to this assessment and this side of the process, the evaluation of the facility, tie it to the budget recommendations.

CHAIR ANAYA: Yes, Ms. Miller, I think it's a baseline and I think we do need to tie it into a priority function and now is the opportune time because we're going right into our budget cycle and our capital improvements cycle. Other questions? Seeing none.

The motion passed by majority [4-1] voice vote with Commissioner Stefanics casting the nay vote.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: It is 4:30 and I would like to request that we go to item 13.

III. D. 13. Resolution No. 2015-17, a Resolution Supporting Continued Enforcement and Funding of the Federal Endangered Species

Act

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Back in the fifties and sixties people became aware that – I think people actually became aware that there were certain plants and animals that were going extinct or were in grave danger of going extinct. So the Endangered Species Act was drafted and it was signed into law by President Nixon in 1973. I think that the original purpose of the act was to save plants and animals whose numbers were so few that they were on the verge of going extinct, and I think that in those cases the main goal was to save the habitat that those plants and animals were in. That was the focus.

But the benefits of the act, I believe, expanded beyond the original purpose, because when a plant or animal is going extinct or in danger of it that indicates that a whole habitat is in trouble. And so I think it's recognized now that this act is as much about saving whole ecosystems as it is about saving specific species. I just read an interesting *Science News* article and in there they said if plants and animals continue to go extinct at the rate they are right now, that is actually being measured right now, 25 percent of all species will be extinct by the end of the century. Twenty-five percent.

The earth has had many extinctions in the past. In fact in five of the extinctions 75 percent or more of the life forms went extinct. Fortunately, life has always bounced back. Actually maybe I should use the word crawled back. That's probably a little more accurate depiction of what actually happens. But I will say that with regard to this extinction there are some important things to note. One is that we human beings are a sentient species. We caused the problem and because we caused the problem there's a lot that we can do to start crawling our way back to a rich and nurturing planet.

Now, the goal of this particular resolution is to call on the federal government to continue to provide resources – that would be money and people, staff – for continued enforcement of the Endangered Species Act. I will move for approval and if there's a second I know that there are a number of people here who would like to comment on this issue, and then after they have finished their comments I have some comments that I would like to read into the record that were sent to me via email.

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

COMMISSIONER ROYBAL: I second.

CHAIR ANAYA: Second from Commissioner Roybal. Discussion. Would you like to let those folks come forward at this time, Commissioner?

COMMISSIONER HOLIAN: Yes, please, if I may.

CHAIR ANAYA: The floor is yours, Commissioner.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Is there anybody who would like to come forward and comment?

THERESA SEAMSTER: Thank you, Commissioners. My name is Theresa Seamster. I'm a co-chair of the Northern New Mexico Group of Sierra Club and I'm on the public lands team of the Rio Grande Chapter. I'm, I think speaking for our 10,000 members here in New Mexico. We just strongly, strongly support this type of resolution. As Commissioner Holian said the Endangered Species Act protects all fish, wildlife species, and plants that are in danger of going extinct. But more and more these species are failing across the board. Not just the rare species or the niche species but

across the board wildlife and fish are starting to disappear in great numbers due to human disruption and due to climate change.

I think more and more now the Endangered Species Act is necessary to show us what Congress told us back in 1973 when this act was passed. What they said was the cost of our continued economic development and growth is untempered by adequate concern and conservation. I think those words are even truer today because of the extended damage that we're doing by our population growth and by our continued destruction of the habitat that is important for farming. It's important for our wellbeing and it enables us to have a sustained life here on earth.

I think today, it's 40 years later, we need the Endangered Species Act to protect our species against the follies of what we're doing in terms of habitat destruction and escalating climate change. And that threatens all species, including our own. One of the best comments that I remember hearing when I was a lot younger, back in the 1970s was about saving the bald eagle. And someone said it's not a very good message to send to the world when you have the president of the United States standing behind the presidential seal which represents an extinct species.

So saving the bald eagle was a bid issue back in the seventies. The bald eagle has come back and it's really our responsibility to extend that opportunity to save the vulnerable species which across the board are suffering right now. And without the continued enforcement of the Endangered Species Act it will be our common species that disappear, and those are the ones that humans depend on the most. Thank you.

COMMISSIONER HOLIAN: Thank you, Theresa. Anybody else?

CHAIR ANAYA: Thank you, Commissioner Holian. I'm going to defer to Commissioner Chavez. He wants to introduce someone.

COMMISSIONER CHAVEZ: I just want to acknowledge that former Councilor Chris Calvert and his wife were in attendance. I don't know if you wanted to speak on this issue or not, Chris, but I just wanted to acknowledge you're with us today.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Carol.

UNIDENTIFIED SPEAKER: Good afternoon, Chairman Anaya and Commissioners, I thank you for putting this proposal for this resolution before the County Commission. It is vital that we recognize how valuable these threatened species are. I'm a fisherman – fisherwoman to be exact – and the Rio Grande cutthroat trout is in grave danger of becoming extinct and it's a threatened species currently. It is a species that I've always enjoyed seeing and catching and throwing back. My grandchildren actually have caught one but they are threatened and they will become extinct if we don't protect them.

And the reason that all of these are so valuable is that each one is like a domino. What happened in Yellowstone is just an example of what is happening all over North America. In Yellowstone, when the wolves were almost completely wiped out what happened is that the elk increased in number, the deer increased in number. The created terrible erosion because they had no natural enemies. They had no natural attrition from the wolves or from the bears. And as a result the bird population diminished. There were no ducks migrating across that area because the water had dissipated to the point where it was no longer filling the banks because it was spilling over with erosion.

And so the plants and the trees became much more barren. Since the wolves have

been reintroduced in the eighties all of that is returning. All of that is coming back, and the balance has returned and that's what we're looking at here with the Endangered Species Act and I would really appreciate your vote in the affirmative to this resolution to send a message to our members of Congress to maintain the Endangered Species Act which has been the cornerstone of what we need to do for this earth and for all of us to keep enjoying the place that we call home in Santa Fe. Thank you.

COMMISSIONER HOLIAN: Thank you, Carol.

CHRIS CALVERT: Good afternoon, Chairman Anaya and Commissioners. My name is Chris Calvert and I come here today on behalf of your resolution for the Endangered Species Act. This act has been very successful when it has been applied. There's a sentiment today maybe with the current Congress of the United States to pull back on funding and enforcement of this particular law, but when it has been applied 90 percent of the species that have been listed have come back. So it has a very good track record and it's definitely one that we need to continue to support, not only because the population of the world continues to increase and put pressures on our ecosystems but because of – in combination with that our human activities that continue to cause climate change put even more pressure and stress on those animals and plants and ecosystems. So I would just briefly ask you to support this resolution. As one of my representative bodies please join my other representative body that has already passed such a resolution and make it unanimous for our county. Thank you very much. Thank you, Councilor.

CAROL CALVERT: Good afternoon. My name is Carol Calvert. Thank you, Chairman Anaya and Commissioners. I just want to say I am a priest with the Church of Antioch in Santa Fe here and a clergyperson and as an environmentalist I feel it's extraordinarily important and it really is up to us to protect those who have no ability to speak for themselves, the endangered species, and for our planet, not only for how we live right now but for future generations. Can you imagine one of your grandchildren asking you, what was a wolf? And I just want to leave you with that thought and thank you so much for all your work and hopefully you will say yes to this resolution. Thank you.

COMMISSIONER HOLIAN: Thank you. Is there anyone else who would like to comment? Well, at this point I would like to read some other comments into the record. There were some very important people who wanted very much to speak here tonight but they couldn't due to school responsibilities. Fifteen kids from the Global Warming Express were planning to be at the last meeting when this resolution was being heard but unfortunately it was tabled at the last meeting and they really couldn't be here tonight. But they did send some information along, some quotes and a picture, and I'm going to pass this out. *[Exhibit 3]*

By the way, for those of you who don't know the Global Warming Express is a climate change advocacy organization created by kids for kids. And I would like to read some of their comments into the record that they sent me, and then there's a real nice picture here too. Unfortunately, you may not be able to see this but they did a beautiful picture. It says, Save the Arctic, save the seals, save the polar bears.

So from Joanna Whysner, age 12. There are already 20,000 species near extinction on the planet. Because of human causes and climate change the rate of

extinction is 100 to 200 times greater than ever. This is already a problem. Why would you not want an endangered species rule to help the animals as much as you possibly could.

From Gavin Brennan, age 10. The polar ice is very important and the polar bears are losing their world. This is a big problem. We need to do everything we can to keep our animals and wildlife.

From Skylar Bixby, age 11. Why should we protect our animals? Many species of animals are going extinct. Reindeer and caribou are dying out because their habitats are getting warmer. That means that in Asia, North America in Greenland they won't be alive and the people who hunt them will not have food. Cold water fish are dying too.

From Marina Webber, written when she was 11. We are losing our animal's habitats by cutting down the trees and taking their environments. We cause climate change by burning fossil fuels. I am angry because humans caused all of this and we are not doing a lot about it. Also I am sad because the animals are dying. We can help the animals by protecting where they live so they can live a long live.

From Jaden, age 8: I am afraid because there will not be enough plants and animals for our future. It will get too hot for them here in New Mexico. I am mad because it is almost never cool enough to play outside. How do you think they feel?

So thank you for indulging me on this and I am sorry that the kids could not be here but they wanted their voices to be heard. Thank you, Mr. Chair.

CHAIR ANAYA: Other questions or comments from the Commission? Just a brief comment. I think the common theme always in anything we try and do is balance in some semblance therein and thereof. And I think that the act provides for that opportunity for balance. I think sometimes people use different tools to the extreme and there has been times when this act has been used to the extreme, either one way or the other, but in no way can this country sustain moving forward without the act. We need the act in place but there needs to be the balance between the ecosystem and all of the other functions of life and reality that we're all faced with to have viable economics as well. So what's the pleasure of the Board? Any other questions or comments?
Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I already made a motion, I believe.

CHAIR ANAYA: I'm getting ready. I just wanted to see if you had any other comments.

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

III. D. 6. Resolution No. 2015-18, a Resolution to Establish a Planning Committee for Each of the Following Areas: Village Of Agua Fria Zoning District, La Cienega/La Cieneguilla Community Zoning District, Los Cerrillos Community Zoning District, Madrid Community Planning District, Pojoaque Valley Community District, San Marcos Community Planning District, US 285 South Highway Corridor Zoning District, Tesuque Community Zoning District, Galisteo Community Planning District, San Pedro Contemporary Community Zoning District, and Tres Arroyos del Poniente Zoning District
[Exhibit 4]

CHAIR ANAYA: Before you guys make this present can I ask – come on forward, because I’m going to ask you a question before we get into detail. Because when I saw this, I know there’s a desire to make sure that we have the planning committees established and the work we give them, but I also know that you guys have a boatload of work that we’re trying to work through associated with the code and the maps and all the other priorities that we’ve provided. So not taking anything away from these communities, are you guys putting yourselves in a difficult position by bringing forth this many committees and districts to establish right now, given all the work that we have in front of us, or that you have in front of us in particular that we’re trying to finish this year? I’m trying to be realistic. There’s a lot of work here in this resolution and I just want to make sure that we’re not biting off more than we should, given many of the things that we’ve already put on the plate of the staff. Maybe Penny should respond, Robert. I’m not against the committees, I’m just asking a pointed question. Given the magnitude and the load – we didn’t make the final determination on the maps and there may be other things associated with the code, so help me understand the timing of this now.

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, Commissioners, back in October the Commission asked us not to move forward immediately with the zoning map, to work with communities to their overlay districts, to create their zoning map portion and identify whether or not there were any changes in the plan. So in accordance with our Community Planning Ordinance this is what we would need to do in order to do that step.

CHAIR ANAYA: So this is the sequence that gets us where we provided direction before. Okay. That works.

MS. ELLIS-GREEN: So it officially creates committees to allow us to do that.

CHAIR ANAYA: Excellent. That works. Commissioner Chavez, you want to elaborate?

COMMISSIONER CHAVEZ: I would. Penny, I think we also were

encouraging the communities to develop their own community plans internally, with assistance from staff. We're going to incorporate those into the Sustainable Land Development Code, but have we given them a timeline to work within? Because I think we're hoping to adopt that within the next year, if possible.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Chavez these communities already have community plans. Most of them already have community ordinances. So what this process will be doing is we will be establishing the groups to be able to come back and review any amendments that are needed to the plans and writing their ordinances into Chapter 9 of the SLDC which will be their overlay.

COMMISSIONER CHAVEZ: So then are there any traditional communities that have not done any planning?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Chavez, yes, there have been and they are not listed in here. So all of these have either started a community planning process or have already done community planning. And those are the ones that we are trying to bring in immediately. If in the future another community wanted to come forward after the code is in effect then we would go through the regular community planning process with them.

COMMISSIONER CHAVEZ: Got it. That clarifies. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you guys and I appreciate the clarification. Mr. Griego.

ROBERT GRIEGO (Planning Manager): Good afternoon, Mr. Chair, Commissioners. This resolution will establish the planning committees for the 11 community planning districts listed in the resolution. Along with the resolution are maps for each of those community districts. As Ms. Ellis-Green pointed out each of those community districts are identified in the SLDC, Chapter 9. The purpose for establishing these committees, it will be, one, review and update the community plans as necessary, to establish the community district zoning for incorporation into the County official zoning map, and to establish community district overlays for incorporation into the SLDC amendments through the process that we are undergoing currently.

The planning ordinance, our Ordinance 2002-3 requires that planning committees be established by the Board of County Commissioners to initiate the planning process. The initial list of planning committees are identified and we can go through each of those planning committees. The Village of Agua Fria Planning District, the La Cienega/La Cieneguilla Planning District, Los Cerrillos Planning District, Madrid Planning District, Pojoaque Valley Planning District, San Marcos Community Planning District, the US 285 South Highway Corridor District Planning District, Tesuque Community Planning District, Galisteo Community Planning District, the San Pedro Planning District, and the Tres Arroyos del Poniente Planning District.

There was one planning district that we were unable to establish an initial planning district list for. That is the Valle del Arroyo Seco. We have initiated contact with them. We have one individual who has identified that they would like to complete this process and we are continuing our outreach in that area to establish a Planning District. Once we have done so we will come back to the Board for authorization to

initiate that planning process.

In addition to the packet material that you have we gave identified some corrections to the list that we initially submitted in the packet. There were some duplications in there. There was a planning district that had already been established for La Cienega and we inadvertently duplicated some of those members. We also had a couple of additions to the planning district list, so the updated memo with the planning committee list that Penny handed out will be the updated list [Exhibit 4] that we are requesting authorization for initiation of these committees today.

Staff has reviewed the planning committee list and has determined that there is an initial representative planning district. We will be doing additional outreach through this process and the process will be open for additional participation throughout the process. We will be notifying residents through a mailing that we are going through this process. We anticipate that this process will be completed in accordance with the SLDC text amendments, zoning map and community district overlays, which is anticipated to be completed by September of 2015.

If the Board approves this resolution establishing these planning committees we planned on having a kickoff open house next Tuesday, February 3rd here in the County Commission Chambers. We have alerted the planning membership that we will be having this meeting to provide information in regard to the planning process, the meeting parameters including the meeting schedules, dates and completion of the community plan amendment process. With that, Commissioners, I stand for questions from the Board.

COMMISSIONER CHAVEZ: Thank you, Robert. Commissioner Stefanics, you have a question?

COMMISSIONER STEFANICS: Yes, thank you, Mr. Chair. Robert, I'm looking at – I looked through all the grids. Do you feel that there's any community that is not well represented?

MR. GRIEGO: Mr. Chair, Commissioner, there are some committees that have four members but we anticipate that there will be more. We will be doing a mailing to each community and the process is open for membership throughout the process. So we anticipate that more people will participate in these committees and we do expect to be able to have a representative planning district through this process.

COMMISSIONER STEFANICS: Okay, and so, Mr. Chair, Robert, for those entities that do not have a community plan and they want to start the process, could you start publicly about where that stands? I've been contacted by an entity that wants to start one, which is a little bit different than the ones that have already been recognized.

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, at the current time as we are undergoing this process we are focusing our complete, 100 percent planning efforts to complete this process in accordance with the – to create these community districts as an ordinance amendment to the SLDC. At the time that we complete that process we will be considering additional applications. We also have a –

COMMISSIONER STEFANICS: The question was, what will you tell these people or what should the public know about starting any new community plan?

MR. GRIEGO: Mr. Chair, Commissioner, the process for establishing new community plans will not be until the culmination of this process which is anticipated to

be September so we would not initiate a process until much later this year in the fall at the earliest.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, the reason I'm asking the question is that I think that the public, if they have an expectation they just need to know what the workload is, what the process is, what the flow of work is with the existing community plans and the code. So they could start gathering their workers and look at the tenets of a community plan on line to start discussing it, correct?

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, we would like to work with the communities in initiating that process. That way they don't get off on the wrong track and go in a way where we have to – we do have a community planning ordinance in place, Ordinance 2002-3, the Sustainable Growth Management Plan also identifies a process for community planning, but it does require staff coordination through the process. So my response would be, again, we'd be better off initiating the process in coordination with the committees than having the communities start without staff. From my perspective.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER CHAVEZ: Any other questions, comments from the Commission? Okay, so we have a resolution that we're asked to consider. It's in our packet and we were also handed out – we were provided with a handout. So Robert, what would be the next step?

MR. GRIEGO: Mr. Chair, Commissioners, the next step in this process, once the Board approves this resolution establishing the planning districts then we would initiate the planning processes. We do anticipate a very intense process where we work with these communities over the next four to six months to identify any community plan updates, establish the zoning and create the community district overlays. So we would need to get this process initiated to complete the tasks within that time frame.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Do we already have a motion?

COMMISSIONER CHAVEZ: No.

COMMISSIONER STEFANICS: I will move approval of Resolution No. 2015-18.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: So we have a motion. We have a second. Any further discussion? Seeing none.

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

- III. D. 7. Resolution No. 2015-19, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant to Design and Construct Renovations to the Women's Health Facility in Santa Fe County/\$113,256**

MS. JARAMILLO: Mr. Chair, Commissioners, I'm bringing forward to you a request to increase the budget of the special appropriations fund 318 to budget or a grant that was given to us through special appropriation. The purpose of the grant is to design and construct renovations to the Women's Health building and I stand for questions.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion to approve, multiple seconds, Commissioner Chavez and Holian. Any further discussion? Seeing none.

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

III. D. 9. Resolution No. 2015-20, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant to Make Solar Energy Improvements to Fire Stations in Santa Fe County/\$182,000

MS. JARAMILLO: Again, Commissioners, this is a grant given to us and requesting a budget increase to the special appropriations fund. The purpose of the grant is to plan, design, construct and equip solar energy improvements to fire stations in Santa Fe County and the amount is \$182,000.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Motion to approve, Commissioner Holian, second from Commissioner Chavez and Commissioner Roybal. Quick question. Could you just list the fire stations? Do we know those? Mr. Aaboe's coming up behind you if you need some help.

MR. AABOE: Mr. Chair, yes. Craig O'Hare and I from Public Works worked with Dave Sperling and folks from the Fire Department and identified five stations. The Pojoaque station, the Agua Fria/La Tierra station, the Edgewood fire station, the new facility in Edgewood, Arroyo Hondo 2, the one out by the 285 cutoff and Turquoise Trail fire station. So we've identified those five stations as having significant electrical load and being appropriate for installation of solar systems so that's our expectation.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, just a comment here. I know there's been a lot of discussion about publicly owned electrical utility company and that seems

sort of far away. This is more do-able. It's more realistic. I think this is a good start and so I want to really thank staff for the work that they're doing and this is all grant money. Is that correct?

MR. AABOE: Correct. This is a special appropriation from the state.

COMMISSIONER CHAVEZ: So I think we're fortunate that we have access to that grant money and that we can do these smaller, onsite projects and maybe look at the bigger picture as we do these smaller projects. Thank you, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

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

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would also like to thank staff and I would particularly like to thank you for identifying a project in each district.

MR. AABOR: Is that what we did? Thank you.

CHAIR ANAYA: Thank you, Commissioners. Any further questions or comments?

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

III. D. 8. Resolution No. 2015-21, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a NM State Forestry Reimbursement and New Funding for Multiple Grants/\$406,711

CHAIR ANAYA: Chief, if you could just give us a brief snapshot before Ms. Jaramillo requests the resolution.

DAVE SPERLING (Fire Chief): Thank you, Mr. Chair, members of the Commission. This is a State Fire Council grant and some reimbursement for the Diego fire, which was a wildland fire that our personnel responded to last year. So in regard to the grant we received \$100,000 for the Edgewood fire district to purchase a mini-pumper rescue truck. We received \$28,400 for the Tesuque fire district to purchase ten SCBA tanks and ten sets of structural bunker gear. \$49,960 for the Stanley fire district to purchase a replacement water storage tank for the hydrant outside of Station #2 on Kinsell Avenue. A generator for Fire Station #1 in Stanley as well as some wildland PPE. We received \$100,000 for the Agua Fria fire district to purchase a training tower for training purposes and \$100,000 to purchase a mini-pumper rescue truck for the Galisteo fire district. I'll stand for any questions.

CHAIR ANAYA: Awesome, Chief. Thank you. Ms. Jaramillo.

MS. JARAMILLO: I think the chief told you everything you need to know about the grant so my request would be that you approve the budget increase to the fire operations fund in the amount of \$406,711 to budget for the awards the chief spoke of as well as the State Forestry reimbursement for the Diego fire in the amount of \$28,351.

COMMISSIONER STEFANICS: I'll move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Stefanics, second from Commissioner Chavez. Any further discussion? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Chief Sperling, tell me a little bit about this training tower and propane burning building. Will that be a permanent fixed building on its own foundation or how does that work?

CHIEF SPERLING: Mr. Chair, Commissioner Chavez, what we're looking at is the purchase of a containerized system that's built offsite and delivered to the site. It sits on concrete pads and serves as a burn building for training purposes as well as search and rescue. So it has configurable spaces inside to make it difficult for search and rescue purposes. They're fairly common throughout the country. The one we're looking at in particular, made in Arizona but we haven't gone out to bid or anything like that yet, of course.

COMMISSIONER CHAVEZ: So the building or tower itself doesn't have any combustible material. It's the components and things inside the building.

CHIEF SPERLING: Mr. Chair, Commissioner Chavez, that's correct. It's a steel container, basically, that's retrofit with windows, doors, ventilation spaces and configurable interior training props, and then you either use propane or Class A combustibles like firewood to construct a fire inside the building portion that's allocated to burning and it creates smoke and heat conditions similar to what firefighters might encounter in a regular structural fire. So it's used for our volunteers as well as our career fire academies and then ongoing training for both volunteer and career staff.

COMMISSIONER CHAVEZ: And just to take it a step further, where will the building be situated? Where will it be located?

CHIEF SPERLING: Commissioner Chavez, we're looking at the fenced in area to the east of the station where we currently have an existing burn building which we anticipate removing and replacing with this containerized system.

COMMISSIONER CHAVEZ: And that's the corner of Siler and Agua Fria, right? Is that the fire station?

CHIEF SPERLING: It's off of County Road 62.

COMMISSIONER CHAVEZ: Okay. So it's moved.

CHIEF SPERLING: Right at the Agua Fria main station.

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

CHAIR ANAYA: Any other questions or comments?

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

III. D. 10. Resolution No. 2015-22 a Resolution Requesting a Budget Increase to the GOB Series 2013 Fund (351) to Budget Approved and Unbudgeted Funds for General Goodwin Ranch Road Improvements/\$1,387,762

CHAIR ANAYA: Before we get into the next resolution I would ask my colleagues for the ability to make the motion on this when we get to it and I would request that Commissioner Stefanics, if you'd make the second I'd appreciate it.

MS. JARAMILLO: Mr. Chair, Commissioners, this resolution is being brought forward to budget general obligation bonds that were sold in 2013. Back on July 31, 2012 the BCC authorized the budget of \$1.5 million of the GO bonds that were being sold to design and construct drainage and paving improvements to General Goodwin Ranch Road. \$112,237 has already been budgeted and this request is to budget the remainder of that \$1.5 million to continue with the project.

CHAIR ANAYA: Thank you, Ms. Jaramillo. Mr. Martinez, if you could come forward, Robert Martinez. If you could come forward briefly. This particular road was the road that was devastated relative to the flooding that occurred in a prior year and Mr. Martinez, if you could just provide a brief snapshot of where we're at with the project and where we're headed, I'd appreciate for the public's edification and for ours as well.

MR. MARTINEZ: Mr. Chair you're correct. A couple Septembers back this road was flooded out and closed to the residents going in or out for several days. We had multiple crews out there trying to deal with the standing water, the mud. We even had equipment that was stuck. We had to get assistance from the National Guard. But my understanding is this is a project that's within the Projects section but my understanding is that Miller Engineering is under contract to design improvements and our priority is to deal with the drainage first and then deal with any surface improvements thereafter.

I know we've been working with the DOT to address the drainage that is coming off of State Road 14 to carry that drainage south on 14 instead of going down General Goodwin Ranch Road as it currently does. The County's also been working with the NMDOT to possibly include a drainage structure under the railroad tracks that would allow the drainage from Rainbow's End that intersects with Goodwin Ranch Road to flow through, underneath the railroad track and get to the Galisteo Creek. So that is my understanding of where we're at at this point.

CHAIR ANAYA: Thank you, Mr. Martinez. So it's a work ongoing and in progress but I appreciate the update that you provided. I would move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Motion to approve, second by Commissioner Stefanics. Any further discussion?

COMMISSIONER CHAVEZ: Congratulations.

CHAIR ANAYA: Thank you. Seeing none.

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

III. D. 11. Resolution No. 2015-23, a Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute

MS. JARAMILLO: Mr. Chair, Commissioners, this resolution is a request to authorize the disposition of some fixed assets that need to be disposed. This is scrap metal from the Corrections Department that has become obsolete or is damaged and we're requesting that we dispose of that.

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

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER HOLIAN: Second.

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

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

III. D. 12. Resolution No. 2015-24, a Resolution Amending Resolution 2013-61 to Clarify Policies for County Owned or Leased Community Centers

ANNA BRANSFORD (Community Services): Good evening, Mr. Chair. Today we're bringing forth an amendment to the Current Community Center Resolution No. 2013-61. We are amending that resolution to add in the new Max Coll Community Center that is currently under construction in Eldorado as well as the Stanley Cyclone Center to the list of the community centers that are currently listed in the resolution. We are also amending the current resolution to delete Section 6 of Exhibit A and replacing that language or amending that language.

CHAIR ANAYA: Questions or comments? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval and wait for discussion.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion and a second by Commissioner Holian. Discussion, Commissioner Stefanics.

COMMISSIONER STEFANICS: This – the sections that are being deleted, could you just identify – you don't have to read them out loud, just identify for the public what those are.

MS. BRANSFORD: It was current Section 6 of Exhibit A, which was the prohibited activities section of the current resolution.

COMMISSIONER STEFANICS: So that's being deleted?

MS. BRANSFORD: Yes.

COMMISSIONER STEFANICS: Okay. Thank you very much.

COMMISSIONER CHAVEZ: But Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Commissioner Stefanics, it's being deleted but there's new amended language to replace the old language.

COMMISSIONER STEFANICS: I understand.

COMMISSIONER CHAVEZ: Okay.

CHAIR ANAYA: Any further discussion?

COMMISSIONER CHAVEZ: I think we should read that new language into the record.

CHAIR ANAYA: Go ahead, Commissioner.

COMMISSIONER CHAVEZ: All activities that are illegal under state, federal and/or Santa Fe County ordinances are strictly prohibited in County-owned or leased community centers and the County-owned or leased property upon which those centers are located. The use of alcoholic beverages is strictly prohibited and the community centers are also smoke-free facilities. So that's the new language.

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

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

III. D. 14. Resolution No. 2015-25, a Resolution Directing the County Manager to Assess any Unique Infrastructure and Service Needs of the County's Wildland-Urban Interface Areas as Well as Funding Options to Meet Those Needs

COMMISSIONER HOLIAN: Thank you, Mr. Chair. We know that the wildland-urban interface areas in Santa Fe County are particularly vulnerable to out of control wildfires. And it's not just about a loss of homes and residences. There are a lot of roads in those areas that are one way in, one way out, difficult to evacuate and people's lives could even be at risk. Now, most of the wildland-urban interface areas are in District 4, I admit and that's why I've been so concerned about this issue ever since I've been on the Commission, but also I will note that District 3 has areas, for example, the San Pedro area. District has a number of wildland-urban interface areas – Tesuque for sure and other places in the northeastern part of the county.

So we do know how to decrease risk but it's important to be pro-active, to be out in front. And the purpose of this resolution is to determine, to assess the unique infrastructure and service needs of the wildland-urban interface areas due to the risk of wildland fires and what kinds of funding options might be available for us to do something about it.

I think it's very important for the County Fire Department and the Roads Department to partner and to be able to partner with private homeowners, state agencies, non-profits and business that in fact do fire safety remediation projects. It really is vital that we all work together on this and figure out a plan. So that is what this resolution is attempting to do is to come up with a plan and a policy. So Mr. Chair, I move for approval.

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

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez and Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I have a couple of

questions. How is this going to – well, this seems to me a rather large task in that the staff would be needing to coordinate information on state and federal resources that would also come into wildland interface.

COMMISSIONER HOLIAN: Commissioner Stefanics, I believe that's true. Perhaps our Fire Chief could comment on what this might mean for staff.

CHIEF SPERLING: Mr. Chair, Commissioner Stefanics, Commissioner Holian, dealing with wildfire risk, the wildland-urban interface does truly involve not only County staff, County efforts, County funding but also multiple other jurisdictions including federal and state agencies. So it would be a task that we're not unfamiliar with. We have done a lot of this initial work looking at what resources are available across the spectrum to deal with some of these issues. And as I was talking with Commissioner Holian a little earlier, a big player in assessing risks and mitigating these risks in the urban interface are the private property owners and that involves primarily federal grant funding options, and so bringing all that information together would be challenging but worthwhile and as I say something we're not unfamiliar with.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: Other questions or comments, Commissioners? We have a motion and a second on the floor.

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

CHAIR ANAYA: Just an additional comment. I appreciate work in the wildland interface areas. I have parts of the east side tracts on Lamy, Cerrillos, New Mexico Galisteo, Ojo de la Vaca, San Pedro and Golden, so a lot of wildland interface areas in District 3 for sure. So, thank you, Commissioner Holian, for this resolution.

III. D. 15. Resolution No. 2015-26, a Resolution in Support of the Regional Coalition of LANL Communities Resolution Concerning LANL's Environmental Mitigation Master Task Order Agreements and the Environmental Mitigation Work Related to those Agreements

COMMISSIONER ROYBAL: On this resolution they are asking for support to go to Washington, DC to actually get funding that was cut out from the LANL's budget for the mitigation of hazards that are contamination that's in the ground and I feel that it's imperative that we support this to clean our environment. This was created in the early years of the laboratory and it's a chromium cleanup and other contamination that they're trying to clean up, so I would like to have this approved. I'd like to make a motion to approve.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion to approve, second from Commissioner Stefanics and Commissioner Chavez. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes. I'm going to read one Whereas and maybe make a comment or two. The Regional Coalition of LANL Communities, on the second page there's one Whereas that really stands out for me because we're in a hiatus right now where the nuclear waste from Los Alamos is not being transported because of issues in Carlsbad. So during this time period almost all of the environmental work at Los Alamos National Laboratory has stopped and that's not good for our community. And so that cleanup needs to continue and as Commissioner Roybal pointed out, the funding for that cleanup has to continue.

And I often wonder, Los Alamos is blamed for stopping the Waste Isolation Project, and that's a separate contractor and I'm wondering who has oversight of that contract – that contract and that contractor. So I just raise that as a question because I think it's unfortunate that New Mexico is being blamed for that if it's not true, if it's not accurate. So I kind of second-guess that just a little bit.

But having said that, the funding and the cleanup needs to continue, irrespective of what happened, who the contractor was or who dropped the ball. That needs to continue.

The other thing that I think needs to happen is that during this time period where we know that the nuclear waste from Los Alamos, the cleanup is not happening, I don't know – it would seem to me that this would be a good time to focus in the 599 corridor and see if we could make any improvements that are needed along that corridor in this timeframe now that we're in sort of a hiatus. And so I just wanted to point that out for the record and hope that we could use this resolution and the opportunity to put pressure on our federal government to address the cleanup issue in what's called the legacy waste in Los Alamos and deal with that 599 corridor, which in fact is the WIPP route. Thank you, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

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

COMMISSIONER HOLIAN: Thank you, Mr. Chair. One of the Whereases in the Regional Coalition resolution caught my attention too, in fact I underlined it. And it says, To date, the contracts have not been used as expected, bidding opportunities have been few, and most of the companies awarded the contracts have been forced to lay staff off because lack of environmental work. Was there any discussion as to why this is happening? Is it purely funding?

COMMISSIONER ROYBAL: They did lose some fees and they were charged for the barrel leak that they had. So that was where they lost some of their funding and then because they got that rating they lost some of their funding.

COMMISSIONER HOLIAN: Does it also have to do with management of the program up there?

COMMISSIONER ROYBAL: From my understanding it was actually, it was a small – they basically changed a cat litter that didn't react well to the chemical that was in the barrel which caused the leak. Is that what you're asking?

COMMISSIONER HOLIAN: Well, I was just wondering if the reason work hasn't proceeded on other environmental cleanup issues, whether that has to do with management of the program as well as funding.

COMMISSIONER ROYBAL: Yes, they are stepping back to look at what they need to change to make sure this doesn't happen again.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR ANAYA: Thank you. Other questions or comments? Just my brief comment is absolutely, we need to support the cleanup but we also need to be cognizant of the economic impact of the national labs and support the cleanup but also ongoing work and activities on the hill for many, many, many people and for the economy, it's important that we have our national lab functional. So there's an obligation that they need to do cleanup but we also need to be supportive of maintaining our labs and making sure that they are producing jobs for our economy. Thank you very much. If there's no other questions or comments.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR ANAYA: Is there anybody here that would like to address the Commission? Sammy? No? Anybody? Okay. We'll now close Matters of Concern.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting Awarded to Santa Fe County for Fiscal Year 2013

MS. MILLER: Mr. Chair, I'd like to actually present this even though Teresa is the one who put the memo together, because it actually is a recognition of some things we talked about earlier, relative to our Finance Department. So the Santa Fe County Finance Division received the Government Finance Officers Association certificate of achievement for excellence in financial reporting for its comprehensive annual financial report ending fiscal year June 30, 2013. So the audit that you approved earlier today was fiscal year ending 2014. But about – simultaneously at the time that we were finishing up that audit and getting it finished with the auditors and approved by the State Auditor we were sending it off for review for this particular award.

So the one that you approved earlier we have sent off for the award for the subsequent year but we just found out at the end of last calendar year that we received the award, the certificate of achievement, for fiscal year 2013's financial report. And I just want to say that beginning in fiscal year 2011, so the fiscal year that ended June 30, 2011, the Finance Division started submitting the annual CAFR to GFOA for review for this award. And it was also the first year that Santa Fe County had ever done its own financial reports. Typically, the auditors will put them together, but we started doing that in house and this staff in the Finance Department made an incredible accomplishment that year and they received the certificate of achievement, which typically does not happen in your first year of submitting.

And so they did, and we received an award that year, and then they submitted

again at the end of 2012, and received a little gold medallion for that year as well, and submitted in 2013, and this is the award, we got the gold medallion for our 2013 financial report. So I would just like to congratulate the Finance Division for all their hard work. As I said earlier, they really roll up their sleeves and if it's not part of their job they learn it and help each other to make sure that the whole County and that Finance Division get the certificates of achievement on a national level.

And just to give you a little bit of what this certificate is, this is a letter from GFOA that says, Each entity submitting a report to the certificate of achievement review process is provided with a summary of grading form and a confidential list of comments and suggestions for possible improvements in its financial reporting techniques. So they send them a list and each year they've taken that list and implemented those changes and submitted for another one, but when they submitted the 2013 audit the certificate that they received today, this certificate of achievement is the highest form of recognition in governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management.

So I would just like to congratulate Finance Division, particularly Teresa, Carole and Sam for all their efforts, and we have the rather heavy plaque with another notch on it as well as a certificate to the department. So I just wanted to provide these to you to give to the Finance staff. Thank you, Mr. Chair.

CHAIR ANAYA: That's awesome. Commissioner Holian, do you want to make a few comments?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Yes. Congratulations, Teresa, Carole and Sam and to the whole Finance Department. I am very proud of our Finance Department. I want you to know I brag about you to my constituents all the time.

CHAIR ANAYA: Commissioners, other comments?

COMMISSIONER STEFANICS: Mr. Chair, I mentioned earlier that although we have excellent staff, we'll want Teresa to come back every year. Thank you.

CHAIR ANAYA: Good job. Awesome. I think what I'd like to do, Katherine, is bring these forward at the beginning of the meeting when we have other recognitions there so that we can – and I'll let you do those presentations, but excellent work, but let's go down and present and take a picture and then we're going to take a five-minute break before we keep going forward.

[Photographs were taken.]

[The Commission recessed from 5:40 to 5:50.]

CHAIR ANAYA: We'll go ahead and move back into session. Is there a motion to come back into session?

COMMISSIONER CHAVEZ: Mr. Chair, I'll make a motion to go back into session for our regular BCC meeting.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion and second.

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

CHAIR ANAYA: I think what I'm going to do if it's okay, Commissioners, is I'm going to hold that Matters from the Commission and go to Matters from the County Manager, Legislative Update.

MS. MILLER: Actually, Mr. Chair, we have one item for Adam and that was an update on the rural water system policies and the individual system acquisitions.

CHAIR ANAYA: Actually, what I'm going to do is we also had I think one item for Greg Shaffer. Was he going to make some comments on the resolution? Let's do that first and then we'll go to you, Mr. Leigland.

III. D. 2. Resolution No. 2015-13 [cont. from page 37.]

MR. SHAFFER: Thank you, Mr. Chair. This is relation to the resolution establishing the Transportation Advisory Committee. Just procedurally, the Board approved the resolution subject to some amendments. So maybe a motion to reconsider, just to go back to that item and make sure that the language that staff came up with actually comports with the will of the Board. And then secondly, as we look through the resolution in light of the change we realized that one additional change may be in order so that we have staggered terms that are more evenly split 50-50.

So what I'd like to do is pass out a redline of the resolution [*Exhibit 5*] that shows all of the changes that we believe the Board directed us to make as well as the one additional change which would have the initial terms of two years be from Commission District as well as Commission District 4 [sic], and again, that change was in order to capture so that we had one of the three-member Commission districts as well as one of the two-member Commission districts plus that at-large member, so that you would actually have staggering of terms of six and seven members going forward, so that you would have huge swings and membership changes.

CHAIR ANAYA: So let me back up. Let me help out here. I'd entertain a motion to reconsider the resolution for the Transportation Committee. Is there such motion?

COMMISSIONER HOLIAN: So moved.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion by Commissioner Holian, second by Commissioner Chavez. So now under reconsideration, Mr. Shaffer has passed out language that provides for staggered terms and also provides additional clarifying language regarding the resolution. Is there questions of Mr. Shaffer?

COMMISSIONER CHAVEZ: The only thing I would add, Mr. Chair, is there's also language stating that the committee shall meet no less frequently than quarterly at regular dates and times established by the committee and no more frequently than one per month as needed. So that was also clarified.

CHAIR ANAYA: So there was a motion to reconsider. Is there a motion now to approve the amended language?

COMMISSIONER CHAVEZ: Mr. Chair, I would make a motion to approve the amended Resolution 2015-13.

COMMISSIONER HOLIAN: I'll second that.

CHAIR ANAYA: There's a motion to approve the amended Resolution

2015-13 from Commissioner Chavez, second from Commissioner Holian. Is there any further discussion?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Do we not have to rescind 2015-13 and then make this a new number? We voted and it's in the record.

MS. SALAZAR: Excuse me. You voted and amended it with the idea to come back with the language that the County Attorney would bring back to you.

COMMISSIONER STEFANICS: Did we change anything substantially?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, what's in front of you is what you directed us to change. So again, this incorporates all of the amendments that were voted upon by the Board, but some of the things that we were directed to do there was not actually language associated with that so this is bringing back specific language that you had directed us to do. The only additional change relates to the staggering of terms. That's procedurally where we're at.

COMMISSIONER STEFANICS: So Mr. Chair and Mr. Shaffer, if we've already voted on 2015-13 shouldn't we just affirm this language rather than vote on the resolution again?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, I think either course would get you to the same place. And so the reason we suggested it as a motion to reconsider, because there was one additional change, which is again the staggering of terms which the Board had not acted on before. So that's why we suggested that it be a motion to reconsider, because that was a new item that the Board again had not directed staff to consider. It's something that we noticed in implementing the Board's other directory changes.

COMMISSIONER STEFANICS: Thank you.

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

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

V. A. 2. Update on Rural Water System Policy and Individual System Acquisitions

MR. LEIGLAND: Mr. Chair, Commissioners, to remind you, it's about two years ago the Commission passed a policy establishing a process to acquire rural water systems, and then over the intervening time three systems have availed themselves of that policy. So staff has been working with these systems over the time but we felt it was appropriate to come back to the Commission and provide an update on how these three acquisitions are going and then also inform the Board of some of the issues that have arisen as we've pursued these acquisitions.

So just a little bit of history. The Commission approved a policy, Resolution 2012-58, in April 2012 and that essentially said that systems can be acquired by the County, be absorbed into the County utility and become normal County customers in exchange for essentially donating their infrastructure and their water rights to the County. In April of 2012 the mutual domestic at Cañoncito came to the Board and requested to be

acquired by the County under this policy and that was approved. Then in September 2012 Chupadero came and asked to be acquired, and then in 2013 Hyde Park Estates came and asked to be acquired.

And so just to remind you, both the enabling policy and then the resolutions that started the acquisition process for those three systems are all in your packet material for review.

But also in 2012 a lot of the systems came to the Commission and asked that that policy be expanded and in fact the Board directed staff in early 2013 to go back and expand and revise that policy. And so we undertook a pretty long and extensive process to expand that policy and an expanded draft policy has been created. But that policy has not yet been brought to the Board for approval because we wanted to test run it, so to speak, as we went through these three systems to see if there's anything that we missed, and actually at the end of it I'll talk about some of the things that we did miss and some of the things we'd like to incorporate in that before we bring it back.

So let me just turn to the individual systems and tell you where they stand right now, and I'll begin with Chupadero. We actually are probably the closest with Chupadero just sort of by accident of timing. We're very close. We conducted a due diligence report. We've established what the assets of the system are. We have a pretty good idea of what the condition of those are. We know how many water rights are involved. We know what the customer base is. We know what the service area is.

What we have found though is that the system did not have any easements for the infrastructure, either in County land or in private land, so we are now working with that to get those easements established. Actually, this Board has already seen the initial efforts of that. If you recall there was an action brought to you with a private landowner deeding a water tank and a waterline easement straightened out on his property in Chupadero. So that is the beginning of that process that I'm mentioning. Now, what we're doing is finding out where all the individual waterlines are, see whose property they're on, the tanks, the wells and what not and establishing all those easements and getting that all cleaned up before we can bring it back.

Our plan is once we get that straightened out and we're ready to bring a purchase agreement to the Commission for approval, that purchase agreement essentially has been drafted, we will immediately then go and do work to make sure that the meters work so we can actually take them on as customers. We're calling that an improvement contract, phase 1. Install the meters, fix any kind of valves, and make them immediate County customers. We know that down the road we're going to have to do a larger improvement process, probably develop a new well – I say probably – definitely develop a new well and maybe do some other improvements.

So if everything goes well with the easements, we don't expose anything in the environmental assessment, we anticipate that the purchase document, the purchase agreement can be brought to the Commission for approval in July. That's our tentative schedule.

I'll skip ahead to Hyde Park Estates. Hyde Park Estates is also very close. This is a water cooperative, not a mutual domestic, a slight difference legally but we've done our due diligence inspection there. They have easements and now what we're doing is we're actually evaluating the easement documentation they've give us. It actually was a stack

about this high, because every individual property owner had his own easement.

They also have – there is a small matter of a loan they have with NMFA. We're trying to figure out the disposition of that loan upon transfer, and then there is one slight – one waterline that doesn't have an easement and we're actually trying to get that sorted out as well.

So again, assuming that we get those things worked out we are anticipating a July of this summer to bring the purchase agreement. In both those cases we've been in close contact with the board. I personally met with the board of Chupadero in early December and I met with the board of Hyde Park Estates just last week, so we're keeping them apprised and working through it.

Finally, Cañoncito. This was the first one that we did adopt but this one has been the longest, partly because they had an ongoing grant with the Water Trust Board and the Water Trust Board was worried about the assignment of that grant, so they've asked us to take that into consideration as we've worked that process. This system has the advantage that this Water Trust Board grant I just mentioned is actually to design internal improvements. So we already have a better idea through that process of what the system is. Easements is something we're still working out as well.

We do know that there's some water right issues involved in that system too that we have to worry about. The water supply for this system is going to be the TL6-2 water line. The Commission well knows that we've been working on that for some time. We're getting very close to bringing that waterline and that will be the source of supply, and that will allow us to sidestep some of the supply issues that they're currently facing.

So this one is the farthest but we are working on it and we did meet with the Canoncito board most recently on January 7th. So all three of the groups are being kept apprised. Actually being very involved I think they would all like to see this move a little bit faster but we want to make sure that we do it correctly. We don't want to inherit any liabilities or any future problems for the County.

So if there aren't any questions about those three individual systems I would just like to move on to some of the things that we've identified that we think we need to incorporate in new policy. One of the things is as I've already mentioned, easements. We did not anticipate that easements would present such a challenge and would be such a time-consuming process to solve. We think we need to incorporate in our policy more explicit language about easements and maybe prepare the systems to start thinking about this when they come to the County to take advantage of the policy instead of really, kind of after we've already done the due diligence inspection.

The assumption of the loan, I already mentioned that. We're not really sure how those are going to be transferred. Also the Hyde Park Estates has a capital reserve and their by-laws – they have to interpret their by-laws to figure out how they have to dispose of those funds as well. So we've been working on that. That was what our meeting last week's was about.

Standby fees – standard County policy is to assess standby fees to undeveloped lots that have a waterline in front of them and that's essentially a reservation fee to ensure that that capacity is available when that landowner chooses to develop. But we're going to be going into mutual domestics where there are people who live in a service area who have a water system line in front of their house and they've never chosen to join a mutual

domestic, because mutual domestics don't have the power to compel hookups. And so the board will have to decide, do they want to apply the utility policy elsewhere in our utility service areas to these new mutual domestics and essentially have people who have the opportunity to hook up in the future start to pay standby fees.

The due diligence reports that I mentioned, we've done three of them so far and I think we've learned a lot about what is actually necessary in the scopes. We think that we've maybe not asked for enough financial information and maybe we need to ask for a little bit better asset management because we've gotten these reports, they've been really helpful tools but maybe we need to ask a little bit more from them.

We just want to prepare the systems for cultural changes. As you can imagine, it's going to be a cultural change to move from being served by your neighbors and friends on a board to what is essentially a faceless utility. We know that a lot of mutual domestic practices will probably be unable to be continued in terms of the way bills are managed, just because they're going to be joining a larger utility. I think everyone understands that; we've talked about it a lot with the boards but we just want to prepare that there might be some cultural changes once they join this larger utility.

We're a little bit concerned about how the utility is staffing. We're not taking on absolute large numbers of customers, probably between all three of those of those systems we're looking at an additional 200 customers, but if you can visualize the service area now for the county it's going to be a lot of driving around that we're going to have to do. And so we're just going to monitor closely what our staff productivity is with this dispersed service area.

And then finally we know that these systems, even though they will be revenue sources in the short term they will probably not be financially self-sufficient for some time after we have to do the needed capital investments, so we just want to be cognizant of their effect on the utility as an enterprise fund.

So next steps, we're continuing the processes. These three, we're quite close to two. Actually we're pretty close to all three but I think two that we'll be able to see in this calendar year rolled in with these purchase agreement. And so again, I just wanted to give you a quick update, just to remind the Commission that this is still ongoing and that also that we'll be seeing probably three in the next six months, probably three large approval items brought to you with relation to this policy.

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

CHAIR ANAYA: Questions of Mr. Leigland?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I just have a comment. I think there's nothing like going through the process to figure out ways in which you can improve the process. I think also that the initial recommendations you made for changes to our policies and procedures and so on all seem to make sense as far as I'm concerned. So anyway, thank you for your hard work and report.

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

COMMISSIONER CHAVEZ: I thought of something, Adam. When you talked about cultural changes, do you see – because I don't know how these mutual

domestics, what their water rates are like, if they're comparable to our water rates or not and of course their billing system must be different, so how do you see that playing out?

MR. LEIGLAND: Mr. Chair, Commissioner Chavez that's a great question and that's actually one of the big things we're worried about. We think that with Hyde Park Estates, their water rates under the County are actually going to be lower. With Chupadero they don't have a graduated rate structure the way we do so I'm not really sure what their rates are going to be because we don't have an idea of usage. They have flat fees; we have a usage based fee, though I think we can probably assume that their rates will be slightly higher once they join the County utility.

COMMISSIONER CHAVEZ: And will those rates equalize over time as they're in the larger system for a longer period of time?

MR. LEIGLAND: Well, Mr. Chair, Commissioner Chavez, the idea now is – we're anticipating that there will probably be a 60- to 90-day transition period once the purchase is finalized, just because we'll have to build customer accounts, we'll have to take into account aligning with billing cycles. For instance, Hyde Park Estates bills only quarterly. We bill monthly. We'll have to make sure we align those things. So there will be transition period but ultimately they will be paying the normal County water rates. And they've seen those rate schedules; they know. So I think a lot of customers know that right now they're not paying the true cost of their service. They're relying on volunteer help and they realize that's probably unsustainable.

COMMISSIONER CHAVEZ: Okay. Thank you. Thank you, Adam, Mr. Chair.

CHAIR ANAYA: Other questions or comments from Commissioners? Seeing none, Adam, I want to absorb a lot of what you said. I still have some questions and thoughts associated with mutual domestics that – La Bajada comes to mind, which we're still trying to figure out what we might be able to do there. But rates I think is a big issue and I think we do need to have some consideration on mutual domestics. I know Galisteo mutual domestic went to a base rate plus usage so it's a combination system. So there may be some gradual steps and in some of the outlying areas it may not make sense to have this same exact rate schedule and there may need to be a lower rate schedule that accommodates for expenses but doesn't go all the way to people in the urban area system may have access to. So I guess I'm going to wait and see. I want to have some individual discussions with you specifically on some of the requests that you had today or the thoughts and then also the discussion on mutual domestics and our resolution where they don't fit into a County takeover, if you will, of the system. Maybe takeover is a little harsh but a County transition of the system. So that's all I have, but I appreciate the information. Thank you.

Ms. Miller, I think we're going to hold the Commissioner issues for now and go to legislative update.

V. C. Matters from the County Manager

1. Legislative Update

a. Discussion, Direction and Possible Action on Proposed or Pending Legislation

MS. MILLER: Mr. Chair, I'm going to turn it over the crack legislative team of Tony, Tessa, Hvtce and Rudy, since they're on top of it all.

MR. FLORES: Mr. Chair, before the A Team gets started, we passed out a handout during one of the breaks today. [Exhibit 6] And if you could, there's a couple of things. We made sure the agenda had the item on there that there could be direction on proposed legislation so we passed out the reports, but I wanted to address the section or the tab A. As you're aware the Association of Counties had some priorities that they brought forward on an individual basis that the Board acted on late last year, late 2014. One of the items was dealing with the support for creation of a public land task force, and that was one of the items that the Board chose not to support at that time.

At the NMAC meeting last week Ms. Miller was provided a discussion draft of a potential change to that memorial and we've included that in your packet for your review and possible direction if you were in support of that item.

The other item, behind tab B, Mr. Chair, you indicated earlier when you were discussing the SLDC and the many meetings that staff undertook, at that time there was some discussing about possibly looking at a change in the act that defines where the Board of County Commission can actually hold their public meetings at, their Commission meetings at. And we ran into that issue when we were going through the community meetings that were held by staff out in the community and it was difficult for us to try to find a location that met the criteria of being a public building owned by the state, the County or public schools. And that precluded us from being able to use certain venues for those community or public hearings.

Based upon that discussion over the summer – July, August and September, Mr. Shaffer has created a simple, one-pager that we feel would clean up the act by removing that stipulation that it has to be in a state, County or a public school building to hold our meetings. And if the Board desires, we would be looking at potentially dropping that piece of legislation with a delegation member or members. And we have not identified who that may be or what process that would take, but from staff's perspective this would be one of those items that there wouldn't be a lot of controversy on because I would assume that other counties have faced this similar situation. So I just wanted to point your attention to tab A and B and look to see if there's any discussion on those two items.

CHAIR ANAYA: Commissioners, I don't see any harm in seeking to utilize alternate venues. I wouldn't hold my breath over any particular piece of legislation but I think this is a simple potential fix that gives us the potential to access other types of buildings that we might be able to utilize and have meetings. That's my take.

Commissioners? How do you feel, Commissioner Roybal?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I'm in agreement with that.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you. We need some flexibility I believe in our outreach to the public and it's hard to expect everyone to come to this building. There's a lot of distance between us and them sometimes. So if we can go to the public, it's going to be more work for staff. I know staff has been doing that already. This

was just validated a little bit more, right, Tony?

MR. FLORES: Mr. Chair, Commissioner Chavez, I think it would allow the Board to hold meetings in venues that would be appropriate for the type of meeting. For instance, we've had some public hearings where we've had an extraordinary amount of constituents come in and want to meet with the Board during a public hearing and being dictated on the size or the ownership of that building, to be able to hold those public hearings in, those community meetings, is difficult at times. And I think this would allow us and the Commission greater flexibility in that.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: My comment would be that if we are going to investigate this there still has to be some kind of information dissemination, so video, audio, something. By moving the meeting you basically cut off other individuals from hearing and seeing what's going on. Thank you.

CHAIR ANAYA: I guess, Commissioner Stefanics, if you live in the Santa Fe area that's true, but right now, my constituents in the southern part of the County don't have that access. So help me understand that. Right now this meeting that's happening right now today, they don't have access to that.

COMMISSIONER STEFANICS: They have web access.

CHAIR ANAYA: People that live in the proximity.

COMMISSIONER STEFANICS: They, to my understanding, and I'm happy to be corrected by IT, or whatever.

CHAIR ANAYA: Some people don't have internet, a lot in the rural areas.

COMMISSIONER STEFANICS: I understand. But if they're in an internet area they can sit and watch us live. I have individuals out in Eldorado who could in fact get it other ways but they watch it on their computers as they're doing other things at night. So technically that is available to anybody in an internet area. I understand about the radio and the public TV. I don't get Channel 16, so if there was anything on Channel 16 it wouldn't come to me, but I do think there needs to be an attempt at some kind of public information dissemination to those people who are not there.

CHAIR ANAYA: So – and I just want to make sure I understand it, Commissioner Stefanics. So if we recorded a meeting and then rebroadcast it, would that constitute providing access to the public? Because one of the challenges, and I know the Manager has expressed this to me is having real time, live information all the time, it just sometimes isn't realistic.

COMMISSIONER STEFANICS: Well, Mr. Chair, right now with real time broadcasting, no one can really respond to us anyway, so all we're doing is giving them information. If we give them information so many hours later or the next day I think we're accomplishing the same goal but it still has to get to them in their area.

CHAIR ANAYA: Thank you, Commissioner. Any other comments? Ms. Miller.

MS. MILLER: Mr. Chair, we do, based on our resolution, no matter where we have the meeting, whether it be in here or if we've had it out in the county at other County facilities, we have tried to make sure that we get it at least online and on the TV, because our resolution, wherever possible, that's a main goal. This piece of legislation,

what we're just hoping is to be able to broaden it so for instance, you could use a municipal facility. Because right now, technically by statute, the County Commission cannot hold a meeting in a City facility.

So it was just to open up the types of facilities that any county could have a Commission meeting.

CHAIR ANAYA: Here's another one, and I appreciate that clarification. In the southern part of the county, the Moriarty-Edgewood School District is the school district. It bisects Bernalillo County, Torrance County and Santa Fe County. And if we're talking of an issue of regional concern, and this body would desire to go down there, we have one of the nicest event centers in the state of New Mexico that could hold a meeting if we needed to, if it was a regional concern in that area or that affected southern Santa Fe County in a great way, and that's right in the Moriarty-Edgewood property, but it's in Torrance County.

And so things like that are also areas where I would say, if you have to have it in Santa Fe County and it's right on the county line but you don't have the facility for it, but there's a gorgeous facility that could accommodate our need, that's the other side of the coin as well for me, that we would have that type of latitude to at least consider. I appreciate the feedback. Do we need a vote, Mr. Shaffer, or what do we need to do?

MR. SHAFFER: Yes, Mr. Chair, I believe that direction, if you want staff to pursue any particular legislative initiative the form of a motion would be appropriate. And it has been noticed that the opportunity is here for the Commission to take action by giving that direction.

CHAIR ANAYA: So I'm going to take a stab at it and I'm going to say I move that we carry forward the proposed legislation and find a sponsor, and that we accommodate the concerns raised by these Commissioners, all associated with the delivery and communication of information from that meeting, and that that be part of the communications to any potential sponsor that might carry it. And I'd hope for a second.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion, second from Commissioner Chavez. Any other comments? Seeing none.

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

CHAIR ANAYA: Mr. Flores, on the first one, could you clarify something for me? I know we had concern about the initial piece of recommendation, legislation if you will from the Association. We did pass a modified one? Did you say that?

MR. FLORES: Mr. Chair, no. I apologize. The Board did not pass a resolution in support of this resolution. Remember, there was different resolutions that were brought forward and if I can I would defer to Commissioner Stefanics. But we had individual resolution actions for their priorities.

CHAIR ANAYA: Okay, so I know that they made changes, Commissioner and maybe you could help me understand. If they made changes that they're going to have an impartial analysis, I guess would be the best way that I would put it forward. I know that one of the things that I was frustrated with was one of the stakeholders that wasn't in the list was the Forest Service, and I asked them, well, the

Forest Service needs to be one of the stakeholders at the table. Commissioner, did they ever modify their approach to where they were one of the stakeholders?

COMMISSIONER STEFANICS: No. Mr. Chair, they did not, and basically what happens is the resolution that got passed by the board is what was taken to the counties and that is what was utilized in giving it to the legislature. The legislature can change anything they want to along the way.

CHAIR ANAYA: So, that being said – thank you, Commissioner Stefanics. I think that it's important for us to maintain having our Forest Service intact, and I'm not a proponent of transferring any forest land to state entities or even county entities, and any legislation that goes forward, it's my opinion that we should represent that concern, that the state and localities don't have the budget for it and that we would even have concern – I would have concern and constituents I've spoke with have concern about access as well. So I think as this thing moves through the session and we should maintain a presence from my perspective. I'd like to hear from my colleagues. I know some of you expressed some similar concerns but our staff is going to be at the session. What other messages might we have them convey or concerns or questions might we have them convey as any discussion on this moves forward?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I still do not support this particular resolution calling for the creation of a public land task force. That's my position.

CHAIR ANAYA: Commissioners, do we have a consensus that we're in the same place we were? So it looks like we have a consensus, Mr. Flores, so any time our staff is present we should raise concerns that have been brought up on this Commission. You can go back into the minutes and pull out maybe some talking points that we've all brought up in the past and move in that direction. Does that sound reasonable, Commissioners? I'm seeing nods. So, Ms. Miller.

MS. MILLER: Mr. Chair, I did want to let you know that the Association of Counties had their kind of lobbying meeting last Friday and I did let the entire group know that the County Commission had supported all the other resolutions except for this resolution. That's when they came back and said, well, we rewrote the memorial. So I just wanted to make sure that you got the version that is their latest version since that. And I said, well, we'll take it back but I don't know that that would change the position of the Commission. I just wanted to let you know that they were – I think they have received quite a bit of pushback on the original version that was brought forward, and so they have been backing off of the substance of it, and this was the latest version as of last Friday.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: What we have here is what we voted on. This is what we voted on. We haven't changed it at the Association of Counties board. We have not changed it.

MS. MILLER: I just had a question because this was what Mr. Kopelman gave me on Friday saying that it was a different memorial than what had been put forward.

COMMISSIONER STEFANICS: Not – in December, Danny Monet, who is the chair of the Public Lands, did revise the entire thing to not make it appear like we were asking for all the lands to be given to us, but to create this task force to study the impact. And this is the same language which we've been operating with.

MS. MILLER: Okay. Thank you, Commissioner, Mr. Chair. I just want to make sure that when they're giving us stuff and telling use they've changed it then I'm understanding what version they've given us. Because this was actually something that they were trying to say was changed again. So if it's the same one that's fine and I apologize if I gave the same one but they kind of tried to indicate they've softened it up and apparently still not. Thank you.

CHAIR ANAYA: Thank you, Ms. Miller. And I think one of the key components for me individually is that having – if you're going to have a discussion about public lands then all stakeholders have to be involved, fundamentally, and they're not right now. Mr. Miller.

HVTCE MILLER (County Manager's Office): Mr. Chair, Commissioners, I just wanted to briefly go over the information that was contained within this report that was provided to you today. The first section within the report is just a listing of the House and also Senate committees that were established this legislative session. The major changes on the House side was the elimination of the Voters and Elections Committee, which was combined with the House Government, Voters and Indian Affairs Committee. And the other separate, standalone committee on the House side that was consolidated was the House Labor and Human Resources Committee, and that was combined or made into the House Business and Employment Committee.

Some of the other committee names on the House side were changed and most notably the Tax and Revenue Committee is now referred to as the Ways and Means Committee. Just some of those changes I wanted to point out. There was not any committee name changes on the Senate side. So all those committees are listed in the first section of the report. And as far as specific legislation, I wanted to point out particular pieces of legislation that had been introduced and that specifically relate to Santa Fe County resolutions that the Commission has passed.

Let me first note the House legislative items. The first one would be House Bill 96, which is the public education appropriation, fresh produce for school meals, and that relates to Resolution 2014-135, which is the resolution in support of New Mexico growing fresh fruits and vegetables for school meals.

The next House Bill would be House Bill 2 and that relates to Resolution 2014-110, and that is the resolution to support the New Mexico Association of Counties' resolution on increased detention facilities funding. The specifics of what amount of money would be provided to this item in particular is not known at this time but it will be an element of the state budget, which is House Bill 2 and we'll make sure to monitor that and let you know as that progresses.

The next House item would be House Bill 67, which is correction of property tax schedule errors by county treasurer or property owner, and this relates to Resolution 2014-109, which is a resolution to support the New Mexico Association of Counties' resolution to clarify the authority and reasons necessary for tax schedule changes.

Although there is not a particular resolution another notable House Bill item is

House Bill 126 which is surcharges for enhanced 911 services, and this was an issue brought up in the past and what this would allow for is a charge for in addition to commercial radio operators is modern telecommunication devices such as cell phones, which would allow for funding for E-911 services. Those were the House items.

Let me indicate the Senate item. First Senate item would be Senate Bill 117, sunsets county obligation to Safety Net Care Pool fund, and this relates to Santa Fe County Resolution 2014-130, and that's a resolution in support of the New Mexico Association of Counties' resolution regarding amendments to the Indigent Hospital and Healthcare Act, and so what that would do is reinstate a sunset clause in the original bill which was enacted last year.

Next Senate item is Senate Bill 111 which related to Resolution 2014-111, which is a resolution to support the New Mexico Association of Counties' resolution on county Industrial Revenue Bond Act improvements. Moving on, the next Senate item would be Senate Joint Memorial number 4, which relates to Resolution 2014-108, a resolution to support the Association of Counties' resolution on a study of housing options and service delivery for detention inmates for special medical and mental health needs.

This would be both the House and Senate items which relate to specific Santa Fe County actions already taken place. In addition to those, within your report there's a list of additional items, both on the House and Senate side which for the legislative team is tracking currently and if you have any other questions about those particular items that I reported on or any other items in the report I'll answer any questions.

CHAIR ANAYA: Questions or comments? Seeing none, Mr. Flores.

MR. FLORES: Mr. Chair, just in closing, as we know, the committee assignments came out Thursday or Friday of last week. Yesterday was what I would consider the first full day of committee meetings. However, they were primarily organizational meetings. We are now in day seven or eight of the session and we anticipate that the number of bills that will be going through committees to both the House calendar and the Senate calendar will start hitting very quickly, and we will provide biweekly updates on the status of all the legislation that we are tracking, including those items that the Commissioners would like us to track when we are passing in the hallways and you tell us, hey, look out for this bill. We're prepared to do that as well. And with that, Mr. Chair, that concludes the presentation.

CHAIR ANAYA: Thank you. Other questions or comments? Thank you very much. Appreciate it. We'll move on to staff reports. What I want to do is pull the Community Service report first so, Ms. O'Connor, if you'd come forward and Commissioner Stefanics, I know has some specific questions.

VII. INFORMATION ITEMS

F. Community Services Monthly Report

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I understand that we were given or we had the opportunity for staff to attend a meeting or a training on submitting capital outlay requests for 2016 to the Area Agency on Aging and the Aging

and Long-Term Services Department. There is a deadline of this April. I don't know if it's early or late April, and I would like for us to hear the deadlines and the types of capital requests that we can make at this time. This only gives us two months for all of us to think about what's important to our senior centers and what we might want to prioritize.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, Commissioner Stefanics, yesterday there was a training in the afternoon that was held by AAA and the Long-Term Services Department. Six of us attended from Santa Fe County including representatives from Finance, from the Community Services Department and from Public Works and learned the new process that is coming forward to submit for capital requests for the upcoming year. As you stated previously, the application is due on April 10th. We have already begun the process and Mr. Smith may want to talk about that further in terms of doing an inventory of our equipment at the Santa Fe County senior centers to determine anything that needs to move forward on replacement and we're in the early stages of starting to put together those kinds of inventories that will allow us to do a baseline assessment of what kinds of things we can move forward with in terms of capital requests.

There are numerous areas that we can apply for capital in and we have previously in both 2014 and 2013 applied for new construction/renovation requests related to equipment at the senior centers as well as vehicle requests and those areas are still available for requests this year. Do you want to add anything to that, Greg?

COMMISSIONER STEFANICS: So, Mr. Chair, can we request the construction of a new facility? Can we request solar on a senior center? Can we request vehicles? I'm asking for specific ideas for all of us to keep in mind.

MS. O'CONNOR: Mr. Chair, Commissioner Stefanics, yes, we can. In the two previous years we requested funding for Highway 14 Senior Center construction costs. We requested funding for renovation at Santa Cruz. We have consistently in the past three years requested and for the most part always received funding for vehicles. So there are a wide variety of things that Santa Fe County can apply for and we would also be happy to forward to you one of the summary requests of things that can come forward in terms of requests in this upcoming year.

COMMISSIONER STEFANICS: So Mr. Chair and Rachel and Greg, after we submit a request on April 10th, is there then some type of public presentation or hearing after that date for prioritization by the state?

[Commissioner Holian left the meeting.]

GREG SMITH (Senior Services): Mr. Chair, Commissioner Stefanics, there are specific dates of going forward. Prior to the last year –

COMMISSIONER STEFANICS: No. Answer the first question.

MR. SMITH: Yes, there are specific dates going forward. Those dates have moved significantly starting last year and those dates going forward, April 10th, as Ms. O'Connor stated, is our deadline for the submission of applications for the centers. There are then project reviews that will take place in March and June by Aging and Long-Term and AAA. That review process will go on and they will make the announcements about the timeframe, the August timeframe which there will be a state

Area Agency conference and they will make the announcements of how applications were graded and rated, and then that will turn into, based on how those applications are graded or rated, that will turn into what goes on part of the bond in the November timeframe, which then goes out to the voters for the bond.

Based on what gets approved in the bond, that will then go to the legislature next year. And then once that's approved then whatever bonds they come back to us as the County to say we have to go through and say that they're going to sell the bonds, and then we would potentially see money, any kind of monies that we'd be awarded on wouldn't be until approximately two years from this timeframe.

So we get the bonds sold, that timeframe's about in the March timeframe of two years. Then we could potentially see money from our requests for FY 16 in late spring, early summer of 2017, two years from now.

COMMISSIONER STEFANICS: Okay, so, Mr. Chair, Greg, that's great information. So backing up, after we submit on April 10th and before the Aging Advisory Council makes their decisions in August, is there any opportunity for non-staff to present to any council, i.e., senior citizens going somewhere to plead their case for something?

MR. SMITH: Mr. Chair, Commissioner Stefanics, I don't have the answer to that question. After the application has taken place part of our due diligence is we need to take place between now and that submission of those applications is being able to ask our seniors or anybody else within the public of what they feel like the needs are of what some of the things that we should go ask for within some of those requests or within some of those applications of what those requests may be.

So we will have a meeting that will be publicly noticed and it's generally in late February, early March timeframe, that put out to ask to invite the whole, entire county or anybody that wants to come and give us feedback. But once we submit those applications, to my understanding, that is our application, that is our request and that's what they go proceed forward with. And I don't know of anything that's in between that timeframe.

Now, Aging and Long-Term or the AAA may have questions of us on our applications. That may help solidify what our needs or our requests are going to be but to my understanding that would be the only timeframe of doing that.

COMMISSIONER STEFANICS: So, Mr. Chair, the reason I'm asking these questions is to make sure that we – Santa Fe County – present ourselves in the best manner and the most needy. And if we need to take a group of senior citizens somewhere to plead for something, because there might be a meeting to consider these requests, that's what I'm trying to find out. Because putting something on a piece of paper and turning it in, we just become part of a huge stack of papers from around the state. So that's what I'm trying to find out and you might not have the answer today but after we submit on April 10th that's what I think we need to find out between April and August. Perhaps we could have that discussion.

Certainly, we've had requests in the past of renovation. We have land and design that we're looking for for Highway 14. We might have refrigerators we need. We might have vans with the handicap lifts. We might have a variety of things that we just want to have the staff put out there. Thank you.

CHAIR ANAYA: So Commissioner Stefanics, the immediate opportunity that we have is the noticed meeting that we have prior to the April 10th submittal, that you're going to notice. So it's going to be up to us on this first round for us to let the communities know that we serve that we're going to have a public meeting and take in requests and feedback, correct?

MR. SMITH: Mr. Chair, that's correct.

CHAIR ANAYA: So that's the immediate need right now. And then subsequent to our submittal, whatever we derive from the feedback that we derive from our constituencies and feedback from this Board, when we package that application, once it's turned in, if there's any other opportunities to go advocate for that list that we then submitted, then we want to know what that is so we can get people present to be there, beyond just ourselves or staff but actually seniors that are utilizing these services. Is that a good summary?

MS. O'CONNOR: Mr. Chair, I think there's a couple things we could do to assist with that as well. One is I think the next step that Greg and I need to take is to sit down and write a timeline for our application including when the public hearing will be, what our exact process and deadlines are for moving forward and we can share that with the Commission in terms of – so that you will be aware of what deadlines we're working on.

The second thing that I think would be useful is to come – there was a nice summary that was put forward by the state agency that summarizes the kinds of things we can apply for and we can share that as well.

CHAIR ANAYA: Other questions or comments? Seeing none, thank you very much.

VII. INFORMATIONAL 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**

CHAIR ANAYA: Are there any other specific questions? I know we have our reports from Growth Management, Public Safety, Public Works, Human Resources, Administrative Services and financial report. Are there any specific questions any Commissioners have relative to those reports at this time? Is there any specific item that any of those departments feel that it's very appropriate that we're given some feedback at this meeting about that you'd like to come forward at this time to provide? Anything pressing beyond what's in the packet? I'm looking to those department heads right now. Okay, good. Katherine, is there anything you want to highlight on the reports before I turn it back over to you on your miscellaneous updates?

MS. MILLER: Not really, Mr. Chair, except I'm going to put Carole on the hot spot. I thought that either Teresa or Carole might want to give a highlight of the

revenues, since we are at mid-year and we're going through mid-year budget reviews right now. I thought she might want to just give you kind of an update. Earlier in the year we were looking at a little bit lower property tax revenues and we were pleased to have the December figures come in much better than anticipated. So that was a bit of a relief, because we were down in some other areas. So I thought that just would be one that it would be good for you to hear about, since we will be coming to you with some potential mid-year budget adjustments.

VII. G. Financial Report for the Month Ending December 31, 2014

CHAIR ANAYA: Great. Ms. Martinez.

MS. MARTINEZ: Mr. Chair, Commissioners, we have cyclical periods for property tax that we're normally accustomed to. The last couple years we've had some months where they'd come in really under budget and we can't even begin to tell you why. We'll do the research to see why it was shorter than what we estimated and then the following month, as luck would have it, it comes in and materializes at the monthly estimate for that month and makes up for the previous month. So we've had some phantom months where we can't explain why it did not meet our budget requests or our budget estimate.

But for the period ending – for the quarter ending December 31st we had a total revenue collection of \$60 million across all sources. The largest share of that is property taxes of \$20 million. We had GRTs of \$23.9 million, and our expenditures totaled \$66 million. Of those expenditures, capital were \$8 million, debt service was \$10.5 million, and operational expenditures were \$47.5 million.

As Katherine mentioned earlier, property tax is our largest revenue source along with GRT. There was a time when property tax far exceeded GRT and now they're pretty close, but for the property tax, actual collections through the end of December were \$16.3 million. We had a projected budget of \$14.7 million so we exceeded that by \$1.6 million. We also exceeded the previous year's collections by \$557,000.

On the GRTs, our GRTs through December, both between those that are imposed in the entire county and those that are only in the county, we had total collections of \$21.8 million. That's about \$1.5 million greater than what we had budgeted, and our countywide GRT collections fell below the prior year by \$270,000. That's not bad. The unincorporated GRT collections exceeded budget by just about \$50,000, and they're up again from the previous year by \$175,000. Mainly, that has contributed to the implementation or the enactment of the fire excise tax.

We went into the general fund and the other various funds, but for the most part the GRTs and the property taxes are holding their own. As Katherine mentioned, we are conducting our mid-year budget reviews and thus far we don't have any recommended cuts to make. We'll finish this Friday and we're keeping a close eye on Corrections, obviously, for the care of prisoners revenue as well as to the operational expenditures and we'll also keep an eye on those that are reliant on the revenues that they bring in such as utilities. So right now we're looking okay.

CHAIR ANAYA: Questions or comments of Ms. Martinez? Thank you, Ms. Martinez.

MS. MARTINEZ: Thank you.

V. C. 2. Miscellaneous Updates

MS. MILLER: Mr. Chair, Commissioners, thank you for indulging me on the revenue report and I just have a couple of items that I wanted to bring to your attention. First of all, on January 29th, which is this Thursday, just a reminder that we do have Santa Fe County Day at the State Capitol from 8:30 to 1:00 and we have a press conference scheduled at noon for about 15 minutes in the rotunda. I believe, Mr. Chair, you'll be speaking as well as a couple of our legislators, Senator Rodriguez and Representative Varela. I don't know if you have any comments on that but we'll have I believe 13 different tables there.

CHAIR ANAYA: I'm going to be very brief and any of my colleagues or elected officials that want to attend and would like to make some brief comments I'll indulge them as well, so they're all welcome. Thank you. I think Commissioner Chavez will be there as well and I don't know about the other Commissioners but whoever shows up I'd be happy to have you say a few words as well.

MS. MILLER: Okay. Then as you know we've discussed and been trying to coordinate a jail inspection. We're required by state statute to do an inspection as a governing body of our jail and juvenile facility. I don't know what you think of this, but I was just talking to Commissioner Chavez and Tony and we were trying to figure out a good time and wondered if the February 10th meeting, we have the morning that we're already doing the orientation and capital study session. But we start at 2:00 that afternoon. I could keep other administrative items off of the agenda between 2:00 and 5:00 before we start the public hearings and just put the jail tour on if the Board wanted to do that. Then we would just take you over, do that, and get back here for the evening public hearings.

CHAIR ANAYA: I think and if I could, I know we had a conversation about it, I think I might be amenable to it but I want to give it a little thought and look at my calendar before I give you final confirmation, but it's my understanding that – I'd like us all to be there, all five, but it's my understanding that as long as we have a quorum we can conduct the official tour. Is that correct?

MS. MILLER: Mr. Chair, that's correct. It needs to be the governing body, so I was trying to figure out a time that was actually during one of our regular meetings that might make it feasible without having to adjust any of your other schedules.

CHAIR ANAYA: What's the pleasure of the Board or what's the thoughts? Any thoughts right now? Would you want to confirm or wait? Commissioner Chavez.

COMMISSIONER CHAVEZ: So could you give us, Manager Miller, could you give me an estimated time of when we would do the jail tour? Would it be like one or two o'clock in the afternoon?

MS. MILLER: Mr. Chair, Commissioner Chavez, what I was actually thinking is that we would keep our regular meeting time of 2:00. So what we currently have on the 10th is 8:30 to 1:00 a kind of working session with you on just kind of a

Commission orientation on County issues for Commissioner Roybal and going into our whole capital planning process and just some background before we work on that particular budget as we go forward this spring. So that was in the morning. And then we have from 1:00 to 2:00 a break where we have nothing scheduled, and then we have our regularly noticed BCC meeting starting at 2:00. And what I was going to suggest is that all other administrative items could wait until our meeting at the end of the month and we would just do the jail tour between 2:00 and 5:00, before we start the public hearings. And that way you wouldn't have to add it to your schedule and it would be a time that you already have.

If that doesn't work we'll look for another time but that was just something we just kind of tossed around today as a possibility.

COMMISSIONER CHAVEZ: So, Mr. Chair, I would be willing to work that into my schedule, being that we're going to be here that day anyway, we're scheduled to be here. We know that the jail tour is something that needs to be done and I would like to check that off of our list of things to do.

CHAIR ANAYA: Okay. Commissioner Roybal.

COMMISSIONER ROYBAL: I'm open to that idea as well that you're proposing on February 10th, so if we can find a way to fit that in that would be fine.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'm fine with that. I want to make sure that if there is any legislation or ideas that we have time for that. That will be midway – almost midway, not quite, through the session. So there might be something that we want to consider.

CHAIR ANAYA: So could I suggest 2:00 to 4:00 and have the BCC starting at 4:00.

MS. MILLER: Mr. Chair, what we would do is – we could do that. We could start our regular meeting and you'll be acting as a governing body as you do that inspection anyway, so we would just state on the agenda that our first item is a jail inspection and then we'd be back by 4:00 to do the legislative update and Commission updates and anything like that before we do the public hearings. I think we could do it in that timeframe.

CHAIR ANAYA: Okay. Let's target that.

MS. MILLER: Okay. Thank you. So that actually brings up the study session. As I said, we have it scheduled for that morning, February 10th from 8:30 to 1:00 and we'll be doing a working lunch. We'll have a little continental breakfast so when you get here we can just go right into the agenda and as I said, it's a study session. It's not action items, it's just informational on some of the just general County issues but predominantly we're going to focus on our capital side of things, status of current projects, our bonding capacity, bonds that we have authorized but not issued, and get some direction as to how to bring things forward at subsequent meetings for action.

Then joint City-County meetings, we are still moving forward with trying to keep a regular schedule of those. The next joint City-County meeting is scheduled for February 20th at 12:00 pm here in the chambers. Right now we have four of the five Commissioners able to attend and we have confirmation from six councilors and I believe the Mayor that they will be attending. So we will have a quorum of both bodies and –

COMMISSIONER STEFANICS: Mr. Chair, I already identified I'm out of state, on my way to DC.

MS. MILLER: Mr. Chair, yes. Commissioner Stefanics did state that she would not be able to attend but the other four have said that they would be able to attend. And I thought that we could work with the Mayor to finalize an agenda next week at our meeting with him.

CHAIR ANAYA: Thank you, Ms. Miller. Just a comment on that. I've been holding regular meetings – we're going to hold regular meetings with the Mayor to keep the items that this Commission is bringing forth front and center and received a commitment from the Mayor to have those ongoing discussions so that whatever we do in joint City-County meetings and whatever discussions and concerns that this body raises that we're also having intermediary discussions to advance those. There will be a need as the meetings progress to engage specific Commissioners in those interim meetings and I will do that with each of you, and we'll just keep the ball moving forward. So I appreciate those comments. Commissioner Chavez.

COMMISSIONER CHAVEZ: So, in that process, Commissioner Anaya, we will identify items that will be placed on future agendas? Items for discussion?

CHAIR ANAYA: That's correct, Commissioner Chavez. One of the things that we I think both agree as two governing bodies was to try to keep manageable agendas but maintain some focus and then build and add to those agendas. So, yes.

COMMISSIONER CHAVEZ: Thank you.

MS. MILLER: Mr. Chair, Commissioners, also Santa Fe County Fire Department has their 2015 cadet graduation ceremony this Saturday, the 31st at 10:00 am at IAIA and that is located at 83 Ave Nu Po Road in Rancho Viejo. We have five graduates, Norbu Francis, Connor Lino, Clarence Romero, Justin Sena and Greg Sauer. I believe that the Fire Department did send out invitations and the only caveat, I believe, that the Chief made is we're expecting potentially bad weather this weekend so hopefully it won't be bad enough that we have to cancel the ceremony so hopefully we will be able to have their graduation.

Then one other last item and that is that the New Mexico Association of Counties – I know most of you were there, but at the luncheon at the end, the 2014 safety awards for Division V, Class A counties were given out and Santa Fe County received a positive claim trend and lowest frequency of Workers' Compensation claims for 2014 recognition, and that resulted in a plaque and a check in the amount of \$7,000 back to Santa Fe County.

And those are all my updates. Thank you.

CHAIR ANAYA: Thank you, Ms. Miller.

V. B. **Matters from the Commission**
1. Commissioner Issues and Comments

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Nothing at this time. Thank you.

CHAIR ANAYA: Commissioner Roybal.

COMMISSIONER ROYBAL: Mr. Chair and colleagues, I would like to

request that the Board consider changing the BCC meetings, the second one of the month that's typically at 10:00 to 2:00 pm in the afternoon and the Housing Authority Board till 1:00 pm.

CHAIR ANAYA: So Commissioner Roybal brought this request to my attention and I'm amenable to considering moving the administrative meeting to the afternoon, as long as we're efficient when we move through the agendas, and I think it's to accommodate work schedules, essentially, Commissioner Roybal? So I'm amenable to considering that. I would now defer to my colleagues. Commissioner Chavez.

COMMISSIONER CHAVEZ: I would be fine with that, Mr. Chair. I think we can certainly accommodate the incoming Commissioner and try it for six months and see how it works. If we need to change it we can change it.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. We used to only do the afternoon. And we ended up going until 10:00, 11:00 and 12:00 pm. Many of us do travel and in the winter it's not pleasant. So I'm willing to try something but if we get into a situation where we're traveling the next day or we have bad weather, you might have members leaving, if it goes late. So I'm willing to try it but we've all had to accommodate our schedules. So all I'm saying is that I'm willing to try it but if we have to revert back that's part of being a County Commissioner.

CHAIR ANAYA: I appreciate the comments, Commissioner Stefanics, and I would say that I think – and I think as I work with the manager and staff that I want to make sure that we're not rushing through the meeting but that we're efficiently hitting the key points that need to be hit and moving through the meeting in an efficient manner, considering that these meetings are posted, all the information is provided to the public and so that we're doing that on a consistent basis. So I'm committed to giving it a try and I'm also committed to continuing to be as efficient as we possibly can to move the meetings along in a responsible manner. So if we get in a position where we are not covering our information adequately or as you state, Commissioner Stefanics, we have items or we're moving too late then I would concur that we are not effective if we're staying here till the wee hours of the morning. So let's give it a try, see how things work and then go from there. Manager Miller.

MS. MILLER: Mr. Chair, then what I Greg and I just discussed, would you like to try this at the February 25th meeting? The end of February?

CHAIR ANAYA: Do you think that will work okay? I think that's the idea.

MS. MILLER: Okay, so what we would do is we would notice that, since we've done our noticing for all of our meetings for the year, we'll notice that one as a special meeting at a different time. We'll notice that on both of them and at both of those meetings, at the Housing meeting and at the regular BCC meeting we'll bring resolutions to change the times for going forward so we can have the one meeting noticed for both Housing and the end of the month BCC meetings to be at later times for the rest of the year.

CHAIR ANAYA: Manager Miller, the other thing that I'd like you to have a discussion about with your senior staff is the reports and other communications that come to the Commissioners. I want to hear feedback from your staff and yourself relative

to other ideas as to how we pull items and maybe giving more advanced notice to the staff on items that we might pull for questions. So as long as we keep getting the monthly reports we may be able to provide some advance notice to some of the department where they won't have to sit here all day if Commissioners can convey to me that there are specific departments they want to raise questions on. So I want to be as open to those possible changes with your staff as I can and also with the elected officials. So if you guys could do that I'm open to it and I'm willing to take in whatever I can do to expedite the meetings but also provide the appropriate coverage to them.

MS. MILLER: Okay. Thank you, Mr. Chair. So I'll tell them no to their request to do quarterly reports.

CHAIR ANAYA: Oh, I got you. And I'm amenable to having that discussion if that's something that's more pragmatic. My colleagues are going to ask you questions any time but I'm open to that possibility if that helps.

MS. MILLER: Mr. Chair, it was actually kind of a dig at one of the directors who asked for quarterly reports. But I actually think that the monthly ones are good information to have in the packet, for you and I've told them always be prepared for any questions on those items. I think they're good information and always worth having in the record. So I was just kind of teasing one of the directors.

CHAIR ANAYA: Okay, well I look forward to some feedback.
Commissioner Roybal, did you have any other items?

COMMISSIONER ROYBAL: I'm okay with doing it on a trial basis and I can make other arrangements if need be. Right now I am looking at some other possibilities. I think that if we do need to go back to the other one that will be fine, to the other time.

CHAIR ANAYA: Thank you, Commissioner Roybal. Any other Commission items? Any other Commissioner items that you have, Commissioner Roybal?

COMMISSIONER ROYBAL: No, not at this time.

CHAIR ANAYA: Thank you, sir. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair, Commissioner Anaya. I distributed a memo that I had staff prepare focusing on the 599 interchange at Via Veteranos, County Road 70 [Exhibit 7] And I bring this to your attention only because there was a recent fatality at that intersection back in January of this year. We discussed the corridor and the safety concerns along that corridor earlier so I won't belabor the point too much, but this memo does bring attention to the corridor, to the safety concerns along that corridor. It does mention the role that the Metropolitan Planning Organization will play in setting that as a priority, and then hope to secure funding for those improvements.

Also I want to point out that there has been some interest, a lot of interest in this intersection. There's one group, or part of the discussion would like a relatively quick solution, less expensive solution and that would be an at-grade signalized intersection instead of a grade-separated intersection. The grade-separated intersection is the preferred option that was presented in the safety corridor study that was done by the Department of Transportation for our MPO.

So that's really the crux of the issue. We have only a couple of options. Right now

we have flashing lights to warn people at that intersection. The next level of improvements would be the at-grade signalized, and the most expensive and preferred route would be grade-separated.

So the memo speaks to those details. There's been a couple of neighborhood meetings in Aldea to discuss this issue. I'm hoping that we can discuss this at the next MPO meeting which is this Thursday and see if there is support to move this up on the priority list and try to get funding for the grade-separated intersection. So I'll leave this with you. If you have any questions I'd be happy to answer them, and that's all I have, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. I don't have anything else to add at this time. Do you have any other items, Ms. Miller, from you?

MS. MILLER: Mr. Chair, no I don't. Thank you.

VIII. PUBLIC HEARINGS

A. Land Use Cases

1. **BCC CASE # MIS 14-5510 Warumono LLC and Ten Thousand Waves, Inc. Beer & Wine Liquor License.**
Warumono LLC and Ten Thousand Waves, Inc. D/B/A Izanami, Applicants, Linda Aiken, Agent, Request Approval of a Restaurant Beer and Wine Liquor License. The Property is Located at 3451 Hyde Park Road, in the Ten Thousand Waves Spa Resort, within Section 9, Township 17 North, Range 10 East (Commission District 4)

JOHN M. SALAZAR (Case Manager): Thank you, Mr. Chair. Warumono, LLC and Ten Thousand Waves, Inc. dba Izanami, applicants, Linda Aiken, agent, request approval of a restaurant beer and wine liquor license. The property is located at 3451 Hyde Park Road, in the Ten Thousand Waves Spa Resort, within Section 9, Township 17 North, Range 10 East, Commission District 4.

This property was within the presumptive city limits phase 3 annexation area. The City of Santa Fe had zoning authority within the presumptive city limits from September 2009 through December 2013. A zoning statement was issued by the City of Santa Fe on April 1, 2013 which stated that this site was zoned as a general commercial district, C-2, where eating and drinking establishments are allowed.

On January 1, 2014, Santa Fe County regained zoning authority of the proposed phase 3 annexation area which includes the site known as Ten Thousand Waves. Santa Fe County acknowledges the City of Santa Fe zoning approval to allow liquor to be served within an eating establishing. Therefore a beer and wine liquor license would be allowed at the subject property.

Staff recommends approval of a restaurant beer and wine liquor license to be located at 3451 Hyde Park Road, and I'll stand for questions.

CHAIR ANAYA: Are there questions of staff? Is the applicant here.

LINDA AIKEN: Mr. Chair, Commissioners, my name is Linda Aiken. I'm the attorney for the applicant. I'd be glad to explain the situation if you'd like.

CHAIR ANAYA: Are there any questions or comments to the applicant?

Seeing none, what's the pleasure of the Board?

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval. Oh, I'm sorry. You didn't go to public hearing.

CHAIR ANAYA: We need to go to public hearing first. Is there anybody here to speak in favor or against this particular application for a beer and wine license, correct? Is there anybody here in favor or against this application? Seeing none, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I'll move for approval.

COMMISSIONER ROYBAL: Second.

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

COMMISSIONER CHAVEZ: Commissioner Anaya, this is the case for Ten Thousand Waves?

CHAIR ANAYA: Yes.

COMMISSIONER CHAVEZ: I would like to state for the record that I'm in support of this BCC case.

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

VIII. B. Low Income Tax Rebate Created by Ordinance No. 2009-2, Pursuant to NMSA 1978, § 7-2-14.3

MS. MILLER: Mr. Chair, this is an easy one, I do believe. As you know, we have imposed at the County a low income property tax rebate. How that works is that as individuals within Santa Fe County pay their property tax they keep their property tax receipts. When they file their income tax to the state they claim the amount of Santa Fe County property tax they have paid on their residence within Santa Fe County. If they are eligible, based on income levels, they get a certain amount of that rebated to them through their income tax return.

So they receive it back from their income tax return and at the end of the year Tax and Rev sends us a bill, and we pay them for the money that they have paid to individual property owners as a rebate on their income tax. This year that amount was \$552,000 from – I say this year but tax year 2014 rebates equated to \$552,000. We put this in place I believe in 2009, the first year that it actually started to accumulate and we made a payment in 2010. The County put it in place as part of a conversation and negotiations with the City on annexation and the first year it was about \$332,000, I think, or \$331,000 in 2011. So January 2011 for tax year 2010, we rebated \$331,000. It's really hard for us to predict what it will be because we don't get any taxpayer information from the Tax and Rev. They just tell us the number of applicants and the amount per application and a total.

But you can see over the years we had 1,191 applicants that got rebates in the first year that we had it, up to now, 1,767 taxpayers that received an average rebate of \$313. I will state that by statute the highest rebate is capped at \$350. And then some of them are as small as \$4. It is based on income levels and your income tax.

One thing I want to point out though is that Santa Fe County actually rebates the

entire amount. We do not take a portion from any of the other entities on the distribution of taxes. So it comes directly out of our general fund back to the taxpayer. I think this is something we should get more credit for so I think if we keep this in place we should actually go out and make that well known, because whether you are in the city, in the county, no matter what school district, we are the ones that actually rebate the up to \$350.

CHAIR ANAYA: Ms. Miller, do you have a question. We've heard this several times and I think it's a good program but there's been concern because people aren't aware that it comes from the County. Is there a way, if we rescinded this particular rebate that the County could create a self-standing program that we could allocate a specific dollar amount that we could project what that would be that could in essence provide similar opportunities without channeling it through the state, back through the income tax? I'd be willing to consider that as a direct replacement over time. So if we moved to rescind this one and then recreate one that's more centered around County initiatives or County programmatic functions I think that might get us to a similar place, but we would have more understanding of who the people are and then more control, if you will, on the disbursement side and it would help us with our budgetary projections. So what are your thoughts on that?

MS. MILLER: Mr. Chair, unfortunately the only way we can currently rebate or make exemptions are those that are statutorily provided. This is one that's in statute that allows counties to assess whether they want to impose it or not, or implement it. There are others like veterans exemptions, or there's also head of household exemptions. So there's some that we actually – I don't want to say control, but we're statutorily authorized and then those exemptions get put on here at the County and are done through procedures at the County versus something that happens when someone files their income tax return at the state.

So I think in answer to your question we'd have to go create something statutorily in addition to what already exists. And that's the exemptions that are allowed by statute or this particular rebate that's allowed by statute.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Ms. Miller or Mr. Shaffer, I'm assuming that we could amend this to sunset in a year certain?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, I guess I have two thoughts. Under state law certainly that's a possibility. Under the settlement agreement between the County and City, the agreement is silent as to how long the tax rebate is supposed to be in place, so you could interpret that perhaps one of two ways: that it's supposed to be in perpetuity or that it was something that was within the legislative discretion of the County in terms of how long to keep that rebate in place.

As I understood it, the rationale for the rebate was to help soften the blow from annexation, which was going to cause certain residents' property tax rates to increase, since they would have the added burden of the City tax rate added to the County tax rate. So this was envisioned as sort of a stop-gap measure to allow that blow to be softened. But again, that's a long answer to your short question I guess.

COMMISSIONER STEFANICS: Mr. Chair, I have a second question as well. Mr. Shaffer, I understand the whole thing about the City, but when it comes time, when we get to a million dollars I think we're going to have contributed quite a bit to the

taxpayers and alleviation in terms of the annexation agreement. And we're inching towards that every year. So my first thought is about as we near a million dollars maybe we should start thinking about a sunset date. But my second question is if we were to sunset, is there a way to leave in place those individuals receiving the rebate?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, I don't believe that there would be a way to grandfather in, I guess, those who have requested the rebate going forward. The statute just isn't written with that level of flexibility. It seemingly is all or nothing. If you qualify based upon income and where your principal place of residence are you qualify under the statute. I don't believe it allows us that flexibility.

COMMISSIONER STEFANICS: So, Mr. Chair, I would request, and this is not an action; I don't think it's noticed for an action, but I would request a draft of a sunset to 2020 for our discussion at a future date.

CHAIR ANAYA: I'm okay with a suggestion on that. I'd also request – you mentioned that we had a maximum, but we could have a proportion. We could have a capped amount below the \$350?

MS. MILLER: Mr. Chair, the statute currently says – it's based on up to \$350 and modified gross income no more than \$24,000, and 35 percent of your tax liability. So it caps out at one of those three areas, but maximum rebate is \$350. Four years ago we did discuss and we did actually draft a bill or an amendment to this statute trying to put in another table that allowed just a smaller amount, so that if the Commission wanted to, say okay, we can't do \$350 anymore because we have three times as many people applying for it, but we could have a different scale of maybe maximum of \$200 or something like that.

We did draft it. We did introduce it. Senator Griego carried it. It was an odd thing, because I was working with the Senator on getting it through the legislature and for some reason Bernalillo County in Albuquerque legislators, senators, stopped it in the second committee because they didn't want us messing with anything to do with property taxes. I think it was really more a matter of education and it was something that we didn't work on in advance of the session. It was something we came up with in January because we were doing this review in 2011, I think.

So I think that that's still a possibility, is expanding the statute and going to work with some legislators and maybe having some other options. Because right now it's that one table, and that's it, and the only two counties that have actually imposed this rebate or offered the rebate are Los Alamos County and Santa Fe County.

CHAIR ANAYA: So I guess I'd like to see that legislation again and maybe it's something that the Commission at the next meeting would consider. I'd consider advancing it now. Is that something we can do?

MS. MILLER: Because Mr. Chair, all it did was – if you look in your books we've included the actual part of the statute and where that table is all we did was add another table, that it was an either/or table that allowed counties – it didn't do anything but expand the options for a local government and then it said the local government can impose either/or rebate. And for some reason they just – there were a couple of senators, I recall, it was going to affect Albuquerque and they kind of shut it – they tabled it. So it didn't go any further but I really think it was a matter of not really understanding what this statute does.

CHAIR ANAYA: So what I think we could do – is there consensus that we want to at least look at that as an option. It's not an action item but we'd like to pursue it as a potential option? Could you have discussions with the legislative delegation from Santa Fe and see if there's a palate to carry that for us, and then if there's a desire for somebody to potentially carry it we can put it on as an action item at the next meeting to ratify and support that particular legislator, if there's an interest.

MS. MILLER: Mr. Chair, we could certainly do that. I also understand, and I think Commissioner Stefanics was with me when one of the Commissioners from Los Alamos, they were looking – trying to put something forward to expand it. I said just make sure you don't make it applicable to us.

COMMISSIONER STEFANICS: So Mr. Chair, I was informed that one of the Commissioners was presenting it at their county council meeting to raise it to \$40,000, and to go – if we were not interested in raising it they were going to go to the legislature to try to amend the statute to include – are they a Class H county?

MS. MILLER: Mr. Chair, Commissioner Stefanics, yes. They're kind of a

COMMISSIONER STEFANICS: They were going to try to amend just for themselves if we were interested and I indicated that – they're also looking though at raising the property tax. And I said well, that's not where I was right now. So they're waiting to see what we do this evening. I said we didn't have it noted for action, just discussion, but I still would request that we draft something for the future on a sunset. I'm happy to wait on a sunset until after the legislative session to see if the legislative session does anything.

MS. MILLER: Mr. Chair and Commissioners, we will certainly bring some suggested amendments to the statute back to you that we had tossed around before, and then in addition, I think that the option to do a sunset is open at any time, because as it stands right now, I believe the current tax year, the tax return form is already out, so tax year 2014 people are already going to be eligible for it. So it's a process I think, repealing it, even if we wanted to sunset it. But I think it's something that we definitely want to make sure we keep an eye on because it does keep going up and we do bear the brunt no matter which entity receives the actual property taxes, we're the ones who cover the full rebate. And I think having some other options would be a good idea.

I did want to note that I believe our own ordinance requires a public hearing, which is why we have it on here like this, in January, so you may just want to open for public comment and close.

CHAIR ANAYA: Is there anybody here that would like to make a comment regarding this discussion and the rebate that we've been discussing? Rudy? Seeing none, the public hearing is open and the public hearing is closed. So I think we're going to see more. I think one thing that I would state on the record is I understand the benefit but I also think that we need to be structured when we're providing benefit that comes from the County and actions of this Board, and if we can't make the appropriate connections between the resources we're committing and the other entities that are benefiting as well that we may need to pull it back and then repurpose resources that help that particular segment of the community and it may not be in that same exact fashion but we can target resources to help that segment of the community in other ways, other than

just this particular rebated.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: I've been getting emails regarding the solid waste increases. If we stopped this rebate we could actually go back to old rates on the solid waste. It's following the same comment you were making. There is a way to help people if you have to adjust in one area you can adjust in the other to help. Thank you.

CHAIR ANAYA: Agreed. So we will receive more and I think if we needed to we might need to repeal it and move in a different direction that targets and helps that same population. So we'll wait for more information from you.

MS. MILLER: Okay. Thank you, Mr. Chair. I understand what you're looking for.

CHAIR ANAYA: Is there any other business, Commissioners?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez, Mr. Vice Chairman.

COMMISSIONER CHAVEZ: Under Matters from the Commission, I want to go back to 599 for just a minute. I forgot one thing that I think is significant. It's a short-term solution. I don't think we can hold this pattern for very long but maybe we can do it periodically. We've asked the Santa Fe Police Department in conjunction with the New Mexico State Police to do a coordinated close patrol at those intersections along 599. So that's a short-term solution and we can use, when we have the resources but I wanted to let the public know, especially those along the corridor and those residents in Aldea, I wanted to let them know that we're sensitive to the issue and we're not ignoring it.

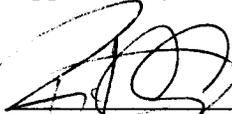
CHAIR ANAYA: Thank you, Commissioner Chavez, for those comments. Any other business of the Commission?

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 7:32 p.m.

Approved by:

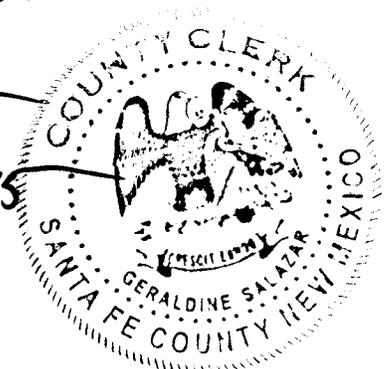


Board of County Commissioners
Robert A. Anaya, Chair

ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK

2-24-2015



Respectfully submitted:


Karen Farrell, Wordswork
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SANTA FE COUNTY, NEW MEXICO

2014

SFC CLERK RECORDED 02/26/2015



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FISCAL YEAR ENDED
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