

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Date: *October 28, 2015*

To: *Board of County Commissioners*

From: *Orlando A. Romero, Constituent Services Liaison, District 1*

Via: *Katherine Miller, Santa Fe County Manager*

Subject: *Resolution No. 2015-____, A Resolution Expressing Support of Public Sector Involvement in Telecommunications, Video or Broadband Services Including Infrastructure for those Regions of New Mexico That are Underserved or Unserved with Such Services.*
(Commissioner Roybal, Commissioner Holian)

SUMMARY:

This proposed resolution expresses support to any public sector entity that is a provider of telecommunications, video or broadband services. Santa Fe County is a partner with 9-nine other entities, which have jointly agreed to provide high-speed broadband services in Northern New Mexico.

BACKGROUND:

Santa Fe County is one of the owner operators of the REDI Net Open Access Community Broadband Network.

This broadband network was established by federal funds to meet the unmet need of high-speed internet for rural areas within the United States for the purposes of enhancing educational opportunities, fostering economic development, providing more available medical services and connecting emergency services. These needs would go unmet without public sector involvement providing these services.

In the most recent regular state legislative session there was an attempt to restrict the involvement of public sector entities in providing broadband services, this attempt failed. This resolution re-emphasizes Santa Fe County's support for this service.

ACTION REQUESTED:

Request that the BCC adopt this resolution, which supports public sector providers of telecommunications, video and broadband services. This resolution memorializes the necessity for these services, which would otherwise go unmet in many rural areas of New Mexico without this public sector broadband service.

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

RESOLUTION No. 2015- _____

A RESOLUTION EXPRESSING SUPPORT OF PUBLIC SECTOR
INVOLVEMENT IN TELECOMMUNICATIONS, VIDEO OR BROADBAND
SERVICES INCLUDING INFRASTRUCTURE FOR THOSE REGIONS OF
NEW MEXICO THAT ARE UNDERSERVED OR UNSERVED WITH SUCH
SERVICES

WHEREAS, New Mexico currently lacks affordable, high-speed broadband services to support economic development, education and distance learning, health care and telemedicine, and advanced public safety, energy and water applications required to improve the quality of life and ensure the health, safety and welfare of New Mexico's residents; and

WHEREAS, many areas of New Mexico need improvement to its broadband and infrastructure services, which do not meet current National Broadband Availability targets; and

WHEREAS, any entity participating in improving telecommunications may attract rather than subtract from competition; and

WHEREAS, local governments may be willing to provide high-speed broadband where the private sector is not incentivized to do so; and

WHEREAS, Santa Fe County along with other partner governmental entities owns and operates the REDI Net Open Access Community Broadband Network which is a high-speed broadband network for the Northern New Mexico region; and

WHEREAS, REDI Net was formulated to bridge the gap existing in broadband availability in our Northern New Mexico region to provide support for economic development, telemedicine, public safety, and education initiatives; and

WHEREAS, REDI Net is in support of incentivizing public sector entities to expand and improve broadband networks in rural areas.

NOW THEREFORE BE IT RESOLVED the Board of County Commissioners of Santa Fe County expresses support for activities that enable and enhance public sector entities in providing telecommunications, video or broadband services or infrastructure in a time when New Mexico desperately needs to improve its broadband and infrastructure services.

APPROVED, ADOPTED AND PASSED this 10th day November, 2015.

Robert A. Anaya, Chairman

Attest by:

Geraldine Salazar, Santa Fe County Clerk

Approved to Form by:


Gregory S. Shaffer, County Attorney

Henry P. Roybal
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *October 30, 2015*

TO: *Board of County Commissioners*

FROM: *Michael Kelley, Public Works Director*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: BCC Meeting November 10, 2015

Resolution 2015-_____, A Resolution Authorizing the Sale of County-Owned Farmland Located Near Lemitar, Socorro County, New Mexico (Michael Kelley/Public Works)

SUMMARY:

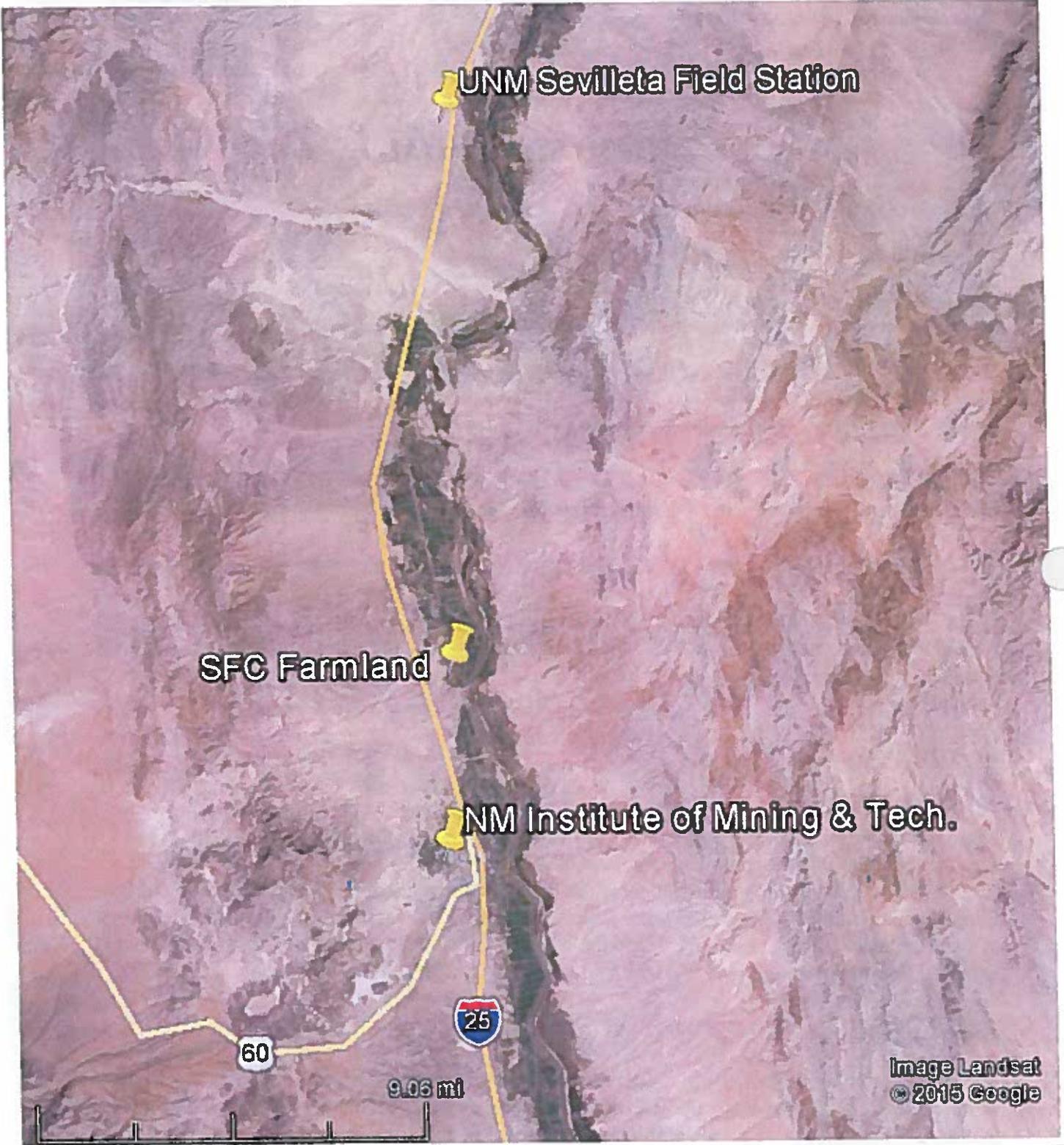
Santa Fe County purchased 55.893 acres of farmland in Socorro County and subsequently moved the transferrable water rights for use by the County Utility. The purpose of this resolution is to authorize the sale of the farmland to state educational institutions, local governments or private persons.

BACKGROUND:

In 1991, Santa Fe County acquired farmland and the appurtenant water rights in Socorro County for approximately \$119,000. In 2003, the Office of State Engineer (OSE) allowed the transfer of 11.07 acre feet per year of the appurtenant rights to the Buckman Well Field for use by the Santa Fe County water utility. Along with that decision, the OSE determined that because a portion of the farm remained fallow between 1907 and 2000, additional water rights could not be transferred out of the Mid Rio Grande Conservancy District. In the summer of 2015, Santa Fe County contracted an appraisal of the property and the farmland is appraised with a current valuation of \$357,000.

ACTION REQUESTED:

The passage of this resolution will authorize the County Manager to offer, negotiate and close the farmland to New Mexico Tech, the University of New Mexico and Socorro County government in that order. If none of these public entities are interested in acquiring the property for a fair price, the County Manager would be authorized to offer the farmland for sale to any member of the general public through negotiated sale, complete the negotiations and close. Please approve this resolution.



UNM Sevilleta Field Station

SFC Farmland

NM Institute of Mining & Tech.

60

25

9.06 mi

Image Landsat
© 2015 Google

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2015 - _____**

**A RESOLUTION AUTHORIZING THE SALE OF
COUNTY-OWNED FARMLAND LOCATED NEAR
LEMITAR, SOCORRO COUNTY, NEW MEXICO**

WHEREAS, on or around September 11, 1991, Santa Fe County ("County") purchased 55.893 acres of land located near Lemitar, New Mexico, in Socorro County, as shown on Exhibit A to this Resolution (the "Property"); and

WHEREAS, the County purchased the Property because it included appurtenant pre-1907 surface water rights that could be transferred into the Buckman well field; and

WHEREAS, in 2003 the New Mexico Office of the State Engineer issued a permit to the County, authorizing the transfer of 11.07 acre-feet per year of consumptive use rights to the Buckman well field; and

WHEREAS, there are no longer any pre-1907 surface water rights appurtenant to the Property; and

WHEREAS, the Property consists of irrigable farmland and native dry pasture with access to surface water from the Middle Rio Grande Conservancy District; and

WHEREAS, the Property is located within the historic Rio Grande Floodplain, east of Interstate 25, north of the New Mexico Institute of Mining and Technology and south of the Sevilleta National Wildlife Refuge; and

WHEREAS, the Board of County Commissioners ("Board") has determined that there is no further need or use for the Property by the County and that it should be offered for sale; and

WHEREAS, the Board has determined that the County Manager should offer the Property for sale, first, to certain state educational institutions, second, to local governments in Socorro County, and third, to private persons; and

WHEREAS, any proposed sale of the Property to a state educational institution or local government should be approved by the Board; and

WHEREAS, if no state educational institution or local government is interested in purchasing the Property, the County Manager should be authorized to dispose of the Property through any means authorized by law; and

WHEREAS, the sale of the Property shall comply with NMSA 1978, Sections 13-6-1 through 13-6-2.1 (2013).

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

1. The County Manager is authorized and directed to offer the Property for sale at its appraised value to the New Mexico Institute of Mining and Technology, the University of New Mexico, and New Mexico State University. If none of these state educational institutions desires to purchase the Property, the County Manager is authorized and directed to offer the Property for sale at its appraised value to local governments in Socorro County. If no such local government is interested in purchasing the Property, the County Manager is authorized to market and dispose of the Property to a private party as set forth herein.

2. If a state educational institution or local government desires the purchase the Property, the price and general terms of the proposed sale shall be brought to the Board for consideration and approval. If more than one state educational institution or local government is interested in purchasing the Property, the County Manager shall summarize the terms of all offers and recommend a preferred buyer to the Board based on the proposed purpose of use and the offered price, which shall not be less than the appraised value.

3. If no state educational institution or Socorro County local government has offered to purchase the Property within three months after the effective date of this Resolution, the Board hereby delegates to the County Manager:

- a. The authority to market the Property for sale, to negotiate a purchase price, to execute the purchase agreement, deeds and any other required documents, and to do all other things necessary or appropriate to complete the lawful sale of the Property to a private party utilizing any real property disposition method authorized by law to do so.
- b. Without limiting the generality of the foregoing paragraph, the authority (i) to submit any proposed sale to a private party to the New Mexico State Board of Finance (SBOF) for approval as required by law and (ii) to negotiate and execute amendments to the sale agreement and conveyance documents required by the SBOF.

4. Anything in this Resolution or its attachments seemingly to the contrary notwithstanding, the authority delegated to the County Manager herein extends to the County's entire interest in the Property, including, but not limited to, appurtenant water rights (if any) and the actual acreage owned by the County.

5. Any sale of the Property is contingent upon the sale being approved by the SBOF, in accordance with Section 13-6-2.1 NMSA 1978.

PASSED, APPROVED, AND ADOPTED THIS ____ DAY OF _____, 2015.

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

By: _____
Robert A. Anaya, Chair

Date: _____

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

Date: _____

APPROVED AS TO FORM:

For RSJL
Gregory S. Shaffer, Santa Fe County Attorney

Date: 11/4/2015

III. Action Items

C. Resolutions

- 3. Resolution No. 2015-__, A Resolution Supporting Alcohol Taxes, Which Save Lives and Money. (Commissioner Holian)
Item Withdrawn**

