

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING

March 27, 2018

Anna Hansen, Chair - District 2
Anna Hamilton, Vice Chair - District 4
Ed Moreno - District 5
Henry Roybal, Chair - District 1
Robert A. Anaya - District 3

SFC CLERK RECORDED 04/30/2018

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

March 27, 2018

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:05 p.m. by Chair Anna Hansen in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by Deputy County Clerk Vicki Trujillo and indicated the presence of a quorum as follows:

Members Present:

Commissioner Anna Hansen, Chair
Commissioner Anna Hamilton, Vice Chair
Commissioner Robert A. Anaya
Commissioner Ed Moreno
Commissioner Henry Roybal

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Roman Abeyta, the State Pledge by Madeline Baca and the Moment of Reflection by Ashley Bravo of the Treasurer's Office.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

TONY FLORES (Deputy County Manager): Good afternoon, Commissioners, Madam Chair. The agenda was posted on the 20th of March at 10:48 am and has not been amended. So the agenda is what's published in the packet. I would like to point out that I have left on the dais some additional packet material for item III. D. 5, items II. A. 2, IV. B and IV. C for the Board. And if it pleases the Commission I would suggest that at this time we move item V. B. 1, which is the recognition for the NJROTC

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group from Santa Fe High if that pleases the Board, and Commissioner Anaya, and I stand for any questions on the agenda, Madam Chair.

CHAIR HANSEN: Once again, I do plan to move that. Where did you say it was?

MR. FLORES: Madam Chair, it's item V. B. 1, and if we could move that up to right after the Consent Agenda.

CHAIR HANSEN: Okay. We will move that right up to right after the Consent Agenda. So do I have a motion, please?

COMMISSIONER MORENO: So moved.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: So I have a motion by Commissioner Moreno and a second by Commissioner Hamilton.

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

I. G. Approval of Minutes

1. Approval of February 27, 2018, Regular Board of County Commission Meeting Minutes

CHAIR HANSEN: Does anyone have any changes, besides myself? Okay, on page 2, under approval of minutes, under Chair Hansen, third paragraph, then on page 45, second line, as end of the line, Precision Survey is a name, so it somehow did not get into the capital letter of Precision Survey, because that's what I was trying to change was to make sure that it was recognized as a name of a business.

Then on page 9, I'm going to have to ask my other Commissioners to see this. On the first full paragraph. We have beamed up drought management. I think she said geared up, but I know that –

COMMISSIONER HAMILTON: I love Star Trek but I don't think that's what I said.

CHAIR HANSEN: Does anyone else remember her saying beamed up?

COMMISSIONER HAMILTON: What page is that on?

CHAIR HANSEN: We're on page 9 of the minutes. I believe she said geared up, but if the minutes reflect she said beamed up I can't argue with that, I guess.

Then on page 16, the sixth full paragraph down, it says the next will is House Bill, and it should say is next bill is House Bill. And then on page 20, the third paragraph under Commissioner Hansen, seventh line down, first letter, it says her name is Antonia Apodaca. Not Antonio. It is a woman. And I was just wondering at the end, on page 37, the Commission met in closed session at 4:45 and adjourned directly following. I'm wondering if we got a time, or did nobody give you a time? Okay. Is that something you would like in the future to have the time? Okay. So we can make sure that if you're not here that the time is provided to you.

Okay, those are all the changes that I have. Can I have a motion to approve?

COMMISSIONER HAMILTON: Move to approve the minutes as amended.

COMMISSIONER ROYBAL: Second.

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

I. H Employee Recognition

1. Recognition of New Santa Fe County Employees

MR. FLORES: Thank you, Madam Chair. We had a number of new hires for the month of February. And I'll go through them. Ms. Elena Cordona, she's now with the Legal Department. She's our assistant County Attorney. Ms. Teresa Roybal is now with the Clerk's Office, a recording clerk. Jesse Vigil is also with the Clerk's Office as a voter information specialist. Esperanza Salazar is with our CSD Department; she's an activity program coordinator. Mr. James Garcia is now with Growth Management; he's one of our Code Enforcement Inspectors. We've also included Derrick Duran at Public Safety for Corrections; he's our case manager/electronic monitoring/bail bonds person.

James Lefevre is now with PSD, Corrections, a life skills worker I. Erik Sandoval is also with Corrections as a detention officer, and then we have a number of Fire Department new employees, and I had the honor of attending their graduation ceremony but we have Redhorse, Blackelk-Jim is now a volunteer firefighter with Santa Fe County as is Robert Mora, Christopher Powell, Joseph Trujillo and Thomas Ulik is also a volunteer firefighter recently brought on board. Ms. Victoria Cruz and Mr. Edward Martinez are now forestry technicians with our Fire Department, and we've also brought on Darrell Vigil in that same capacity.

And finally we've added Mr. Raymond Lopez to our Public Works Department, Project and Facilities Management as one of our maintenance techs, and also Matthew Tippet-Vaninini with Public Works, Utilities, as our administrative assistant. So I'd like to ask the Board to welcome our new employees for the month of February.

CHAIR HANSEN: Thank you, and welcome to all of the new employees. We're always happy to have you join our family at Santa Fe County, and we look forward to your service here.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, ditto. Welcome to the Santa Fe County, the new employees, and the new volunteers.

CHAIR HANSEN: Absolutely.

COMMISSIONER MORENO: I think a shout-out to the new employees and the new volunteers as well. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya.

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

MR. FLORES: Thank you, Madam Chair. As part of our monthly recognition we also look at those individuals that have tenure with the County and have made Santa Fe County their home. We have a few of them and I'd like to go through them. With our Growth Management Department, in the Building & Development Review section, Ms. Erika Garcia is celebrating her five-year anniversary here at Santa

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Fe County. In Public Safety we have a couple of individuals also celebrating their five-year anniversaries: Ms. Pauline Esquibel and Mr. Troy Wood.

In Public Works we have Mr. Tony Quintana if the Utilities Division celebrating five years. In Public Works we also have under the Administration section, Deborah Leyba-Dominguez is celebrating her tenth year and in Building Services, Mr. Arthur Gonzales is also celebrating his tenth year. In our Sheriff's Office Mr. Rufino Romero is celebrating his tenth year, and last but certainly not least, out of the County Manager, our Communications Coordinator, Ms. Kristine Mihelcic is also celebrating her ten years of service with Santa Fe County.

CHAIR HANSEN: Thank you, and thank you to all of the employees who have been here for five and ten years. We are grateful to your service to Santa Fe County. It means a lot to have long-term employees. We have better service and it's a reward to see people serve here. Thank you. Santa Fe County is a great place to work and we're always happy to have them here.

I. H. 3. Recognition of Retirements:

a. Gary C. Perez, Chief Deputy Assessor

CHAIR HANSEN: We are unfortunately losing two people who we love a lot at this County and I am very sad to see both of them leave because they are incredibly valuable employees to the County. With that I'll turn it over to –

MR. FLORES: Madam Chair, what I'd like to do is ask our Assessor, Mr. Gus Martinez, to come up to the podium, and the first person that we'll be recognizing is our Chief Deputy Assessor, Mr. Gary Perez.

GUS MARTINEZ (County Assessor): Madam Chair, members of the Commission, today is a bittersweet day for me and I think the County. Gary came with a wealth of knowledge. He was the assessor in Doña Ana County for eight years and prior to that he had over 20 years experience with the Assessor's Office, and was very involved in the Assessor's Affiliate in running that as the chair, and going to the legislature and helping out with bills and that, and getting things passed.

Through the years that I've got to know him he's become a friend and I just want to thank you personally for what you've brought to the office. Gary is very detailed, and just makes sure things are done properly. That's a good quality that he has. Gary, I know that we'll keep in touch through the years and that but I just personally want to thank you on behalf of the Assessor's Office for all the stuff that you've done and all the hard work you did in the seven years that I've worked with you and I know that you'll be missed not only here in Santa Fe County but around the state, the 33 counties, of what you've contributed to, to the Assessors Affiliate and that. So congratulations and I hope you enjoy your years of retirement, and keep in touch.

GARY PEREZ (Deputy Assessor): Madam Chair, Commissioners, thank you very much for recognizing me today. I truly appreciate the time. I want to thank Management – Tony and Katherine and all of you for recognizing me today. It's truly been an honor and a privilege to work for Santa Fe County. I've been very fortunate to complete my 27 ½ years career in the assessment field here at Santa Fe County. Santa Fe County is truly a great place to work, like Madam Chair mentioned earlier.

I've worked with a lot of exceptional and knowledgeable people within the Assessor's Office. There's a lot of good people there who know their job, who are dedicated to their job and who are concerned for how we treat the public, especially Gus Martinez. I want to thank them for the way that they treated me over the years in the office and thank them for the positive experience I've had for the last seven years and three months here at the Assessor's Office.

For me the work in the Assessor's Office here has really been the most rewarding and gratifying that I've had in my entire career. We did a lot of work in the last seven years and especially the last three years under Gus Martinez. There's been a tremendous amount of work and improvement that's been made and the constituents of the County deserve it. Just like the rest of the County; I think the whole County does a great job in serving its constituents.

I'd also like to thank all of the other elected officials that I've worked with throughout the seven years and the people that I've worked with in the various departments, such as Finance, HR, the Manager's Office and all the other departments. It's been a pleasure working with you all. I also want to thank Domingo Martinez. Domingo Martinez, the prior Assessor hired me here on January 1, 2011 and it was a pleasure working under Domingo. He gave me the opportunity to work here and finish my career here. And I'd also like to especially thank Gus Martinez, last but not least Gus Martinez. He had the confidence in me to keep me employed here as his deputy assessor and our relationship has grown more than what it is in a professional way. We're friends. We'll stay in touch with each other as well as other people in the office, but Gus had the confidence in me to keep me and I truly appreciate that, especially being in a position where you're at-will. I made it seven years as an at-will employee.

I want you to know that both of these men who I've worked under as assessors are both honorable men and I'm proud to have served under them and served the County under them. They were both dedicated to serving the public. I just want to say that I'm looking forward to not having a schedule to have to adhere to. I'm looking at lowering my blood pressure, exercising more – my doctor wanted me to say this – and last but not least, growing back my hair. So thank you very much. I appreciate it.

CHAIR HANSEN: Gary and Gus and everybody, we would like to take a photo with you and we would like to present you with a certificate. So just hold on a few minutes. My other Commissioners want to say a few words, so one moment. I will go to Commissioner Anaya, and then Commissioner Roybal. Go ahead.

COMMISSIONER ANAYA: So the first thing I want to say is if you figure out the hair thing, let me know. Mr. Perez, you and I have known each other for several years and one thing I would is that we've had some heated discussions. We've had some disagreements, but at the end of the day we always have the interest of the County at heart. And so I appreciate your candor. Sometimes that's hard to come by in this day and age and I appreciate your candor and your professionalism and your knowledge and your willingness to help your fellow employees and work with your former Assessor Martinez as well as Mr. Gus Martinez. There for a minute there I thought you were going to ask for the tie back.

But we appreciate what you've done. You're probably going to get a Super-sport now. You're probably going to trade that really nice car in and get a Super-sport, but

thank you for your service, not only here at Santa Fe County but in Doña Ana County, the many, many dedicated years of serving the State of New Mexico. You provided some support and leadership through the Association of Counties and the Assessors Affiliate and spent a lot of time working on legislative initiatives, not only for Santa Fe County but throughout the state of New Mexico. So thank you for those years of service collectively across New Mexico. We're hopeful that you're going to stay here in Santa Fe County, but whatever your choice is we know you're going to be a New Mexican, we'll probably call on you. I know others may for advice and support. But thanks again, Gary and good luck to you in your endeavors. Thank you, Madam Chair.

CHAIR HANSEN: You're welcome. Thank you, Commissioner Anaya. Commissioner Roybal.

COMMISSIONER ROYBAL: Gary, I just want to say, enjoy your retirement and thank you for all your leadership that you brought to the Assessor's Office. I know working with you and Gus both are great leaders and you've done a great job in that department and I know that it's going to be hard for Gus to find somebody to fill your shoes but I know that he's the man that will do that. He'll find somebody. And like you said, it's bittersweet to see you go. I will wish you the best in all your future endeavors and once again, just thanks a lot for all your dedication and hard work.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. I just want to chime in. We've only had a year and a half or something. It's been a real delight working with you and your leadership is really clear and you've done a fabulous job so I know that we'll feel the loss. God, this retirement thing could really catch on. I have to tell you I'm jealous, like the whole idea of having no schedule and everything but growing the hair sounds great. Thanks.

CHAIR HANSEN: Thank you, Commissioner Hamilton. Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. With Gus and Gary, you guys and all of your staff have kept up with the technology that serves us every day, and I'm happy about that, because we can't afford to miss somebody someday building an illegal shed somewhere that you can tax. But I think – I'm sure we'll have a good replacement for you and congratulations.

CHAIR HANSEN: Thank you, Gary. I am really happy to have gotten to know you. I've had some nice times with you at the conventions that we have had for NMAC and I think that it's great when the County Assessors and all of our employees attend NMAC because it does give us as Commissioners a chance to get to know staff in a more casual setting and that's really rewarding also. I am impressed by the job that you and Gus have done at the Assessor's Office and your service to the public in general in Santa Fe County. So thank you very, very much. And with that, we are going to present you with a certificate and take a picture. And Gus, will you join us in the picture? And do we want the other Assessor's Office members to please join us, who are here?

[Photographs were taken.]

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I. H. 3. b. Ray Matthew, Transportation Planner

ROBERT GRIEGO (Planning Manager): Good afternoon, Madam Chair, Commissioners. It is my honor to present the retirement for Ray Matthew. Ray Matthew has been our senior transportation planner for the last several years and I've had the pleasure to work with him. He has worked in the County on a number of committees and has been a liaison. Ray has really brought a level of professionalism to the County. He's represented the County in multiple committees and organizations.

He was born and raised in Milwaukee, Wisconsin, the second of eight siblings and he's also the tallest. Stand up, Ray. He wanted to be an astronaut and a rock star. Meanwhile, he had a bachelor's in psychology, got a master's in urban planning and transportation planning from the University of Wisconsin, Madison. He's worked for the County since 2015, so the last several years we had the honor to work with him. He's done a number of projects for the County that have been instrumental for the work that the County's doing, including developing a countywide transportation plan, multiple state and federal grant applications for transportation projects. He helped develop the Title VI plan, also the Santa Fe County ADA transition plan. He also has assisted in developing the County's Transportation Advisory Committee, so he's got that whole committee restarted as a liaison for that.

He previously has worked with the New Mexico Department of Transportation, the City of Santa Fe Transportation Planner, and various transportation organizations throughout the country including Florida, Georgia, Minnesota and Wisconsin. So he brought a wealth of knowledge. He's done great work for the County. It's been my honor to work with him for the last several years. I also wanted to let you know that in addition to wanting to be an astronaut and a rock star, he actually played in a band called the X-Rays and he took his gig on the road and he's currently an artist who plays locally here, so you can get an opportunity to see Ray in various local destinations here at the county. So with that, I'd like to present Ray.

RAY MATTHEW (Transportation Planner): Thank you for the good words, Robert, and thank you for first of all, hiring me. It was a stroke of luck, I like to think and it to remember. It's been an awful lot of happy memories and what made it happy memories are the good people that I met. And the staff, the elected officials, the people who walk in, when I look back, that's what makes it really special. And I was thinking today that we hear a lot on the news that there's a lot of criticism of government but when I worked for the County here it's really enhanced my faith that government can function for the people. So thank you.

CHAIR HANSEN: Thank you. Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Matthew, when they gave me your certificate to sign I said, what? Ray can't leave. He just got here.

MR. MATTHEW: It seems like it.

COMMISSIONER ANAYA: But the reality is that you have a wealth of knowledge and background and you've always been very methodical, thoughtful, professional and humble in your endeavors and your work with not only your colleagues at the County but with those members outside of the County that work in collaboration with us, specifically citizens in the community. And I think it takes that type of person to

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be able to do those things and do them in a thoughtful, professional and humble way.

And so we appreciate – we don't want to see you go because we lose that wealth of information but we appreciate that you were willing to come and help us and help the County and advance those projects that Mr. Griego references and that many others know you've been a part of, especially as it relates to transportation and the fact that the linkage is not just County, but it's regional, it's statewide in nature, that you've had a hand in the state of New Mexico in providing that type of professionalism is very much appreciated and so we wish you the best in your future endeavors, and thank you so much for your work here at Santa Fe County and us being maybe not as large in years but in quality and effort, very large and meaningful to us. So thank you very much.

MR. MATTHEW: Thank you. The latter is really true.

CHAIR HANSEN: Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Chair Hansen. Ray, I just want to say that it's been my pleasure to work with you. It seems like it hasn't been very long, but I've only been here three years myself, but in every adventure or business that we did you were always professional and I just want to acknowledge that and just say you will be missed and I want to wish you all the best in your future endeavors. Thank you.

MR. MATTHEW: Well, thank you.

CHAIR HANSEN: Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. Well, Ray, we're finally going to get something done on the northeast extension. That's a little joke. Whenever I have had an opportunity to ask you a question in the hallway or meeting with the MPO with your presentations, always professional, always there to represent Santa Fe County and that goes a long way in my book. Thank you for your service and see you around the block.

MR. MATTHEW: Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, well, they all couldn't have said it any better and once again, I'm such a new-timer and wasn't on your committee but whenever the opportunity arose it was a real delight to know that you were there with a lot of knowledge and a lot of professionalism and you always provided that for us and that's so wonderful. It seems like we know what you're going to do in retirement. You'll have to tell us about it. Thank you very, very much for your service.

CHAIR HANSEN: Ray, I am very sad that you are leaving. I just want you to know. I have really come to depend on you. After I got elected in June and if people don't know here but Halloween is a really big deal at the County. And I got dressed up with the County Manager's Office and came around and was introducing myself and we had such a great conversation and since that time I've felt like you were somebody who I could really depend on and get the answers that I needed. You always show up at the MPO, which I'm always grateful for, and the North Central Regional Transit District – those are two really important bodies that we serve on regionally and jointly with our sister cities and our sister pueblos, and it's important that we have staff that can help support us and I feel like you have really made a bit difference for me as a new Commissioner and getting me up to speed and I am grateful for that. So I wanted to express that. That's why we have a certificate and I think Deputy County Manager Flores

also has something to say.

MR. FLORES: Thank you, Madam Chair. So I just wanted to let you know, as Ray's retirement/going away present we've stacked the agenda with all Ray Matthew's items for today's celebration. So I would humbly request that we make sure that we get the questions lined up since now we'll be able to ask those when those items come up. And just on a related note, I didn't get to say anything about Gary but Gary's the inspiration of why I leave my top button on my shirts undone. I'm not quite sure who my fashionista will be now as he leaves the County. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. So with that we want to take a picture and present this certificate, and so would everybody from Growth Management or Planning come up and we'll take a picture together.

[Photographs were taken.]

II. CONSENT AGENDA

A. Miscellaneous

1. Request Approval of County Health Care Assistance Claims in the Amount of \$4,791.78 (Community Services Department/Kyra Ochoa)
2. Request Approval and Re-execution of the Intergovernmental Agreement Between Santa Fe County and the North Central Regional Transit District (Growth Management Department/Ray Matthew) *[Exhibit 1: Staff Report]*

B. Resolutions

1. Resolution No. 2018-31, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget State Forestry Revenue to the County Fire Department \$24,227 (Finance Division/Stephanie Schardin Clarke)
2. Resolution No. 2018-32, a Resolution Confirming Santa Fe County's Commitment to Fair Housing, Establishing a Citizen Participation Plan, Establishing a Residential Anti-Displacement and Relocation Assistance Plan, Adopting a Section 3 Plan, Confirming its Commitment to Abide by Relevant Procurement Policies and Regulations, All as Required by the United States Housing and Urban Development (HUD) Block Grant Program Requirements (Housing Authority/Joseph Montoya)

CHAIR HANSEN: Can I have a motion to approve, or if there's anything that needs to be taken off for extended discussion.

COMMISSIONER HAMILTON: Madam Chair, I'd move to approve the Consent Agenda.

CHAIR HANSEN: Do I have a second?

COMMISSIONER ROYBAL: Second.

CHAIR HANSEN: Commissioner Roybal, a second.

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

[The County Clerk provided the resolution numbers throughout the meeting.]

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

V. B. Recognitions and Acknowledgements

1. Congratulate and Acknowledgement to the Members of the Santa Fe High School Naval Junior Reserve Officers Training Corps (NJROTC)

CHAIR HANSEN: Now we'll go onto another great celebration of County youth.

COMMISSIONER ANAYA: Madam Chair, thank you. One thing I want to add on the record, although I'm bringing this forward, this item comes before the public for recognition and acknowledgement from our Chair, our Vice Chair and this entire Commission. So I would just note that for the record.

I'd like to ask Major Gabe Gonzales if he could come forward to the microphone for a moment before I get to the meat and potatoes of this acknowledgement. I would say that we've all had numerous conversations in our daily endeavors as staff and Commissioners and other elected officials, with one another, to take care of business and the business of the County and the service of the citizens.

But as parents, there's nothing more gratifying and heart-feeling than to have discussions about what our kids are doing or how well our kids are doing and how proud we are. And so I had such a conversation a few weeks back with the Major and we talked about some other professional-related stuff relative to the County and then we got onto the important stuff, and that was really hearing about how successful this group of fine young individuals that we have with us today, how successful they've been and the work and the effort they've put into the acknowledgements that they're going to get today.

So, Madam Chair and Gabe, I'd like you to introduce, to make any comments you like and then introduce the master chief so that he can have the floor and then get into the details of the amazing accomplishments of this group across competition, across the entire United States. So, Major, first thank you for bringing up to me the fine work of one of your kids and also for letting us know and being willing to bring the group forward. Major Gabe Gonzales.

MAJ. GABE GONZALES (Sheriff's Office): Madam Chair, Commissioners, Commissioner Anaya, thank you. It's an honor to be up here, not just for myself as a parent but to recognize all these kids. They're a family. They work hard and one thing that I wanted to make a note is this group of individuals and several other marksmanship and the drill teams and the honor guard that the NJROTC runs, these kids are at school between 7:00 and 7:30 every day. They're going to [inaudible], they're drilling, they're shooting. And then they have their regular classes. At the conclusion of the school day they go back.

Usually my son leaves the house at 6:55, 7:00 am and I see him back probably

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about 6:00, 6:30. So these are just a fine group of individuals of young ladies, young men, who are dedicated to the program. When school's out, even in the summer, they're at the program. Spring break – they're at the program. Christmas break – they're at the program. So I want to commend them for their hard work.

Before we move on and I introduce master chief so he can give you the details of the case, I'd also like to recognize a couple of parents, a couple of families that actually travel with our kids. They get them there safe. So Mr. Ronnie Fernandez and Dale Lettenberger. You guys stand up real quick.

They travel with the kids and they go on the road a lot. They've traveled to Oklahoma, Texas, Arizona, [inaudible]. With that I'd like to introduce Master Chief who runs the program, Mr. Dale Mayes.

DALE MAYES: Madam Chair, Commissioners, thank you for the honor and privilege to have my kids be honored here. I did 31 years in the Navy. My wife's a school teacher at Rio Rancho, she asked me, why don't you go do something [inaudible] so we'll have the same schedule. Roger that, but there's one thing she knows. I'm all in. And my time – my daughter graduated, she went to the Naval Academy. These kids here, dedicated – this kid here, [inaudible] in the program, he could be a coach. He wanted to win. So we started this [inaudible] we ended 33 out of 34 teams. Three and a half years now, we're national champions. It's because of the dedication of these kids. They're willing to put the time in.

So it's not about me; it's about the kids. It's all about the kids. If you look at it, [inaudible] we shot about 12, 15 times this year, we're always at the meets. And it comes down to, this national championship; we shot opposed to 7,000-some kids across America shot it. About 1,400 teams shot at this thing. Every branch does a little bit different, how you get there, but at the end of the day, the top seven Marine teams, top seven Air Force teams, top seven Navy teams and top seven Army teams, and we took first place and eighth place. My eighth place team was a little down but I said, look. Think about this. Look at it. 1,400 teams across the nation shot; you're eighth in the nation. The best of the best of the best.

And so I present Santa Fe, [inaudible].

COMMISSIONER ANAYA: So master chief, appreciate those words. If you could introduce each of those individual professional young men, young women that have accomplished this task we'd greatly appreciate it and we'd like to have that on the record. And then I know the Chair will probably go to the Commissioners and then if you'll allow us we'd like to take a group photo with you all.

MR. MAYES: Okay. We'll start from the right side. Marcus Fernandez, please stand up. Dominick Cordova – he got fourth in the nation. Do you want to stand up Dom? [inaudible] here's the bottom line. Guess what. We've only got one freshman on the team, and that's Angelica Segovia. [inaudible] and they're working hard not to get beat by her. The next one is Bianey Nunez, Mateo Romero, Gabe Gonzales, Joab Gonzalez, Aryanna Holmes, Ileana Molina.

COMMISSIONER ANAYA: Thank you, Madam Chair. If I could make just a couple additional brief comments. I was going to re-acknowledge former Commissioner Rudy "Froggie" Fernandez, grandpa, and congratulate him on his leadership as a community individual and as a family member. And I think I saw your

mom. I thought I saw your mom there. Where is she? She's right here. Ollie, good to see you as well. Thank you for your efforts and leadership. And I can't let Ronnie Fernandez off the hook. They talked about him speeding. When I was about 100 pounds lighter we used to ski down Ski Santa Fe. He never wanted to weave back and forth like everyone else. He wanted to just go straight down headfirst. But we always had fun and he kept me in check. Luckily, he didn't run over anybody, but thank you, Ronnie for your efforts in supporting the youth and not only your kids but supporting kids around you and kids around your kids and helping out when other parents couldn't but you could. So thanks to you and your wife and the whole family and all of the families and the parents that get their kids involved and then keep guiding them and providing them support for this particular endeavor and any endeavor. And so thank you, Madam Chair for leaving a little extra time but I think it's a special occasion and we're very proud of these fine young individuals today.

CHAIR HANSEN: It's always important to take time to recognize our youth. You're the ones we depend on to step up. And so it's great to see you here. Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. That's absolutely true, Madam Chair. It really is important. And I want you guys to know that I got a Navy sweatshirt this Christmas because my nephew graduated from high school last year and he's now on the USS Harry Truman, so what you guys are doing really is an incredible contribution and you can go anywhere with it and that's what we're incredibly grateful for. I think our youth are the most – they're the things – you're what we can wake up to and be happy about. So thank you.

CHAIR HANSEN: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say congratulations and also to the coach, the parents, and all the young women and men of this team. Having been a coach in the past I realize the level of commitment it takes and the dedication from each and every one of you. And as a Commissioner for District 1 I just want to say I'm proud of each and every one of you. You guys will be our future years, so we look forward to seeing how you guys grow and develop. How many of your guys are seniors this year? Any? One? Just one senior. So you'll have a strong team next year again, so congratulations once again to each and every one of you. Thank you.

COMMISSIONER MORENO: Just congratulations to you all. Going through this program is going to follow you for the rest of your lives, the lessons that you have learned in this program. And congratulations.

CHAIR HANSEN: Commissioner Anaya has one more thing to say.

COMMISSIONER ANAYA: Sorry, Madam Chair. I'd be also remiss if I didn't acknowledge all the kids, but the Romero clan as well. We have Steve Romero here as well, and thank him and Cass and Mateo and the whole family for their efforts. All of you, every one of you and your family. I've called out a few people just because I've had some long-standing relationships with them over the years but every single one of your parents and family members and members of the foundation of what it's all about. So thank you, Madam Chair, for letting me do that.

CHAIR HANSEN: Of course, Commissioner Anaya. I've been staring at this incredible award that you won, and it is amazing to me and I think that when we take

the picture with everyone you have to hold that up so that everyone can see not only the recognition that you've achieved with your medallions but that you got this incredible statue – it looks like a statue. A traveling trophy. It's amazing. So I want to acknowledge you for that. And one of the things that Commissioner Anaya spoke to me this morning about is that maybe you do a color guard and maybe you would come sometime and do a color guard for us. That would be a really nice way to start our meeting. And since Commissioner Anaya didn't bring it up, I get to. Because I think that the service that you're doing to become leaders in our community is really important for all of us and so thank you so much for being here.

We want to take a picture. We want to give you some certificates. We want to continue to recognize you and we look forward to seeing you again when you come back to do the color guard for us. Okay?

[Photographs were taken.]

III. ACTION ITEMS

B. Appointments/Reappointments

1. Appointment of a Member to the DWI Planning Council

LUPE SANCHEZ (DWI Coordinator): Madam Chair, members of the Commission, today I come before you seeking approval of Susan Skea to the DWI Planning Council. Susan comes to us with a wealth of knowledge. She's a retired forensic psychologist and she'll be a great asset to the DWI program in guiding us in psychological or psychiatric advice. And with that I'll stand for questions.

CHAIR HANSEN: Thank you. What is the pleasure of the Commission?

COMMISSIONER ROYBAL: I'd like to move to approve to appoint

Susan Skea.

COMMISSIONER MORENO: Second.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion from Commissioner Roybal, a second from Commissioner Moreno and Hamilton.

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

CHAIR HANSEN: I also, and I just want to say I was really impressed to read her résumé. It's a great recruitment to the DWI Planning Committee and thank you, Lupe, for your service. And thank you to Susan for joining the Planning Committee.

MR. SANCHEZ: I will. Thank you very much. Have a good day.

III. C. Resolutions

1. Resolution No. 2018-33, a Resolution Adopting the Transportation Advisory Committee 2018 Work Plan

MR. MATTHEW: Thank you, Commissioners. This resolution will approve the work plan that the Transportation Advisory Committee is going to be

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focused on this year. There were two principal items on there. The first is to consider road acceptances. These come through Public Works and will go to the committee to make a recommendation to the Board.

The second is the draft transportation plan. The plan will be presented to the Transportation Advisory Committee actually in two parts, because it's of course rather huge. So they will comment on that. And then those recommendations in each case will go forward to the Board for consideration and their decisions.

CHAIR HANSEN: Any questions from the Board? Commissioner Moreno

COMMISSIONER MORENO: Thank you. So in the scheme of things, how does this fit with the MPO and other entities like the Highway Department, or is it just county transportation?

MR. MATTHEW: Their focus is just for county transportation matters. However, they could provide, because most of the parts they will consider are the code. That could be considered as part of the repeal, and certainly the state system incorporates other communities so they would have the ability to comment on, say, a state road like New Mexico 599, for example. And that would forwarded either to, after Commission review, whatever action they would take. That in turn would be forwarded to either the DOT or the MPO if that was appropriate.

In either case their focus is going to be on the County roads. The County road system that the County maintains and there will also be road acceptance. The other big area of focus will be the transportation plan which of course is multi-modal, and so that remains – they've been looking at projects that were recommended in that plan.

COMMISSIONER MORENO: Thank you.

CHAIR HANSEN: Thank you. I would like to know what the pleasure of the Board is. Can I have a motion?

COMMISSIONER MORENO: I move that we adopt the Transportation Advisory Committee work plan and meeting schedule.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion by Commissioner Moreno, a second by Commissioner Hamilton.

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

CHAIR HANSEN: I just want to make once comment. I know that we're still missing some members on the Transportation Committee, so would you please make sure that the Deputy Manager Flores knows that list so that we can get people appointed, so that it is a full committee. I know that's one of the issues with a number of our committees, councils, is not having a full body. So once again we're going to miss you and thank you for helping us get this set up.

MR. MATTHEW: Thank you. It's been my pleasure and I was glad to be part of it. I wanted to convey, for planning, we are going to continue to try and recruit new members so that the list of vacancies has been forwarded to Management and we will continue through our regular meeting. Apparently there's a lot of community planning and some things like that so that provides a forum for us to try and get interest

in serving on the committee.

CHAIR HANSEN: Thank you.

III. D. Miscellaneous

1. Approval of Agreement No. 2018-0239-PW Between Santa Fe County and La Cienega Lakeside Mobile Home Park, LLC (Lakeside) to Connect Lakeside to County Water

JERRY SCHOEPPNER (Utilities): Thank you, Madam Chair. I'm here today to request approval of the agreement between Santa Fe County and La Cienega Lakeside Mobile Home Park to connect the park to County water utility. Lakeside Mobile Home Park consists of 24 lots and is currently served by several wells that drain into a tank and then they're sent out to distribution to individual lots. A lot of systems had operational as well as water quality issues historically, and hooking them up to the County system will relieve them of those issues.

As you're aware, Resolution 2006-57 requires new customers to transfer water rights to the County to back up the deliveries. They either do that or they pay the County to acquire water rights, pay a significant initial service fee, or pay other fees to assist us in gaining water rights to support their demand. This agreement is a hybrid of that in which it allows Lakeside to transfer its groundwater rights to the County and allows them to purchase additional water rights to meet their water demand.

The County will credit Lakeside 2.55 acre-feet per year in exchange for their 5.1 acre-feet per year Santa Fe Basin water rights and allow them to purchase an additional 3.21 acre-feet per year to meet their total water budget. Their total water budget is 5.76 acre-feet per year. The credit to Lakeside is given to them at on half an acre-foot per year for each acre-foot per year that they transfer to us, and the reason for that is because the County cannot use these water rights without incurring substantial expenses. We do not have any infrastructure to use those groundwater rights so we can park them and use them at a future time but we don't have an infrastructure at this point to use them. And the applicant has agreed to that exchange.

They'll be charged \$11,000 per acre-foot for the remaining 3.21 acre-feet that they need for a total \$35,310. There's also, as you're aware of, Resolution 2018-12 which sets the purchase price of water rights that we sell to an entity at \$16,000. It was just recently passed. The reason we're using \$11,000 per acre-foot in this agreement is because we've been working on this agreement for several years. And that's the rate we were discussing with them since day one.

This hybrid agreement is unique also in that Lakeside is located near the County's La Cienega waterline end, so we've had problems with stagnant water, so we were having to flush the line every week and that adds up over the year to approximately 1 ½ acre-feet per year that we were just having to dump on the ground to make sure that we had adequate water quality. So that's a big benefit to us and of course a benefit to La Cienega Mobile Home Park is that they will no longer have problems with pressure or with water quality. With that I'll stand for any questions.

CHAIR HANSEN: Do I have any questions from the Board? What is the pleasure of the Board?

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COMMISSIONER ROYBAL: I'd like to move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion to approve from Commissioner Roybal, a second from Commissioner Hamilton.

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

III. D. 2. Request Contingent Approval of Agreement No. 2017-0288-RECC/IC Between Santa Fe County and Superion, LLC to Provide a Comprehensive Computer Aided Dispatch System (CAD) for the Regional Emergency Communication Center for a Total Contract Amount of \$1,019,015.60, Exclusive of NM GRT, and Grant Signature Authority to the County Manager to Sign the Purchase Order

MR. FLORES: I'd like to tee up this item. If the Board, after Mr. Taylor's presentation makes a motion to approve the contingent – or provide contingent approval of this contract, I would ask that the Board consider adding the language that the delegation of the authority to the County Manager go beyond the purchase order document and actually go to the contract. And the purpose of that is the City and the County are still negotiating the contributions by the City for this capital expenditure, and that's why we are putting the contingent language in there.

So one suggestion, if the Board does determine that this contract can move forward is that they actually provide the County Manager delegated authority to not only sign the purchase order but also the contract. Thank you, Madam Chair.

BILL TAYLOR (Purchasing Director): And Madam Chair, if I may address one other point, the amount of the contract that is listed in the caption does not include the initial maintenance and support costs of \$158,528 and so the total contract amount that's before you for approval is \$1,176,411.84. And with that, Madam Chair, we issued the RFP in August 2017 for these services. It was a qualification based initial short listing. We short-listed three top firms. They provided demonstrations in the new computer-aided dispatch system and we selected Superion to have the most responsive proposal, and we've been negotiating both terms and conditions and contract costs.

The current system that is at RECC, it's been in operation for approximately 22 years now, and so we do need to upgrade. We do need to upgrade that system and technology. With that, Madam Chair, I'll stand for any questions.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Commissioner Roybal.

COMMISSIONER ROYBAL: I'd like to move for approval for this request for contingent approval for agreement #2017-288-RECC between Santa Fe County and Superion, LLC, to provide a comprehensive computer aided dispatch system.

COMMISSIONER ANAYA: I'll second, Madam Chair, and I have a comment.

CHAIR HANSEN: But I want the motion to include the new amount and

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the amendment that County Deputy Manager Flores included, so are we including the contract?

COMMISSIONER ROYBAL: Yes, it would be.

CHAIR HANSEN: So we're including the language the Deputy Manager said earlier and the new amount, which I did not get written down. So would you like to repeat that for me, please, Mr. Taylor?

MR. TAYLOR: Thank you, Madam Chair. I apologize for the confusion. The corrected amount including the initial maintenance and support costs will be \$1,176,411.84. I would also like to add, Madam Chair, that with this approval, it contains the service agreement between Superior and the County, the order contract agreement, the statement of work in the agreement, and a supplemental access agreement. So all of that is inclusive in its entirety before the Board for approval.

CHAIR HANSEN: And that is all in this professional contract. Correct?

MR. TAYLOR: Madam Chair, that's correct. It's all connected with that tracking number.

CHAIR HANSEN: Okay. It's not in the caption.

MR. FLORES: Madam Chair, just for clarification, if the motion includes delegating authority to the County Manager to execute the contract and subsequent purchase order, if and when at that point in time we decide to do that.

CHAIR HANSEN: So, Commissioner Roybal?

COMMISSIONER ROYBAL: Yes, that is included with my motion.

CHAIR HANSEN: And Commissioner Anaya?

COMMISSIONER ANAYA: Yes.

CHAIR HANSEN: Okay. Both the motion and the second has accepted all of the additional changes. Is there discussion?

COMMISSIONER ANAYA: There is.

CHAIR HANSEN: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair. I'd like to ask Mr. Martinez to come forward please. So, Madam Chair, we're at the end of a long process of requests and advocacy, budget hearings, the evolution of many discussions and I just wanted to have Mr. Martinez from an RECC standpoint and a dispatch standpoint speak to those discussions briefly that transpired over the course of several years to get us to the point where we're going to be doing this type of upgrade and the essence of what it means to the dispatch center and to the public. And so it's a big deal. It's the culmination of efforts of a lot of planning and work from the Manager's staff, Mr. Martinez, his team, and frankly, work in communications statewide and efforts that take place to make sure we have the best systems that we can in the event of emergencies that happen constantly, 24/7/365. And so I think it's that important to take a few extra moments to give Mr. Martinez the opportunity to give a little background for the public to know what this is going to do for the community.

CHAIR HANSEN: Welcome, Ken.

KEN MARTINEZ (RECC Director): Thank you, Madam Chair, Thank you, Commissioner Anaya. So this, as you mentioned, is kind of the culmination and also the starting point of several projects that the RECC will be undergoing within the next few years. And this one is actually one of the first and most important. This computer-

related dispatch center, this dispatch system is what allows our operators to be able to provide first response to the public when they call for help, whether it's fire, law enforcement or emergency medical services, our CAD is the clearinghouse, the holding point, the database that we have all of our information. It's what helps us to generate the recommendations for what units to send for what calls they are putting into our center for.

And so we have worked closely with the City over the last several years to agree upon the ability to improve the equipment within the dispatch center. As you know, the 911 center, and I'm partial of course, but the 911 center is the focal and first starting point for all first response within this entire region. Without the 911 operators taking the calls and dispatching the units, that is an integral part of public safety in our community and I think that they deserve to be held on the same level as our police and firefighters and emergency medical technicians as well.

But as we move forward with technology, 911 is behind the times. If you keep up with how we move forward with technology and first response and public safety. There's something on the horizon called Next Generation 911 and the replacement of this CAD is the first part for Santa Fe RECC to move forward with new technologies. And I've explained before, right now when somebody calls on a cell phone, we are within a certain amount of space to be able to know exactly where they're at. As we move forward with Next Generation 911 and new mapping technologies, location accuracy is one of the things that we're going to be homing in on. And that's to be able to say if you are on this dot that the map is giving us, if you are out in the open, that's one thing. But if you're in an apartment complex, a hotel, in a government building, there's no way to know what room you're in, what floor you're on, where you're at exactly, and that's what we're moving forward with with Next Generation 911.

So I won't take up a lot of time. Commissioner Anaya, thank you again for giving me the opportunity to speak and Madam Chair, but this is one of the most important things that we will be doing. There are several others that you'll be hearing about next month at our strategic planning, but 911 needs to be at the forefront of technology and how we provide service to the public. And it's really important to us and I know it's really important to you. So thank you for your approval on this project and we'll be speaking more as we move forward. Madam Chair, thank you. Thank you, Commissioners.

CHAIR HANSEN: Thank you. Yes, this Next Generation 911 is incredibly important and getting it out into the community and educating the community about it I think is a really important next step that we need to be concentrating on. Although we already have been; I know that. And the more people we can get involved in that the better our systems will work.

MR. MARTINEZ: Absolutely.

CHAIR HANSEN: So with that, is there any other discussion? I would like to call for the vote.

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

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III. D. 3. Request Approval of Agreement No. 2018-0060-HA/IC with J3 Systems, LLC for the Re-Roofing of Public Housing Units in the Amount of \$323,977, Exclusive of NM GRT and Grant Authorization to the County Manager to Sign the Purchase Orders

MR. TAYLOR: Thank you, Madam Chair. Purchasing issued for the Public Housing Division or Department an invitation to bid for 38 public housing units in Santa Cruz and I believe 12 units at the Camino Jacobo facility. We received four bids that are listed in the memo, J3 Systems, LLC, from Bosque Farms was selected to be the lowest and most responsive bid and with that, Madam Chair, I'll stand for questions.

CHAIR HANSEN: Is there any questions from the Board?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Congratulations to the staff from the Housing Authority and Purchasing and everyone involved to have this size of project and be to this point where we're going to be able to move to construction and repair the roofs, number one, for the health and safety of the residents, but number two, to also provide opportunities for work and jobs in the county as part of the construction. So thanks to the director, Mr. Montoya, your team and staff and yourself and everybody involved. Thank you, Madam Chair.

MR. TAYLOR: Thank you, Madam Chair and Commissioner. I wanted to also point out that this is CDBG money that's appropriated by Local Government in DFA for this project.

CHAIR HANSEN: I'm extremely thrilled and excited that we are going to get roofing on our Housing Authority. It's kind of a long time coming and we're there and we're going to move forward and we'll get more, hopefully, CDBG money in the future to do more housing and more roofing on our housing. And with that, can I have a motion?

COMMISSIONER HAMILTON: Move to approve.

COMMISSIONER MORENO: Second.

CHAIR HANSEN: I have a motion by Commissioner Hamilton, a second by Commissioner Moreno.

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

CHAIR HANSEN: Thank you very much. Thank you, Joseph, for all your hard work on this. Joseph Montoya, our Housing Director.

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III. D. 4. Approval of Construction Contract No. 2018-0247-PW/MM Between Santa Fe County and Mountain States Constructors, LLC, in the Amount of \$2,789,718, Exclusive of NM GRT for Road Surfacing and Drainage Improvements for Various County Roads and Authorizing the County Manger to Sign and Execute the Agreement and Purchase Order

MR. TAYLOR: Thank you, Madam Chair. Purchasing issued in February of this year an IFB for services for construction to construct and asphalt approximately 12.62 miles of road improvements. We've listed the sites: White Lakes Road, Simmons Road, County Road 12-B, Drake Road, King Farm Road. The lowest responsive bid was Mountain States Constructors. With that, Madam Chair, I would like to stand for any questions that you have.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate very much the efforts of the whole team. These roads are a culmination of many years of planning approvals on projects from the County Commission. I greatly appreciate the support that the Commission has provided in putting these roads where they're at associated with the recommendations and work of staff. I appreciate it and so the people and the residents on these roads, after many years of pushing and advocating and seeking assistance are going to have upgraded roads in their area. So, Mr. Gomez and you and your team and what you do, I appreciate those efforts and Mr. Kelley and the whole staff. So thank you, Madam Chair.

MR. TAYLOR: Thank you, Madam Chair, Commissioner Anaya, I would like to make special recognition to the Road Maintenance Department and Mr. Gomez. They have been very active in getting multiple roads active and under construction and completed. If I could, Diego would like to just make some comments on that if that's acceptable to the Chair.

CHAIR HANSEN: Diego, welcome. I'm also happy to see Mr. Gomez.

DIEGO GOMEZ (Public Works): Yes, I'd like to really give thanks to the Road Maintenance Department. They did a bunch of work for us. Without their help this probably wouldn't have been able to come to fruition with the amount of roads and the type of roads we're going to build. So we had limited capital funding and we had some major drainage problems on these roads. With the help of Roads Maintenance – they spent a lot of time out there. We're talking months, raising the roads so that we can hire our contractor to put in some drainage culverts.

So without the Road Maintenance Department's help, these roads would not have been built as good as they will be. So I really want to thank the supervisors – Eric Giron, Lawrence Especia, Stacy Garcia, and Seferino Houston, and all the Road Maintenance Department because without them these projects would have not been the type of projects that are going to be built. We would have ended up having to build them out of chip seal. We're going to be able to build them out of hot mix now with the amount of capital funding. So that is a big improvement in the type of surface that we're building out there.

COMMISSIONER ANAYA: On that point, Madam Chair, if I could.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: So on this point, I appreciate Mr. Taylor, yourself, Mr. Gomez, you bringing this up. This is consistent with work throughout the county that when possible and plausible the County staff is able to offset a lot of the groundwork and drainage work for roads, which increases the amount of resources that we can get out of capital expenditures. And so I can express how professional the entire team was in doing that work that they've done throughout the county and in particular the roads that are on this list today. There's some – and I say it respectfully. I think the partnership of government and business is what's successful because we're working the two in tandem to get things done but there's some businesses that can learn from the professionalism and expertise of how that work was constructed by County staff and the level of professionalism associated with putting that work down on the ground. And so awesome, awesome job. Thank you very much. Please express to each and every one of those employees my sincere gratitude for those efforts.

MR. GOMEZ: We will.

COMMISSIONER ANAYA: And I would move for approval, Madam Chair, as well. I forgot to do that.

CHAIR HANSEN: Thank you. Do I have a second?

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Commissioner Hamilton seconds. Thank you, Diego. I also want to express my interest in this, because as you've heard me say how much I love roads, and I think that we are getting a very good price for the amount of roads that we are doing here and I also want to recognize the County maintenance staff for their hard work in making this happen, because I don't think that we would be getting this kind of price without their hard work. And so I want you to know that I recognize that also. So thank you.

COMMISSIONER ANAYA: One more thing, if I could.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: So over the last several months there was a lot of discussion associated with County investment or resources, and there was a lot of discussion relative to the investment or resources of the water system discussion and roads up north. And that came to each one of the Commissioners on the bench on a regular basis, and the consistent reply during those discussions from myself and my colleagues was that we continually evolve and evaluate projects on a regular basis to determine resources and capital expenditure. This I appreciate and I'm not shy about saying, is a huge opportunity for District 3 that's happening right now. But this is an example of project by project throughout the entire county, how if you look at the agenda, you'll see projects that come up in District 1, 2, 3, 4 and 5, and that we all mutually work on projects and then we understand that things ebb and flow and that the whole county is served. I'm not shy, and I'm very appreciative that this is an opportunity for District 3, but I also have acknowledged as I've sat on this bench and respected that each district at each meeting has benefits and expenditures and that in the whole scheme of things as we do business, that we equalize and that we spread the resources across the whole county. So I just wanted to express that gratitude and thanks and that the representatives of people of District 3 will be highly appreciative to this full Commission

for these efforts and these expenditures in this project. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya, and with that, may I please have the vote?

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

III. D. 5. Request Approval of a Funding Agreement between the United States of America, Department of the Interior, Bureau of Reclamation and Santa Fe County for Santa Fe County's Share of Costs for Planning, Design and Construction of the Pojoaque Basin Regional Water System [Exhibit 2: Contributing Funds Agreement]

MR. FLORES: Madam Chair, as you go into your next item I want to point out that I left on the dais the revised copy that has some non-substantive changes to the agreement, basically for our counterpart provision as well as the attestation by the Clerk and approval by our Finance Director. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. Welcome, Sandra. Before we begin I want to recognize our family members from the pueblos. I want to recognize Charlie Dorame, Pueblo of Tesuque, Governor Gabe and Jeff Montoya from the Pueblo of Pojoaque, Terry Aguilar from the Pueblo of San Ildefonso and Secretary Sanchez from the Pueblo of Pojoaque. Thank you very, very much for being here. It means a lot to me that you have taken the time to be in the Chambers with us as we move forward with this contributing funds agreement. So thank you very much for being here. And welcome, Sandra.

SANDRA ELY (County Hydrologist): Good afternoon, Madam Chair, members of the Board. It's a pleasure to be here in front of you this afternoon for, as stated the contributing funds agreement between Santa Fe County and the Bureau of Reclamation. This agreement sets for the manner in which the County will contribute its share to the Pojoaque Basin Regional Water System.

Now the Board received a power point in March 13, 2018 with an update on Aamodt related milestones including an overview of the key elements of the contributing funds agreement. I won't go over those key elements again. The Board also received a copy of the draft agreement at that time. The draft agreement was posted on the website and hard copies are at the Pojoaque Satellite Office. There are a few minor differences between the agreement that's in your packet, not the one that Deputy County Manager Flores just pointed out but between your packet and the agreement today, and that is a sentence that acknowledges the bondholders' existing superior claim on GRT revenues, and then the term "contribution" has been replaced with the term "cost share" throughout the agreement.

There are a few minor differences between what's in your packet and the redline version that County Manager Flores provided you, and that is language in the agreement that the agreement may be executed in counterparts and in duplicates. That's on page 13. And then on page 15 there are signature blocks now for the County Clerk and for the County Finance Director. Those are the only changes since the version that you received on March 13th. So I do stand for questions and hope you consider approving this

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contributing funds agreement.

CHAIR HANSEN: So I'd like to know if there are any questions from the Commission. Commissioner Anaya, do you have any questions?

COMMISSIONER ANAYA: I do.

CHAIR HANSEN: I also wanted you to know that I was able to meet with our Attorney Frederick and we discussed a number of issues that I had with him beforehand and so I don't have any questions at the moment because those were cleared up in my meeting with the Attorney. And so Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, members of the Commission, I just want just a few statements on the record associated with the agreement. We're ready, I believe, as a Commission to advance the agreement but we have some primary stipulations within the agreement that deal with the scaling of the project associated with the resources that are available which is a huge facet. And then we also have some provisions that speak to the contribution responsibilities of all parties associated with the agreement – federal, state, county. And so if we could just get some brief remarks associated to those provisions so that the public in District 1 and the public throughout Santa Fe County in every district understands that we have provisions that provide opportunities to view the project as it relates to the scope of available resources and that if any one entity doesn't fulfill its obligations associated with funding that there are proportionate responsibilities that would follow from the County associated with whatever those reductions may or may not be. Or increases. You never know. But if you could speak to some of those and provide that information to the Commission on the record and to the public I think it would be helpful.

MS. ELY: Certainly, Madam Chair and members of the Board. The cost sharing and integration agreement provides a number of opportunities for the County to scale back or opt out of the regional water system, and those are at final design, currently that's coming up, and also during construction if we run into any unforeseen costs. So we could scale back at that time too. And then this agreement kind of builds on that and allows more opportunity to scrutinize cost and make decisions about how we may scale back the project if we choose to.

There are a number of points where the BOR has to provide us with information so that we may use that information to make some decisions about the regional water system. There are quarterly reports that are going to be required beginning in November with details about how they spent the money and how they will spend the money. There are even more detailed reports that are required on an annual basis to the County and we'll provide those to the Board too, saying how they will spend the County's non-federal share and the state's non-federal share, and what the schedule for construction will be for the project.

And then prior to construction at each phase and each stage of the regional water system more detailed analysis is provided. These are in here in part to keep an eye on the costs and how the County's money will be spent. We want to make sure it is spent wisely for the construction of the regional water system and to make modifications to the regional water system as that information comes forward.

In addition, there are some contingencies in the agreement that state if the state or the federal government is unable to pay their share of the system we can withhold our

scheduled payment because they're not meeting their obligation. Once the state or the federal government comes forward and says, well, we now have the money and we intend to pay, then the County can move forward with their fair share too.

But we wanted to make sure that there was some contingencies in there regarding payment to protect the County's interest and to make sure that what we're paying for is a full portion of the regional water system and we don't have stranded infrastructure. Does that address your concerns, Commissioner?

COMMISSIONER ANAYA: Madam Chair, yes, absolutely. A very succinct and it encapsulates the primary functions of the agreement and responsibilities associated with the County. So thank you. Thank you for that. Thank you for the efforts of all parties. Mr. Frederick, you are capable and a very able team, and Mr. Flores, Ms. Miller and all the partners, our tribal partners and others that have been at the table continuously to try and advance to this point and lastly and very importantly, the Commissioner from District 1 and that would be Commissioner Roybal, our former Chair. So thanks. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. Anyone else from the Commission?

COMMISSIONER ROYBAL: I just wanted to say, Madam Chair, that it took a while for us to get to this point but I think that we did get here and I think we've done a great job, so I just want to thank everybody that was involved. Thank you.

CHAIR HANSEN: I also want to say that besides working with our tribal partners, we will continue to work with BOR and BIA on working to raise the ceiling and making sure that the funds that are necessary from our congressional delegation are available to us and from the federal government. We will all be working together to make sure that this project is funded and complete funding so that we're not shortchanging the residents of District 1 and being able to really provide adequate service for everyone. So with that, could I please have a motion, Commissioner Roybal?

COMMISSIONER ROYBAL: So moved. I'd like to move to approve the funding agreement between the United States of America and the Department of Interior, Bureau of Reclamation and Santa Fe County, for Santa Fe County's share.

COMMISSIONER ANAYA: Second, Madam Chair.

CHAIR HANSEN: And it is seconded by Commissioner Anaya.

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

CHAIR HANSEN: I would also at this time like to request that the tribal partners that we have here, that if we could come forward and take a photo together with the Commission. I consider this a really important day and moving forward with this project.

[Photographs were taken.]

IV. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates *[Exhibit 3: Map of Districts]*

MR. FLORES: Thank you, Madam Chair. I just have a few updates. Just

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as a reminder to the Commission, we'll be holding the County Commission's strategic planning session on April 13th at Nancy Rodriguez Community, on April 14th at the higher education center, and April 20th at the Vista Grande Library, so that's just a reminder for the strategic planning sessions. Staff is currently working on the power points and the presentations by each of the committee members. I want to thank Finance for putting the templates together and I think they're being rolled out today.

Also, this Friday as we know is Good Friday. A couple of things: the County offices are closed on Friday afternoon. That notice has been sent out and the transfer stations of course will be closed in observance of Easter on Sunday the 1st.

Related to the pilgrimage, I just wanted to let the Board know that our Office of Emergency Management under Assistant Chief Vigil has worked cooperatively with plenty of organization to get this year's preparedness plan and although that's not a public document it's as it has been in the past. They have planned for every eventuality if any were to come. So we want to be cautious as we travel on Friday afternoon.

I don't know if any of the Commissioners saw the paper yesterday but Governor Martinez appointed Representative Jim Smith, who represents District 22, which has three precincts within Santa Fe County as the new County Commissioner for Bernalillo County. He replaces Commissioner Johnson who is at the Auditor's Office. What that does is it opens a gap in District 22 for Santa Fe County's representative and that district – I left the map on your dais – is a multi-county representation area. He represents for Santa Fe County the area along Highway 344 into Edgewood, portions of the Cedar Grove area coming back around to Heartbreak Hill, back to 14.

The reason I bring that up is the governor's office typically takes recommendations or nominations from County Commissions when a representative or a senator serves multiple counties. Since this district serves multiple counties, the governor will be taking recommendations, I assume, for the replacement of that individual for the remainder of this calendar year. As you know, the election is coming up and there's three candidates for that district.

What I'm asking the Board to do if the Board so desires, we could do as we've done for the past two legislative districts. We've actually put out a notice of interest for applicants to put in an application and then appear before the Board of County Commissioners, and the Board then makes a recommendation to the governor shortly thereafter. Based upon the timing of yesterday's announcement and the probable timeframe that would be necessary to get the individuals that are interested to apply, I would recommend that the Board allow me to go ahead and place a notice for interest, and then have that come before the Board at the April 24th meeting.

The caveat to that is the last time we did this for Senator Sue Wilson Beffort's position, the governor made an appointment prior to the Board making a recommendation. So there's always that risk of timing on the governor actually making an appointment, but I would like to go ahead and start the process, that we bring that back to the Board on April 24th. And unless there's any opposition to that I'll proceed as planned.

CHAIR HANSEN: I think that's fine. I think we're all in agreement.

MR. FLORES: Okay, the last item, Madam Chair, is March 28th, tomorrow, I guess, at the Genoveva Chavez Community Center on Rodeo Road, there

will be an opiate prevention training and Narcan distribution training program. It starts at 9:30 and lasts till about noon. So if anybody's interested, please contact the Santa Fe County Community Services Department for more information. And that's all I have, Madam Chair.

CHAIR HANSEN: Okay. Thank you.

IV. B. Presentation and Update Regarding Open Space and Trails Strategic Plan Process [Exhibit 4: OSTP Presentation]

PAUL OLAFSON (Planning): Good afternoon, Madam Chair, Commissioners. We have a brief presentation today called OSTP 2.0, and with me are Maria and Dave Dannenberg the chair for COLTPAC and I'm going to ask Dave to give a brief intro and then we'll start on the presentation.

DAVE DANNENBERG: Madam Chair and Commissioners, so, Open Space, Trails, Parks. My name is Dave Dannenberg. I'm the chair of COLTPAC and I want to introduce also John Parker, who is the co-chair of COLTPAC, and this presentation is about the last five or six months of an hour or so in COLTPAC meetings discussing really the future of open space in Santa Fe County.

That introduction, you asked me a question during the introduction and I was expecting a guitar riff and some flashing lights, but I was told that that couldn't be accommodated in the Commission Chamber here. So OSTP 2.0 – I think that deserves some music and flashing lights. So version 2.0 – I'm a software guy so I'll confess to inventing the 2.0, but what that really means is that we're building on just a fabulous base of an existing open space, trails and parks program, and the 2.0 is a transition to something bigger, something better, something with some more elements in it. It's a future vision, direction, in the next stage of development for open space.

So our agenda for this presentation: three parts. The first is history of open space. It's a 20-year-old program, and what Paul is really going to drill down in this piece of the presentation is very specifically how much money have we spent on open space over the last 20 years and where are we? The walk-away from this meeting should be well, we've accomplished a tremendous amount over 20 years. However, we need to move the program forward because we need to cash in on some of that investment. It's all not really to fruition at this point.

The second piece of the presentation – I'm going to stand up again and I'm going to very quickly go through why COLTPAC thinks open space is important to the county, and we're going to put this in context of quality and quantity of quality of life factors. There's four quality of life factors which we've woven this into.

The third part of this presentation is Maria talking about how we're going to organize OSTP moving forward. And this first specifically is the plan for a plan. It's a plan for a new strategic management plan to take the place of one that's been here for 20 years now. It has really guided the program to the point it is now. So the presentation in general is where we've been, why this is important, and how we're going to get to the next step.

Unless I get dragged off of the stage here I want to do a real quick segue which isn't on the agenda. Commissioner Roybal and Commissioner Anaya know that I've

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stood up here probably three times in the past three years and I've said almost the same thing each three times, which is COLTPAC would like to emphasize some focus on just a few items that we feel are very important to the open space program. And the reason that I want to do this now is because it's in context with the budget development, which is upcoming.

Three of the items are exactly the same three that we've talked about before and that's either a good thing or a bad thing. It's a bad thing if they're just not getting accomplished, but it's a good thing because they are getting accomplished and they were just really big tasks. So those three things are specifically COLTPAC would really like to see Romero Park continue to move forward. It's a very important project, center of the population of Santa Fe County. It's a community recreation facility and it's in need of a lot of work.

The second piece you've heard so many times before as well. We'd like to see Thornton Ranch master plan move forward and particularly, COLTPAC is going to attempt to work with the program managers and try to figure out a way that we can really bring Thornton Ranch on line a little bit faster. This is a very high profile project. We'd like to see it make a big public splash. And dragging this out for multiple years is probably not the way to do it. So we'd like to see that really sped up.

The third thing has to do with plans, and part of it is this presentation which is the strategic management plan for the next 20 years and then over the past three years there have been individual plans which really guide the maintenance and the restoration of individual properties. So there's been six of those so far. A lot of those are being executed now. The maintenance staffs are out taking weeds out, taking out invasive species. There's construction work to do restoration and progress, and there's some great prescriptive maintenance plans which are sort of guiding the path.

So in this budget cycle is the third point we'd really like to see continued emphasis on both development of those plans and execution of the plans that are already in place. Extremely important this year because a lot of that stuff has to do with fire mitigation. Very dry year.

Okay, the fourth point – this is something a little bit new and it's something that COLTPAC has talked about a good bit and I think deserves a little bit of attention this year and it really has to do with I'll call it leadership. The maturity of the organization within County staff is great at this point. The 3 ½ some odd years I've been on COLTPAC I've seen the maturity and the capability of the organization just improve considerably. The time is right now to take some of the experience within County staff and start expanding our participation in conservation, recreation, resource management outside of the sphere of County influence. So this is opportunities at the federal level, opportunity at the state level, opportunities to work with the City.

Many opportunities sort of present themselves over time. There's Galisteo Basin Preserve which very likely the County will be asked to participate in the near future. I think there are new opportunities to work with the City of Santa Fe, both economic development related to open space, trails and parks, conservation, and there are lots and lots of opportunities, particularly with federal and state in voicing our opinion on mineral extraction and management of those resources.

So this fourth area – I have to talk to you some more about it but it's leadership.

It's getting the County to really get out there and try to wrangle the resources.

Okay I'm just going to do the intro here. So what and why? That was my segue into the short term. What and why for OSTP 2.0. This is an effort from COLTPAC and staff to really outline the future vision and strategy for open space. It's an opportunity to build on the quality of life factors and to actually quantify and qualify those as we move forward, so we can measure how the program's going. Very importantly, we spent – I think the number is close to \$50 million on open space over the last 20 years. So this is very much a way to maximize the return on that existing investment. And then very importantly, this will start hopefully a discussion between COLTPAC, members of the community, the Commissioners, and staff around how do we form this program for the next 20 years? And this is where Maria comes in and the development of the strategic management plan.

Okay. So thanks for that long intro and I'm going to let Paul talk about the history of the program.

CHAIR HANSEN: Thank you, David.

MR. OLAFSON: So the open space program was really initiated in about 1998. 1997 we purchased the easement for the Rail Trail and talking about a bond which was sold in 1998 to fund open space acquisition. COLTPAC was formed with multiple members, I think over 30 members, and in 2000 they developed the initial open space plan, and that plan has been the guiding document for the last 18 years in the development of the open space program.

It's a very popular program here in the county. We have a lot of support and community grassroots groups and advocacy groups. We have a high level of success. We've had some really beautiful properties protected and developed – the Santa Fe River, Cerrillos Hills, Arroyo Hondo, Rail Trail, Dale Ball Trails, the La Piedra Extension of the Dale Ball Trails and the Talaya Trails. And these are popular facilities that are used by many people throughout the county.

We have strong leadership in local conservation and land management as demonstrated in our Thornton Ranch Open Space, the El Camino Real Trail that is under construction now, the Rail Trail again, the River Greenway, our TDR program and also our agricultural programs in development. And many additional recreational opportunities are coming up and that's the opening of the Thornton Ranch, the ongoing development of Romero Park, San Pedro, Los Caminitos and other spots.

Next, over the last 18 years we've acquired 23 properties, approximately 6,400 acres. There's 18 parks and recreational facilities. We started actually with zero employees at the beginning but in starting 2004 we had three employees. Currently now we have 13 employees dedicated to it. We've spent a total of approximately \$22 million in acquisition of open space properties, approximately \$20 million in capital improvements, including the Rail Trail, the River Trail, Arroyo Hondo, Talaya Hill and we've received about \$6.8 million in grants for Rail Trail, Arroyo Hondo, El Camino Real and Pojoaque Valley, among others.

This is a small timeline that you can see that will be included in the final plan that outlines from the far left in 1997 the acquisition of the Rail Trail easement, initial easement, and then different bond sales that are represented by the stars. The blue columns are planning projects. The green columns are acquisitions and then the kind of

yellow ones are management and openings of different facilities. So you can see we started off heavy on the acquisitions and we've moved toward management and opening of the projects. And with that I'm going to turn it back over to Dave to kind of talk about the quality of life issues.

MR. DANNENBERG: So that slide that Paul showed with the timeline is just amazing to me. There's so much that's really accomplished with this program. Everything that's happened on open space, I think, has been a positive impact on quality of life for Santa Fe County residents. Personally, it's one of the reasons that I live here and it's one of the reasons that I'll probably continue to live here for another ten or fifteen years. It's the outdoor scene here. Not only the conservation pieces but the recreation pieces. I'm a mountain biker and a hiker and I take my dogs out on the trails just about every day.

So quality of life is pretty esoteric and what we tried to do is to break this up in a way that we could organize activities into quality of life factors and do some quality quantification of things which contribute to these. So we've broken these up into four different elements and I'm going to zip through these pretty quickly because you can read the slides, but I think it's all common sense. That is what open space supports.

Sense of place, sustaining our limited resources here, conservation/preservation. Promoting a very healthy lifestyle and growth to the economy are the four areas that we're going to focus on and you'll probably see these in the strategic management plan organized in this way.

So the first, sense of place. Many of the open space properties in Santa Fe County tie themselves to history and culture, so if you're familiar with the open space properties, for example, Ortiz, Cerrillos Hills, Mt. Chalchihuitl are tied to the mining history here. Thornton Ranch to ranching and railroads. Los Potreritos in Chimayo was tied very closely to agriculture in the region. And almost all of these are tied very closely to Native American culture and history. So when you visit these places, for one thing, they're educational. They're laid out to be educational. They generally have signage and if you've done any reading on the internet you understand what the property is about. And they very effectively connect visitors to the history and traditional values of land. What this connection does is it motivates preservation and conservation of the properties.

So that's in 150 words how I describe sense of place. There are communal places. Biking groups, hiking groups, get together and use our open space properties very frequently. I walk my dogs in Arroyo Hondo every other day and I generally spend about 20 minutes talking to people as I'm walking through. Open space, trails and parks are community assets and they provide a sense of ownership to resident and they promote volunteerism. There's a huge number of volunteers in Santa Fe County and I would almost venture to say that the number of volunteers attached to open space, conservation groups, and the outdoors is probably as large as school and church volunteer groups here. It's huge.

So one thing that OSTP 2.0 does, moving forward, is it engages the community in all of these aspects – sense of place – so there's the volunteerism piece. There's really the sense of place in history piece, and there's also the communal aspects of open space. And then you measure these things really through participation and satisfaction of the community, and that will really be demonstrated in the strategic plan, is how you measure

those things.

Okay, open space, trails and parks have a very positive impact on health and wellness. Lots of different ways, but the one I'm really going to drill down on is what open space trails and parks does for a huge health issue facing the US today. I've worked with a company for about three years now that's had access to Center for Disease Control on obesity and actually has products that are addressing obesity issues. Obesity in the US is ranked in the number one, two and three leading causes of preventable death in the US, depending on what study you read. That's next to smoking and medical errors are the other two areas that cause tremendous numbers of preventable deaths in the US.

So what can you do about that? The two largest areas to combat obesity are promoting exercise, promoting exercise through education and access to healthy food. And those are two things that OSTP 2.0 addresses directly. Many studies, there's actually too many to count so I'm actually citing a survey here of studies that relate the proximity of open space and parks to healthy lifestyle and increased activity. And then the other fact that I think is very interesting is if you take a look at the regions within the US that have the lower rates of obesity, there's Colorado – and that's attributed to active lifestyle in an outdoor culture, and there's Massachusetts, and it's credited to education. Education around diet and good healthcare.

So we put all those things together and we can make a conclusion that OSTP 2.0 adds a lot of value if we can really continue to promote agriculture and physical exercise.

Sustainability and preservation and conservation – I've touched a lot of these points but this is really core of open space, trails and parks is to conserve and preserve for future generations, and then the one area that I'm going to touch on again here is OSTP 2.0 really promotes this whole concept of regional leadership and we're in coordination with BLM, Santa Fe National Forest, City of Santa Fe, conservation groups and beginning to provide a louder local voice in state and federal politics related to policies that really affect our region.

And then the other piece that's important is the continuum with the agricultural program.

And then last but not least in these quality of life factors is OSTP contributes to the economy. I think there's three primary ways that open space contributes to economy. One is simple. If your house is on a trail or if your house is on an open space, the value of your house goes up when that property is open and recreation is open. That's been shown. The second is a little bit controversial and it's that outdoor recreation can promote tourism. And then the third I think is probably the most interesting, which is that open space, trails and parks very much promote attraction of clean industry and high salary jobs to regions.

So on the second of those, I'll talk just very briefly about outdoor recreation as an attractor of tourism, and the reason I want to do this is because it's a huge industry. \$6.1 billion annually in consumer spending in New Mexico; 68,000 jobs; \$1.7 billion in wages; \$458 million in the state and local tax revenues. So if you just go by population, Santa Fe County's cut of that is about \$436 million in consumer spending. In a conversation I had with Tony we were kind of wondering if Santa Fe County actually got that big a cut because we don't do anything along with the City of Santa Fe to really promote tourism around outdoor recreation. It's very light. I'm getting an amazed look.

MR. FLORES: Actually, Madam Chair, for clarification, we do promote the outdoor recreation component as part of our lodgers tax advisory activities, and we also promote our open space properties, so it's a little untrue about us not promoting anything or getting that. The conversation was more has the County actually realized any of that \$400+ million in consumer spending.

CHAIR HANSEN: But we have with our lodgers tax and our videos and all of that is promoting our outdoor –

MR. DANNENBERG: I would argue that Santa Fe County, City of Santa Fe, compared to regions that have very active ecotourism economies hasn't moved very far in that direction. So that's my point is that there's lots of opportunity there if we choose to go that direction.

Okay, the third area, and I'm going to wrap up on this, that really impacts economy and it's related to open space, trails and parks is ability of a vibrant and mature open space program to attract clean industry. This is a really difficult area to kind of gather data on but we did do a very quick survey of four county open space programs which were – they were already to their 2.0 phase, so this was Larimer County, Colorado, Boulder County, El Paso, County, which is Colorado Springs, and also Marin County. The open space programs are somewhat larger than ours. They've been around for probably 20 or 30 years longer than ours, and what's interesting for each one of those regions is if you look at sort of the nature of the economies in those places, the number of individuals with jobs of median salaries greater \$50,000 was the measure, it's somewhere around twice that of Santa Fe County.

So this is a real chicken and egg kind of thing, and it's a philosophical question as to which came first, but I think the interesting fact is that if you look at prototype counties that have large and vibrant open space programs, they've been very successful in attracting high paying jobs, tech industry, clean industries, IT industry, and interestingly enough on their development website, their economic websites, you generally see open space as a value listed at the top of the list. So draw what conclusion you will from that.

So to wrap up, this quality of value component, OSTP 2.0 takes the great stuff that we have now, expands and promotes outdoor recreation for whatever purpose we see fit in developing the economy of the region.

And the important piece of this is next, which is Maria is going to tell you about next steps and how we're going to try to wrap all this into a plan.

MARIA LOHMANN (Open Space Planner): Madam Chair, Commissioners, so we've heard from Paul and we've heard from Dave. Paul explained about the history of the program and how far we've come, and all of the strides we've made and all the great projects we've put on the ground. And Dave talked to us about how important all of these things that we've been doing are for our quality of life here in Santa Fe County. So my job now is to say, all right. What's next? How are we going to really make this happen?

We have this grand vision that the original COLTPAC helped us to create back in 2000 and we worked really hard to put all of those projects on the ground. And that grand vision is still really important. And I'm going to change this slide real quick. And we're still working towards meeting that grand vision. We've entered this new phase of the open space program where we're focused on resource management, developing

stewardship, providing access to our open space properties. So we need a new plan.

And this plan is going to help us implement our goals and our projects in an efficient and effective manner. It's going to help us be the best stewards that we can be for our open space properties, and it's going to demonstrate successes, because that's really important.

So this is what we are calling the Open Space, Trails and Parks Strategic Management Plan. It's going to do a couple of things, and it's really important that it does this couple of things. It's going to set the vision and objectives for the program for the next five, ten and twenty years. So in the short term we'll have those successes, but also in the long term. We're looking far out. And this plan is also going to provide guidance for staff, volunteers, partner agencies, community members, stewards – all of the people who are involved in open space. And it's going to provide guidance in five areas.

The first is internal operations, and that could include property classification – what kind of property is what, how we implement best management practices. It's also going to help us identify project and opportunity areas. I'm calling them management landscapes and I'm going to talk about that a little bit in just a second. We're going to look at alternative funding options. We're going to look at enhancing our public outreach, our event programming and our education so that we can provide more and better access to our open space properties, and we also need to focus on developing and fostering and strengthening partnerships, because that's the only way we're going to get all of these things done effectively.

As part of this process COLTPAC helped us update the vision and the mission from the 2000 plan and I just want to point out that the vision and the mission haven't really changed; we just reworded it. So I'm going to read this real quick, because this is what is going to frame how we move forward in our plan and how we can measure success towards achieving our goals.

So the vision. Santa Fe County's open spaces, trails and parks program sustainably manages and preserves a vibrant network of cultural, historical, recreational and natural community resources that inspire a deep sense of regional identity and stewardship among current and future generations.

And the mission. Santa Fe County provides innovative leadership in local land management and conservation that enhances the quality of life for residents, provides access to public lands, and advances community partnerships and effectively leverages community investments in the open space, trails and parks program. And that's a really important statement, because we are going to do all of these things to reach all the goals that we've been working towards since 2000.

So here I'm just going to talk a little bit about management landscapes. And basically, we've identified these management landscapes because we want to focus projects for trail development, resource management and programming on County open spaces. But these areas aren't just County open spaces, they are areas where there are other partners that we can work with to leverage our existing County investments, work with those partners to get a bigger bang for our buck basically.

For example, one of the areas is around Cerrillos Hills State Park. There's BLM. The State Parks manages the County open space, and there are additional opportunities

for wider landscape preservation and recreation opportunities where the County doesn't have to provide all of the trails. Maybe the County just provides the trail access.

The other thing that we're learning is that we need to provide different things for different areas of the County. One of the planning frameworks that we've set up through the Sustainable Growth Management Plan are growth management areas. And in each of those growth management areas we hear different things from the community members and the different folks that we have continually been talking to for years about as we develop this plan. For example, in El Norte, their needs are active recreation facilities and access to public lands. And that's different than El Centro, where they want trails, especially for transportation purposes and open space conservation, and that's different a little bit than the Galisteo area, where landscape conservation is the most important part of what we could do as the open space program, and also providing some recreational trails. And again, that's different than the Estancia area where long distance regional trails, especially for equestrians is on the top of their list.

So as we develop our strategic plan and our actions, we need to take all of those regional needs into this. And I just want to point out my map is a working map, and so even since I've put together this presentation last week it's changed, so you'll see a different version when this finally comes to you because we are continually taking input from our county residents and our stakeholders and our community members about how we want to move this forward.

As part of this planning process we've started to draft policies that provide guidance on management, stewardship and access. And you can read this slide, but I'm going to give you an example. All of the policies are interrelated and they might have similar action and strategy steps to implement. For example, one of our policies is to provide access, so in the short term a strategy and an action step could include developing and promoting community partnerships where partners would help us provide outreach and programming opportunities to get additional access to properties that may be closed for access reasons or maybe we just don't have trails or appropriate trails for that yet. That same policy could have mid-term strategies and actions where we could start to explore a non-profit, Friends of Santa Fe County Open Space, that could no more outreach, for example, and then in the long term that same policy and these action strategies would then help us create a robust stewardship and preservation community focused program.

Right? So we have short-, mid-, and long-term action step strategies to implement the long-term mission.

And so that was a very, very high level overview of how we're going to be putting together this plan and I'm sure you want more details and you'll get them soon. I promise. This is the schedule for how we are moving forward with the development of this plan. So we are working hard and have been working hard for many, many months, working to refine this document. We've been talking to stakeholders and community members and COLTPAC and really refining and getting input from them. So that's indicated on this timeline. We are planning to move forward to a presentation to COLTPAC that will open up the final public review process for this in the early summer. As that opens up we'll have public comment, public meetings throughout the county for review, input, any last-minute ideas, and then we'll be moving forward in bringing the

strategic management plan to you for your approval, hopefully, at the end of the summer.

And I can stand for questions if you have any. Otherwise, thank you very much.

COMMISSIONER ROYBAL: Thank you guys for the presentation.

CHAIR HANSEN: Okay, thank you. Thank you very much, Maria, Dave and Paul. Open space is a very important thing to Santa Fe County. We care about it. We want to see it continue. Everyone's doing a fabulous job. Thank you.

MR. FLORES: Madam Chair, did you want to take the comments from the biking community for the open space portion?

CHAIR HANSEN: Oh, I'm sorry. Comments from the public? Yes. Please come forward if you would like to speak. Welcome, and thank you for being here. Please state your name.

JENNIFER WELLINGTON: My name is Jennifer Wellington. I am a member of Bike Santa Fe and I'm also on the Bike and Trail Advisory Committee for the City, but I'm speaking as a member of Bike Santa Fe, representing the bicycling community. We did have someone else lined up to speak but his work commitments wouldn't allow him to be here and so excuse me for reading from my phone.

With me today I have Catherine Rivard, who is a cyclist for about six years now. She's also a practicing attorney. And Judy Costlow who is the president of SOBs, also Seniors on Bikes. Judy has about 50 years of bicycling experience. I have 54, I realized, and Catherine is newer, about six years of serious cycling. It was hard to steal bikes from her brother when she was younger.

Thank you for this opportunity to speak and thanks to the Growth Management team for their presentation, which is a great lead-in to what we're going to talk about. I've lived in Santa Fe for about 17 years and I've been a resident of northern New Mexico for about 25 years. My colleague Catherine and I are both league certified cycling instructors. We teach bike safety classes through the League of American bicyclists, which is the premier bike advocacy organization in America.

My interests in speaking to you today are that I'm concerned about the safety of pedestrians and bicycle riders using the roads and paths in Santa Fe County and the way the laws are enforced when a bike-car incident occurs. I have two basis messages. We have a problem regarding the safety of bike riders, and two, we have advocacy groups in Santa Fe County that are prepared to help the County formulate and execute solutions to educate and raise awareness. You have the opportunity to make a huge positive difference for Santa Fe County residents, visitors who bring in great economic benefits and businesses. Let's make it a priority to make Santa Fe County a more bike-friendly region.

It is a decision you can make and resources you can allocate in the next few years to turn Santa Fe County into a place where many bicyclists fear for their lives every time they take their bike onto the road or simply do not ride because of their fear, to a community known for its bike-friendly infrastructure and attitude. Through the work of the MPO and City staff and BTAC, the Bike and Trail Advisory Committee, Santa Fe has been designated a silver level bike-friendly city by the League of American Bicyclists. This is quite prestigious. This year we did try to go for gold but we didn't make it and the areas we are quite weak in are education and law enforcement.

This is a great accomplishment but actions speak louder than words and in the

view of some residents Santa Fe County has started sliding backwards. Why are we are concerned? You may or may not be aware of the numerous bicycle-car crashes and pedestrians injured or killed in the very recent past. And most recently, Charlie, of Rob and Charlie's bike shop, who is a long-term resident of Santa Fe was hit and injured riding home from work one night.

To convince you that we have a problem I'll quickly summarize a few recent incidents and statistics. About three weeks ago on County Road 41 in Santa Fe County an organized group ride of about 15 Santa Fe Seniors on Bikes were approached from behind by a driver who aggressively passed them, then stopped, then, as the group approached, put his car in reverse, backed up and hit three of the riders in the front of the group. These three were seriously injured. One person is still in the hospital with multiple fractured ribs, broken pelvis and collapsed lung. Charges are pending as we understand. There are members who are in touch with the Sheriff's Office and the DA's office trying to keep tabs on this. The driver was not arrested at the scene and has not been charged as far as I know at this point. He also left the scene of the accident with injuries.

In November our friend, Irena Ossola was nearly killed when a car made a left turn in front of her as she rode on Alameda and Siler Road, which we acknowledge is in Santa Fe but these are examples. She hit the side of the vehicle going 35 miles an hour. Irena is a native Santa Fean who also trains in Italy where one of her parents is from. But last year she spent the summer as a professional bike racer in Europe, racing and winning the highest level of cycling events. As a result of the crash she received a broken collar bone, both thumbs were broken, one hand, the orbital around her eye, both lungs collapsed, many of her teeth were broken and she received traumatic brain injury. She's now in constant rehab and therapy trying to get her life back. The driver got a \$156 fine and 90 days of unsupervised probation.

In December another friend was riding to work as he normally does on Baca Street, a marked Santa Fe bike route when a careless driver who neglected to scrape the frost from her windshield hit him from behind and dragged him about 80 feet. The driver was cited for careless driving. Her case is pending.

In December another friend was hit riding home from her work out on Highway 14 – that was in the county. A driver made a left turn in front of her near the BLM building. She struck the side of the car, was thrown into the air. She suffered a broken pelvis, multiple abrasions, and the loss of her bike. She went to the hospital and was told the officer would interview her after she was treated. In the end, the driver was cited for careless driving and failure to yield at an intersection. The driver said that the reason she didn't see Hillary was that she was looking at the backseat where her baby was when executing the turn. The police never interviewed Hillary. When she finally obtained a copy of the report many of the details in the report were erroneous and did not accurately represent the sequence of events. This was I believe Sheriff's Department.

In late February two pedestrians were hit and killed in separate incidents on Paseo de Peralta and Cerrillos. This is only a partial list of the incidents in the last six months. To put this in perspective beyond the anecdotal information I've just shared federal statistics show that of the 50 states, New Mexico has the third highest annual cyclists death per million people at 3.1 deaths per million. In a typical year six to eight cyclists are killed and countless others are injured seriously. Many of these are not even reported

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or we cannot find the reports.

In a majority of cases the cyclist is not at fault. However, the law of gross tonnage prevails when a car and a cyclist collide and the cyclist always loses. I hope you will agree with me that we have a problem here. My request to you is that as a body that can make decisions and allocate resources, to treat this as an opportunity. We're doing poorly. There is low-hanging fruit and your actions can improve the situations. I'm not going to provide an over-simplistic answer now. Instead I appeal to you to use the resources at your disposal to formulate and execute plans that will make Santa Fe County a safe place for cyclists and pedestrians, young and old. My request to you is make bicycle and pedestrian safety improvement a goal of this Commission.

For instance, consider appointing a cyclist to the Transportation Advisory Committee, which was spoken about earlier in this meeting. Utilize BTAC, the Bike and Trail Advisory Committee, which is a City organization but includes one member, a county resident. Utilize other interested bike advocacy groups such as the League of American Bicyclists, the Seniors on Bikes, Pedal Queens, the Bicycle Coalition of New Mexico, and Santa Fe Fat Tire Society, which has been very active in trails development and maintenance in the county and in the national forest. Distracted driving – it's bad for everyone. It's especially bad for cyclists sharing the road. Address this problem. Don't tolerate the rampant cell phone usage and texting while driving. We often hear that bicyclists run red lights and it makes motorists, of which we are also motorist, but people running red lights on a bike are irritating to motorists. But if you sit at the same corner and see the number of people who drive through using their cell phone, texting or talking on their phone, it's appalling. And studies indicate that distracted driving is as dangerous or more dangerous than a DWI.

You have an opportunity. Santa Fe County offers tremendous resources for bicyclists and pedestrians. We have some wonderful bike trails and infrastructure and more are being built as our colleagues talked about. That is awesome. We bring over 2,200 from all over New Mexico and surrounding states, including my cousins from Iowa, come to Santa Fe to ride the Santa Fe Century, a 100-mile ride which goes throughout the county. People love to visit Santa Fe. Santa Fe can grow as a road and mountain biking Mecca. For one thing, Campagnolo, it's called the Gran Fondo New York, is considering licensing a Santa Fe race as part of their worldwide circuit, which would bring in again great economic benefit.

For Santa Fe County to gain the outside acknowledgement and residents' trust and buy-in infrastructure and law enforcement must truly encourage and support the residents and visitors who might cycle and need to feel safe. We look forward to beginning a productive and inclusive dialogue with those who have the power to create positive and healthy change. The potential payoff is huge. You might be saving the life of me or a friend. And I will say that two of us have been hit. Judy has been hit and I have been hit in car accidents. So thank you for your time.

CHAIR HANSEN: Thank you Jennifer, very much. I really suggest that you reach out to the MPO also. They are the regional body that we all serve on. They have a strong bicycle component and I think that it's important. And also in the Sustainable Land Development Code we always include bike paths, bikeways, on our roads that we develop. So we are concerned about bicyclists in the county also and I

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thank you for bringing all of this forward.

MS. WELLINGTON: Thank you.

COMMISSIONER MORENO: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Moreno.

COMMISSIONER MORENO: Ladies, questions.

MS. WELLINGTON: Yes, please, we're open for questions.

COMMISSIONER MORENO: I do ride on the county paths and I like them. I don't like riding on the streets much. Only when I have to. But I'm going to do two things here. The emphasis on getting children to be more active, this is in the other presentation, I've always thought that if you get them into school grades where they can have outdoor experiences that really encourages them to keep it as a lifelong activity. Corporate support, maybe some corporate support, branded things, in order to generate maintenance of the trails. I'm really distressed about this distracted driving. I see it every day, pulling out from Eldorado onto 284. People just – they're out to lunch already. And I'd like to suggest that maybe we make the penalties a little bit stronger when there is a bike involved. I don't know what that would require.

MS. WELLINGTON: We understand. We won't answer that today but that is where we'd like to engage in more dialogue. We had Officer Christopher McCord to speak at the Bike and Trail Advisory Committee meeting the other evening and began to explain some of the intricacies and technicalities about how they charge and why they charge. And there were also some erroneous statements made at the City Council meeting about bicycles and the law. And we hope to have a dialogue to clarify, set the record straight on that and law enforcement is somewhere we see a bias and we would like to see bike education included in police and Sheriff's Department training. Bike Santa Fe is an organization that has the ability to teach. We have five league certified instructors, or LCIs and there are two others in town. That is one way.

Another is there is a card that has been printed about bicyclists and motorists on the road and we've been talking about seeing that perhaps given out by car dealerships in new cars. But again, this isn't the forum to go into the weeds.

COMMISSIONER MORENO: Yes, but that satisfies my interest. Thank you.

CHAIR HANSEN: Thank you, Commissioner Moreno. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the feedback and the comments that you made today and I think that Madam Chair, Commission and staff, we have an opportunity as our Deputy Manager provided some additional feedback to me in our open space planning to take a look at some of these issues. So we're going to make sure that you're part of that process. But I think in a broader context, a lot of the things you said associated with bicycles can be directly correlated to accidents with motorcycles as well. There's a severe lack of awareness and people paying attention. Different apparatus but very similar circumstances with the driving public.

But you mentioned various items, I would say publicly and on the record that the Sheriff of Santa Fe County, the Undersheriff and his team, I've been very open to requests that we've had and that the public has. And so I'm not sure what the frustrations are that you're having directly but I, today, after hearing what you've said today and

going to have a conversation with the Sheriff and the Undersheriff and his team to initiate some dialogue. But I could vouch for them that they've been open to protecting the interests of all of the public across all modalities of transportation.

And I think a lot of times what happens is the laws on the books have an impact as to the flexibility and the latitude that law enforcement has or does not have and then there's multifaceted issues. So we're going to put you in direct contact with our open space planning folks. I think we need to have an internal evaluation on bicycles – and not just bicycles, but we also get a feedback with multiple modalities of our trails use – equestrian. Right? So we have equestrian people that get frustrated with bicyclists on some of our open space trails for obvious reasons and vice versa. And even walking public that participate on our trails. So I think it's a trail issue, but it's also a public transportation issue on our rights-of-way where bicycles have the right-of-way.

One thing I did want to highlight and have a discussion about as well is that you mentioned the accident on 41 that's terrible. It's terrible. But when you think about the Century and the impacts that it has to the traveling public in that weekend – it's an awesome weekend and it's an awesome event. But it is very dangerous for both parties on that weekend. And I think over the years we've all tried to get better about providing information in a similar way that we do with the pilgrimage to the Santuario. But it's going to be a multifaceted, multipronged approach that crosses all types of traveling uses. So we've got to be cautious not to just isolate bikes by themselves or any one function by itself but that we incorporate all those uses and then make sure that we have clear data. That's the other thing that I wanted to point out.

You made a comment about crashes and New Mexico, with car and vehicle crashed in New Mexico, it's prevalent in rural states with a lot of highway infrastructure to have higher levels of crashes and death rates. It's unfortunate, but the rural nature of New Mexico and Wyoming and Montana lend themselves to more accidents. But at the end of the day we want to be as comprehensive as we can. We want to have sound data, make sure you're at the right tables, and that we don't proceed with any haste in making adjustments to laws and that we do it in a comprehensive way.

So I love what bicyclists do for New Mexico and what we've done with the tourism aspect, the leisure aspect, the aspect of exercise, but we all need to get our hands around it, our heads around it and continue to work together. But I think one of the early things and maybe it's the planning discussion that we're going to have next week or in a couple weeks, we have to decide where is the appropriate home in Santa Fe County to bring in the bicyclists. Is it open space? Partially. But it might be partially the Transportation Committee. And it might be a separate committee that's similar to the City of Santa Fe that encompasses multifaceted modalities of use of transportation.

So I don't know the answer. I appreciate the input but I do want to add that we appreciate the bicyclists. I don't think our Sheriff has malice towards bicyclists and I think we just need to communicate and work together towards better solutions, and if necessary, stronger laws. Thank you, Madam Chair.

MS. WELLINGTON: Yes. Thank you. Thank you for your time.

CHAIR HANSEN: Thank you, Jennifer.

V. MATTERS FROM COUNTY COMMISSIONERS

A. Presentations and Proclamations

1. Approval and Presentation of a Proclamation Proclaiming the Month of April 2018, as Santa Fe Business Incubator Month in Recognition of Their 20th Anniversary

CHAIR HANSEN: We have a proclamation here and I am hoping that my County Commissioners will join me in reading this proclamation and then passing it. On April 4th there is an event at La Fonda, a luncheon, 11:30 to 2:00, and I believe that Commissioner Hamilton will be present to read the proclamation there also. But in the meantime, Santa Fe County proclaims the month of April 2018 as Santa Fe Business Incubator Month in recognition of its 20th anniversary.

Whereas, the Santa Fe Business Incubator, a non-for-profit corporation has helped launch 160 business enterprises that have created more than 1,000 jobs and returned millions of dollars of tax base; and

COMMISSIONER HAMILTON: Whereas, the Santa Fe Business provides a 30,000 square foot campus and programs and serves as a business creation center, innovation hub, and economic driver; and

COMMISSIONER ANAYA: Whereas, the Santa Fe Business Incubator created a shared BioScience Lab, the Archimedes Maker Fab Lab, and the co-working and collaboration spaces to support startups in Santa Fe County; and

COMMISSIONER ROYBAL: Whereas, Santa Fe Business Incubator continually develops new methods to advance entrepreneurial diversification, community wealth creation, and new jobs by cultivating startup companies and by extending business resources to micro-communities in Santa Fe County; and

COMMISSIONER MORENO: Whereas, the Santa Fe Business Incubator connects startups to sources of capital, attracts volunteer experts who mentor entrepreneurs, and helps businesses commercialize technologies from our national laboratories, universities and colleges in New Mexico; and

CHAIR HANSEN: Whereas, the Santa Fe Business Incubator now celebrates 20 years of providing programs and resources to startups and entrepreneurs in Santa Fe County;

Now, therefore, the Board of County Commissioners of Santa Fe County does hereby proclaim the month of April as Santa Fe Business Incubator Month in recognition of their 20th year anniversary.

With that, Sean, would you like to say a few words? Sean is the program director from the Santa Fe Business Incubator.

SEAN O'SHEA: Thank you very much, and I appreciate the Commission's support of the Santa Fe Business Incubator and look forward to 20 more.

CHAIR HANSEN: Thank you. And with that can I have a motion to approve?

COMMISSIONER MORENO: I so move.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion to approve from Commissioner Moreno, a second from Commissioner Hamilton.

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

CHAIR HANSEN: Sean, we have a copy and a photo. So we're going to take a photo.

[Photographs were taken.]

IV. C. Update on Santa Fe County's American with Disabilities Transition Plan [Exhibit 5: Staff Report]

MR. FLORES: Madam Chair, for the record, this is Mr. Matthew's final item before the Commission.

CHAIR HANSEN: Are you here for the rest of the week?

MR. MATTHEW: Yes.

COMMISSIONER ROYBAL: Let's all think of a lot of questions.

MR. MATTHEW: Madam Chair, members of the Commission, I just wanted to provide you with a schedule and a synopsis of what we're going so far. So what we're doing so far in the ADA transition plan is we're turning roads back to the DOT, and that's the first part of that. And what occurred after that is the ARC staff, Architectural Research Consultants that were the consultants we hired, they did an assessment of the facilities in the County, a complete assessment and developed a plan. We have that draft plan in our office. [inaudible] right now. We're just going through some plan changes to make it more readable and accessible. The plan will be presented to the Board April 10th. That will be the first draft, and there will be public comment, open for public comment. And so if there are revisions as directed by the Board we'll work with the consultant to do the final draft which will be presented May 29th at the BCC.

Pending the results of that meeting we will then transmit the ADA Transition Plan to the DOT June 6th.

CHAIR HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: I appreciate that information on that item but I have a few questions for you, at the request of the County Manager that we raise as many questions as we can today. My first question, Mr. Matthew, is are you a Green Bay Packer fan, and if so, for how long?

MR. MATTHEW: My life. Couldn't help it.

COMMISSIONER ANAYA: So you are a Green Bay Packer fan?

MR. MATTHEW: Yes.

COMMISSIONER ANAYA: Okay. And so coming from Milwaukee, I had the opportunity to watch a Packer game a couple years ago around Christmas and I was intrigued by just the history in Milwaukee. Could you provide some feedback on a couple of things that I should see if I get back to Milwaukee.

MR. MATTHEW: Well, there aren't as many breweries anymore. My sister did work for a brewery. I'd say the lakefront is a beautiful area. There's a building there that has wings that fold out. It's an art museum.

COMMISSIONER ANAYA: Awesome.

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MR. MATTHEW: It's an architectural landmark. But the lakefront area is beautiful. And the Mitchell Park Domes, which are three domes. They have unique environs, like a forest, tropical. It's especially nice in the middle of the winter in Wisconsin to go in there.

COMMISSIONER ANAYA: Nice. Mr. Matthew, you mentioned breweries. And so Milwaukee is – that's one of the main things is beer. What's your favorite libation from Milwaukee and which brewery should I go see that has the best historic representation of Milwaukee.

MR. MATTHEW: I don't drink beer anymore myself, but what I understand is many moved out of there. I'm not sure if Pabst is still there. But they were one of the biggest.

COMMISSIONER ANAYA: They moved out because at the Packer game that seemed to be the beer of choice, that I saw.

MR. MATTHEW: Well, there's Miller, Pabst, Old Milwaukee. There's a lot of other big ones.

COMMISSIONER ANAYA: Okay, so my last question, Mr. Matthew. Kringle bread and curds. Cheese curds, right? Those are two staples in Wisconsin.

MR. MATTHEW: It's true. Yes. Breakfast.

COMMISSIONER ANAYA: Awesome. Hey, thank you, Ray for all you've done for the County. You did a fine job today and all the other days and best of luck. Okay?

MR. MATTHEW: Well, Thank you. It's been my pleasure, and once again it's been a great management and Commissioners to work for. Thank you.

COMMISSIONER ANAYA: You bet. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya, for entertaining us. Are there any other questions of Ray. You know, Ray, I do have one question about this implementation plan. I know we don't have to approve anything, but I know that ADA can start costing a lot of money to counties and cities. So as we move forward with this, what's going to be our impact in the financial realm?

MR. MATTHEW: While we don't have the final numbers, but it's going to be a 20-year timeframe. The consultant did provide us with a cost estimate but there are things included in that cost estimate which would be, for example, what the County staff normally do in-house. So that's what we're working on to make it more – okay, this part will be done through a consultant and things like that. But it is a 20-year timeframe and it does not – the ADA federal legislation does not require a financial commitment, an annual commitment. It just requires that the local government make a substantive and documentable progress towards meeting the ADA goals. And so what this plan is going to do, it's going to give you, like if you had access to unlimited funds, you could do that, that's what I would do. It identifies all the improvements in a 20-year timeframe that are needed right now.

CHAIR HANSEN: Okay. And as staff we can do some of these things ourselves inside the County without having to hire outside experts?

MR. MATTHEW: Some of them. I'm reluctant to get into that area too much because it's really [inaudible] to kind of get the best recommendations, okay, this could be done and this couldn't. This would be better contracted out, and things like that.

What the plan does is it proposes sort of priorities. And over that 20-year timeframe, it divides that 20-year timeframe into priority years – five years, ten years, 15 years.

MR. FLORES: So Madam Chair, the ADA transition plan committee is comprised of team members from Growth Management, Public Works, County Manager's Office, County Attorney's Office, in trying to develop with the consent a plan to move forward. As with any other plan we heard today about the strategic plan for open space. It comes with a fiscal impact. This too will come with a fiscal impact that the Commission will have to make policy decisions and directives on on where we spend our money and when. Ray indicated that some of the work we could do in-house during our regular maintenance, which is a definite possibility out there. However, there are other components with this plan that you'll see as we present it in April that are much larger. I can tell you the City of Albuquerque has had their transition plan now for I think a couple of years. They are going through an update, and I think their latest cost estimate was \$430 million in ADA improvements. I may have that number incorrect, but it's in the large numbers, large Xs in the dollars so I think the Commission will have to sit down and look at how this plan moves forward with the other priorities of the County.

CHAIR HANSEN: Okay. Thank you. I just didn't want to leave that unsaid. With that, thank you, Ray. Thank you for everything. We will miss you.

MR. MATTHEW: Well, thank you. It's been a pleasure.

V. C. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Madam Chair. I think you guys all saw the materials that were left on your spaces. There's this thing about recycling. [Exhibit 6] That was some information and some of you are already fully familiar with this. I've just brought forward kind of for everybody's information because there's this sort of multilevel decision that's facing us in issues with recycling. And at the last meeting there were several bits of information that were requested, one of which was to provide the amended contract Friedman did with Albuquerque. So I just wanted to make that available to everybody so you could look at it and I suspect we'll come back to everybody with more updates because I think these are kind of big decisions that are coming forward – recycling and all the kinds of sustainability, conservation things that go along with that that are important to the County, but this represents a big challenge and I think probably everybody up here on the bench is familiar with it, sort of the decisions from the Chinese government that have put the whole recycling process and market into a big question.

So it's really just informational at this point. I think it would be good for the whole Commission to kind of keep up with this so we can discuss it because this was done directly in the SWMA Committee but it really could have big impacts on the County so I wanted to make sure everybody knew about it. So if there are any more questions we could talk tonight but mostly I wanted it as informational for future reference.

CHAIR HANSEN: I really appreciate you bringing this forward. This is a big issue. When I was in Washington, DC I brought this forward to Congressman Ben Ray Lujan and he had no idea. And so he was really happy that he was informed about this because he sees this as possibly a job opportunity if we start thinking about more local alternatives, and that is why I brought it forward, and it has been under the radar for many people and I think it's something we need to have on top of the radar. So thank you very much, Commissioner Hamilton, for bringing this forward. Commissioner Roybal

COMMISSIONER ROYBAL: Thank you, Madam Chair. I did have a couple of issues that were brought to my attention and I think this was one that was brought forward before and that was with the La Puebla Fire Department. And also it's basically County Road 88. On County Road 88 and talking earlier about bicyclists' safety I did have a call where that County Road doesn't have any shoulders and it's the main County road that comes off of the interstate and it does go in front of our new Boys and Girls Club in La Puebla.

Somebody from the Fire Department had called and asked about that and asked if we were going to get shoulders put on them because they said the edges of the road are actually cracking off and I've actually seen that in one of the areas myself where the while line for the edge of the road is actually – there's a piece of it broken out, so they're afraid if there's an emergency and one of their vehicles is going through there that it could cause an accident and cause them to roll one of their fire vehicles. So that's been brought to my attention, so I wanted to see if we could have staff look at that County Road 88.

Also, I was going to ask about fire restrictions and if we had a resolution that was coming up. But I think that there is an ordinance that I think Legal is working on already for April. Is that correct, Mr. Frederick?

BRUCE FREDERICK (County Attorney): Madam Chair, Commissioner, that's correct. Rachel Brown is working on that ordinance.

COMMISSIONER ROYBAL: Okay. And I'm not sure if you can hear me. I think Mike might have heard me with the concerns of County Road 88? He did? Okay.

And also I was curious on the implementation of the right-of-way issues in the District 1 area. I had a constituent that came in to get a building permit and they were issued a demolition permit but they said they couldn't issue them a building permit due to the right-of-way issues on County Road 84-D, which would be the agreements that we just did. So do we know when that's going to be implemented or why he had issues getting a building permit?

MR. FLORES: So Madam Chair, Commissioner, if there's an issue, I think staff as we agreed to in the negotiations are doing a larger-scale review of right-of-way access points in that entire Pojoaque Valley. So I don't think it's an issue I just think they're looking more at how the access is based upon those agreements. The implementation of those agreements is still depending on when the agreements come back to the Secretary to sign and then we have one year basically, from that date to start the right-of-way, or to complete the right-of-way mapping. So I don't know that there's an issue with that, I just know that they are checking now, as they should have been checking all along, how people are accessing their property.

So maybe offline, maybe you can give me the address to that, because I know I've been involved in reviewing other development permits that have come into Growth Management as compared to the right-of-way agreements that we've executed.

COMMISSIONER ROYBAL: Okay. So I think Orlando has that information. He can get that to you. So I guess it could be then that they're looking for the point of access, so we're not providing that yet. Is that correct? Can we work with San Ildefonso to get some sort of easement during this time. Is that correct?

MR. FLORES: So Madam Chair, Commissioner Roybal, yes. With San Ildefonso you can work at that interim process and that specific agreement they will allow temporary access for I think it's up to five years pending the full execution of all the roads, and I don't know exactly where this one is. I'll get that from Orlando, but staff is looking at it to make sure that they have legal access coming in off of County maintained roads as we said we would in the right-of-way agreement.

COMMISSIONER ROYBAL: Okay, because I think that they were – I could be wrong but I think they were just told that they couldn't do anything at this point with that in that area. So if you could look into that I'd appreciate it.

I did want to also bring up that I'm starting to get more calls on people dumping illegally in arroyos and I talked to a couple of the pueblos that are having issue with them finding trash that people are throwing on their land, and I think it might have a lot to do with the increase of the permits. It's going up again January 19th so just something for us to be aware of. I'm getting – I'm actually starting a list now of different issues that we're finding and seeing what – I don't know how we're going to move forward with trying to figure out a way to stop that. But I think it may have an issue to do with the cost of the permits, so that's something I think we have to look at. But I just wanted to bring that up.

MR. FLORES: Madam Chair, Commissioner Roybal, is that dumping on pueblo land or –

COMMISSIONER ROYBAL: Pueblo and non-pueblo. Just arroyos and rivers and things like that. Actually Pojoaque Pueblo went to go and clean up one of the areas just last week.

And then I just wanted to remind everybody that's listening to be careful with the Santuario walkers. This is Holy Week and we have a lot of people walking to the Santuario, so just so everybody's aware of the walkers and that we take extra time to be careful and look out for these individuals, especially at night. Sometimes they don't always have bright colored clothing. I've seen that in the past where all of a sudden you pass somebody and you didn't see them until you were already passing them. So just so everybody is aware out there and they pay attention to that. Thank you. That's it.

CHAIR HANSEN: Thank you, Commissioner Roybal. I agree with you. We really want people to be safe during this Holy Week and to pay attention to the walkers on the road. Commissioner Moreno, do you have anything?

COMMISSIONER MORENO: None.

CHAIR HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: Just briefly. Mr. Flores, would you do me a favor? I wanted to announce that Commissioner Hamilton and I participated in the Glorieta Battlefield celebration if you will, this last weekend, and it was a pretty awesome event. They honored Lt. Col. Chaves who was part of the Battle at Glorieta and

was instrumental in assisting to win that battle. But they did a lot of cool things there and I think it's something that we want to be more involved in as a County as it moves forward. But one of the things I was a little concerned about and I'll be candid about was we've invested some resources in facilitating that battlefield and I want to know how much we've invested in the last few years. We tied to PROTEC and then we actually – I did a little bit of capital investment. But more importantly than that is that our Commissioner Hamilton from that district, that's her district and I think that's something we need to stay in tune with, but I also want to make sure that the public and the community recognize the investments that the County made specifically from Santa Fe County and from the support of their Commissioner, Commissioner Hamilton. And so that was maybe just a little down side to Saturday but I did want to put it on the record that it was a little concerning because of the work and the investment. Fortunately, they adequately recognized Representative Trujillo and his efforts in that particular event but frankly I think they dropped the ball a little and I think PROTEC, the people that we work with that I want to continue to work with through the Community College maybe dropped the ball a little bit associated with the video that was done. I wanted to say that on the record because I think there was some frustrations that occurred between the Community College and PROTEC and the video and the exclusion of Manuel Chaves and maybe some of the other key players that were part of that battle that maybe should have been acknowledged in that video.

So I say it respectfully, but if you could do a little bit of research and maybe have some conversations with some of the parties on both sides. The function piece of that event is that we fully acknowledge and wrap our hands around the fact that that battle was a decisive battle in our history in the country and turned the tide from the Confederates in the West and God only knows what might have occurred had they been able to not win that battle. And so I just want to put that out there. It was awesome. They did re-enactments with the soldiers. They did shooting the cannon. They had tents and it was awesome.

COMMISSIONER HAMILTON: Yes, it was a good event.

COMMISSIONER ANAYA: So I just wanted to make those remarks. One of the things I want to say additionally, Madam Chair and Commissioner Roybal was I too think that – and we're going to have this discussion in a couple weeks but I've been a staunch advocate to keep our solid waste fees down and I'm concerned where we've ended up. And I think we have some opportunities to not only make sure we're doing what's right with the recycling component that you bring up, Commissioner Hamilton, but – and that we use some offsetting revenue that we may have through the low-income rebate that we don't have any control over. I think we have some opportunities to do both. To functionally make sure that our solid waste program is adequately funded but that we don't just put it on the backs of the citizens. And so I have some concerns associated with the rate that we've got to. We're at 110 bucks. We were at \$75 two years ago. We're at \$110. And I think, especially in the rural areas, maybe not so much in the urban area and even in Eldorado, but in the rural areas of Santa Fe County, south and north, and even in District 4 there are some direct impacts in the arroyos.

And so I would go ahead and reiterate that point and that's going to be a good part of our discussion collectively to figure out how do we keep low or lower the trash fees

but also make sure that we have the right funding and resources to do appropriate recycling and the other initiatives we want to do. I think as a precursor to those meetings one of the things we said we were going to try and do with curbside was use curbside in those areas that made sense and where it was practical and function, and that that curbside would offset expense in the broader county for people that wanted to take their own trash to the transfer station.

So maybe along with the information Commissioner Hamilton is providing and the information we already have, we can have a comprehensive dialogue and debate and maybe disagreement. I know there's going to be some disagreement but maybe we can work to some compromise that covers both sides of the spectrum. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, and that was well said, especially – well, on both points, but I just feel like I had to add, that event in Glorieta, that was really good. And I was kind of surprised. I guess there's always some tensions and there's always the tension of having to do with being culturally sensitive and politically correct and we all have to come to terms with that bigger picture.

But I can't let Commissioner Anaya talk about that being in my district without thanking him for actually – he did all of this. And I know there is always sensitivity about crossing into other people's districts but with his perspective on the county as a whole and his tremendous interest in history, he led this long before I was a Commissioner and I'm grateful that he did that and I'm happy that it's in my district. I can't take credit from you for doing that and I really appreciate that you have included me. Not that I've had to do any work at all but work together and collaborate on that. I want to thank you for doing that. That recognition really should have gone to you as well as to Representative Trujillo. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. I wanted to let everyone know that St. Baldrick's Day event that was put on by Public Safety, our Santa Fe County firefighters and Sheriff's Department, the volunteers and everyone, was a huge success. It brought in over \$31,000 for children with cancer. It was really an amazing event and CareFlight gave me a ride in a helicopter to the event, so I took that opportunity to take pictures of our county and I had them fly over Camel Tracks, and HIPICO, and I took pictures of our facilities and I have shared them with the Deputy County Manager and with Erle down in GIS. And other places, because I feel like it's something we can use. And since I got this opportunity as a professional photographer I wanted to take advantage of being in a helicopter and take some professional photographs that the County could possibly use in some of our materials.

But it was really a successful day, St. Baldrick's and many people shaved their head and donated their long hair to have wigs made for children. And so CareFlight was also a sponsor of this event, along with our Public Safety. And there's some great pictures that Tony can share of our Public Safety officer and the firefighters and the police and they have them all really lined up really nicely. And it had a great component of teaching children how to get out of a house when there's fire in the house. So it had many components that were helpful to children and it was a great fundraiser for children

with cancer. And it was at Romero Park and I hope that it will happen there again, because it was really a great event. Representative Stephanie Garcia Richards came. Senator Peter Wirth and Councilor Carol Romero Wirth showed up so we had other elected officials there.

And then this last Sunday the Agua Fria Mutual Domestic had their annual community meeting and Senator Rodriguez and I both attended. It was a good meeting. We talked about many of the – much of the capital outlay that they received to protect the water in Agua Fria so that was also a good event. The mutual domestic will be having a grand opening of their building and all the work that they have done on it, so I will let you know when that happens.

And then I want to mention that we're having Bike to Work Week. It's quite a ways off but it's in May, and since we've had all this discussion about bicyclists and safety, we're working – I'm working with the Sustainability Division on a resolution to have a ride on May 18th from the County building over to the railyard and I hope that you will all join me and bring your bike into town and ride with me from the County building to the railyard. So mark your calendars – May 18th.

And with that, I'm also – I would think there are more issues to the solid waste than just this dumping. It is not only the dumping that is the problem. It is the tarping of trucks that are going to the facilities and not being properly tarped. And so not only are we having problems with things being dumped, but we're having problems with vendors not tarping their loads properly. And I think this is an issue throughout the county because that creates more trash, then we have to have more cleanup. So there's all these issues along with the dumping in the arroyos, but then the trash on the side of the highway.

So Santa Fe County is a beautiful place to live and we want to take care of it and we want to make sure that those things are – that we're made aware of that and that people really take responsibility in tarping their loads when they're going to the dump or to the transfer stations. Because this is not only just happening in my district where the landfill is but it's happening everywhere. So I want to encourage people to be responsible in that regard and I believe that Commissioner Hamilton, you had another –

COMMISSIONER HAMILTON: I just have to take after Commissioner Anaya and add one more thing. When I was talking about the Glorieta Battlefield I failed to mention Rudy Garcia who actually also did quite a bit of work to marshal that through and he was very careful to include me as well as being respectful and supportive of Commissioner Anaya. So I wanted to make sure on the record that I thanked him as well.

CHAIR HANSEN: Thank you, Commissioner Hamilton, and thank you, Mr. Garcia for your help on that.

COMMISSIONER ROYBAL: Madam Chair, can I say something?

CHAIR HANSEN: Yes. We have one more comment from Commissioner Roybal. Go ahead.

COMMISSIONER ROYBAL: Actually, it's in addition to the tarping that you were mentioning. I do want to commend staff at the transfer station in Pojoaque because there's been times where I've gone myself and they'll let me know that the tarp isn't the way it should be, so I want to commend them for making sure that they do follow through, and saying there's opportunities here for some trash to possibly get away

from you. They'll let you know to make sure that you tarp it correctly. So I want to just recognize staff for that. It's been a couple of years but every time they kind of look at the tarp and make sure that you've got it tarped correctly. So it's good that they do that. So I commend them for that.

CHAIR HANSEN: Thank you, Commissioner Roybal. SWMA is now putting in all the vendors' mailings a little notice about how to tarp properly. So another way to keep our beautiful county clean. We'll go to Deputy Manager, Mr. Flores.

MR. FLORES: Sorry, Madam Chair, but there were some misses on the informational items from the Commission. There's a townhall meeting in District 4 on April 4th at the Hondo fire station, and there's also, tomorrow evening, the 28th, there's an Agua Fria Village utility infrastructure meeting at the El Camino Real School in the Village at Agua Fria to go over the utility master plan. Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you so much.

CHAIR HANSEN: Thank you, Deputy Manager Flores. I want to invite everyone in the Village of Agua Fria to come out to the utility and sewer plan for the village at the El Camino Real Academy, starting at 5:30.

VI. MATTERS FROM OTHER ELECTED OFFICIALS

A. Elected Officials Issues and Comments, Including but not Limited to Updates, Concerns, Recognitions

No elected officials were present.

VII. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session

MR. FREDERICK: Madam Chair, Commissioners, we would like to cancel executive session. We're not really at a decision point on the matters mentioned and as you know, the County Manager is out and she should be included in at least one of those discussions. So there's really no need to have executive session tonight.

CHAIR HANSEN: I'm fine with that. What is the pleasure of the Commission?

COMMISSIONER ROYBAL: Do we have to move to table that, Mr. Frederick?

MR. FREDERICK: No. You would have to make a motion to go into executive session but you don't have to make that motion.

COMMISSIONER ROYBAL: So we can skip that item.

VIII. INFORMATION ITEMS

- A. Growth Management Department Monthly Report**
- B. Public Safety Department Monthly Report**
- C. Public Works Department Monthly Report**
- D. Human Resources Division Monthly Report**
- E. Community Services Department Monthly Report**
- F. Finance Division Monthly Report**

CHAIR HANSEN: Does anybody have anything that they would like to comment on any of the informational items?

COMMISSIONER ANAYA: Madam Chair

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Flores, could you give me the latest update on the expansion to the extension facility? The construction on that?

MR. FLORES: Madam Chair, Commissioner Anaya, I'll actually turn that over to Director Kelley from Public Works.

COMMISSIONER ANAYA: And I ask because I know we've been delayed, but I also ask because the County Fair is coming up and I'm hopeful that we'll be done by the time the County Fair is here so that it doesn't impact the fair.

MIKE KELLEY (Public Works Director): Yes, Madam Chair, Commissioner Anaya, it's my understanding that it is well on its way to be completed. It's progressing nicely. I have to check with Mr. Harry Winley and Brad Ericks and the project manager to see when the actual completion date is. But I believe substantial is coming very soon and it will be completed prior to the County Fair. Yes, sir.

COMMISSIONER ANAYA: So Madam Chair and Mr. Kelley and Mr. Flores, it's a big deal. It's Commissioner Moreno's district but it's a facility that touches every citizen and the whole county so I want to make a big deal when we get to the point of opening that up, including the Fair Board and the master gardeners and just everyone that's involved in utilizing that facility and New Mexico State University, obviously. So we're excited about it. I know a lot of people are. So I appreciate the update.

MR. KELLEY: Yes, sir.

MR. FLORES: Madam Chair, Commissioner Anaya, we'll coordinate the ribbon-cutting or grand re-opening of that through the County Manager's Office and we'll get those dates and work with the Commission on that.

COMMISSIONER ANAYA: Thank you.

CHAIR HANSEN: Thank you. Anyone else? I had one question on the senior services. It says the hearing will be held on April 3rd in Chimayo, April 4th in Eldorado, April 5th in Edgewood. We will be sending out notices as the time gets closer. I just wanted to know what is going to be happening at these meetings on senior services. Thank you, Rachel.

RACHEL O'CONNOR (Community Services Director): Sure, Madam Chair. I'm trying to hearken back to my notes of a couple weeks ago. I believe that every year we hold hearings out at the senior centers to gather information on priorities for our budget to Triple A. And so that is what you're referring to. And it will essentially be an informal discussion with members of the community at each senior center, and you're certainly welcome to participate.

CHAIR HANSEN: Thank you very much. I think it's important and I wanted to bring that up that those were happening also.

VIII. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 5:52 p.m.

Approved by:

Anna Hansen
Board of County Commissioners
Anna Hansen, Chair

ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK



Respectfully submitted:

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

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 126

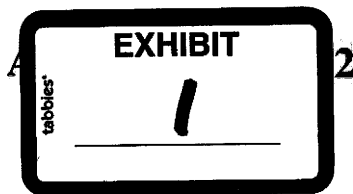
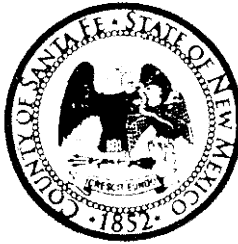
I Hereby Certify That This Instrument Was Filed for
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And Was Duly Recorded as Instrument # 1856250
Of The Records Of Santa Fe County

Estrella Martinez
Deputy _____
Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: March 5, 2018

To: Board of County Commissioners (BCC)

From: Ray Matthew, Transportation Planner

Via: Paul Olafson, Planning Projects Manager
Robert Griego, Planning Manager
Penny Ellis-Green, Growth Management Director
Katherine Miller, County Manager

Item: **Request Approval and Re-execution of the Intergovernmental Agreement Between Santa Fe County and the North Central Regional Transit District.**

Summary:

Approval and Re-execution is being requested for the Intergovernmental Agreement between Santa Fe County and the North Central Regional Transit District (NCRTD). The 2014 NCRTD Intergovernmental Contract was amended on November 3, 2017 by NCRTD to add the Village of Chama as a voting member to the NCRTD Board of Directors. The signatures of all voting members are required for the amendment to be complete.

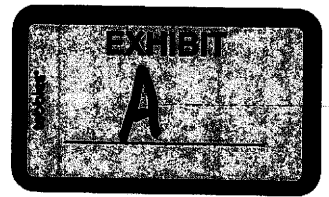
Background and Discussion:

On November 3, 2017, the NCRTD approved the Village of Chama's request to become a voting member on the NCRTD Board of Directors. The 2014 NCRTD Intergovernmental Contract has been amended to include the Village of Chama. The amended contract requires the signature of all voting members to be fully executed. The new agreement is included as Exhibit A. Staff is requesting approval and re-execution for the amended NCRTD Intergovernmental Contract between Santa Fe County and NCRTD.

Staff Recommendation:

Staff recommends approval and re-execution of the Intergovernmental Agreement Between Santa Fe County and the North Central Regional Transit District.

Exhibit A: November 3, 2017 Amended NCRTD Intergovernmental Contract



**NORTH CENTRAL
REGIONAL TRANSIT DISTRICT**

**AMENDED
INTERGOVERNMENTAL
CONTRACT**

**APPROVED
BY
NCRTD BOARD
November 73, 20147**

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**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL CONTRACT**

By and among:

**VILLAGE OF CHAMA
TOWN OF EDGEWOOD
CITY OF ESPAÑOLA
COUNTY OF LOS ALAMOS
PUEBLO OF NAMBE
PUEBLO OF OHKAY OWINGEH
PUEBLO OF POJOAQUE
COUNTY OF RÍO ARRIBA
PUEBLO OF SAN ILDEFONSO
PUEBLO OF SANTA CLARA
CITY OF SANTA FE
COUNTY OF SANTA FE
COUNTY OF TAOS
TOWN OF TAOS
AND
PUEBLO OF TESUQUE**

Dated as of November 3rd^{7th}, 2014⁷.

**Providing for the creation and operation of
the "North Central Regional Transit District" as a Regional Transit District
pursuant to the New Mexico Regional Transit District Act,
Chapter 73, Article 25, Sections 1-18, NMSA 1978 (2003)**

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**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL CONTRACT**

THIS NORTH CENTRAL REGIONAL TRANSIT DISTRICT INTERGOVERNMENTAL CONTRACT (hereinafter, this "Contract") is entered into as of the date indicated on page 2 of this Contract by and among the **VILLAGE OF CHAMA, TOWN OF EDGEWOOD, CITY OF ESPAÑOLA, COUNTY OF LOS ALAMOS, PUEBLO OF NAMBÉ, PUEBLO OF OHKAY OWINGEH, PUEBLO OF POJOAQUE, COUNTY OF RÍO ARRIBA, PUEBLO OF SAN ILDEFONSO, PUEBLO OF SANTA CLARA, CITY OF SANTA FE, COUNTY OF SANTA FE, COUNTY OF TAOS, THE TOWN OF TAOS, AND PUEBLO OF TESUQUE.**

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RECITALS

WHEREAS, pursuant to the Regional Transit District Act, Chapter 73, Article 25, Sections 1-18, NMSA 1978, (hereinafter the "Act"), New Mexico governmental units are authorized to establish, by contract, regional transit districts, which, upon the satisfaction of the conditions set forth in Article II hereof, are authorized to finance, construct, operate, maintain, and promote regional transit systems; and

WHEREAS, governmental units may contract with one another to provide any function, service, or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service, or facility, including the establishment of a separate legal entity to do so; and

WHEREAS, the Initial Members were governmental units located in North Central New Mexico, which desire to form a regional transit district pursuant to the Act for the purpose of financing, Constructing, operating, maintaining, and promoting regional transit systems; and

WHEREAS, transit services promote independent living for the frail, the elderly, the disabled, and those without access to automobiles by providing essential links to a variety of medical, social, and other services, and the region recognizes the need to improve mobility options for this growing segment of the population; and

WHEREAS, the Initial Members began working together on the goal of forming a regional transit district in the Spring of 2003; and

WHEREAS, the Initial Members formed a working group in September 2003, which has met regularly to consider the interests of the Initial Members; and

WHEREAS, the working group has specified the terms of this Contract and other necessary documents based on comments received from and extensive discussions with the Governing Bodies of each of the Initial Members; and

WHEREAS, the Initial Members have duly voted for and approved the addition of new members whose Governmental Units are within the boundaries of the district; and

WHEREAS, new members have been added since the formation of the NCRTD in 2004 whose memberships and voting rights should be acknowledged and ratified by a novation of this Contract.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below, the Initial Members along with the new members hereby agree to a novation of this Contract thereby confirming and amending the membership and voting rights of all the members listed herein as follows:

ARTICLE I DEFINITIONS

Section 1.01. Definitions from the Act. The following terms shall, when capitalized, have the meanings assigned to them in Section 73-25-3 of the Act:

"*Board*" means the board of directors of a district;

"*Bond*" means a revenue bond;

"*Combination*" means two or more governmental units that exercise joint authority;

"*Commission*" means the New Mexico state transportation commission;

"*Construct*", "*Constructing*", or "*Construction*" means the planning, designing, engineering, acquisition, installation, construction, or reconstruction of a regional transit system;

"*District*" means a regional transit district that is a political subdivision of the state created pursuant to the Act;

"*Governmental Unit*" means the state, a county or a municipality of the state, or an Indian nation, tribe or pueblo located within the boundaries of the state;

"*Regional Transit System*" means a property, improvement, or system designed to be compatible with established state and local transportation plans that transports or conveys passengers within a region by means of a high-occupancy vehicle, including an automobile, truck, bus, van, or railcar; and

"*Revenues*" means tolls, fees, rates, charges, assessments, grants, contributions, or other income and revenues received by the district.

Section 1.02. Other Definitions. The following terms shall, when capitalized, have the following meanings:

"*Act*" is defined in the Recitals hereto.

"*Advisory Committee*" means two or more persons appointed by the Board, pursuant to Article VI, Section 3 hereof, for the purpose of providing advice to the Board and includes the Citizen Advisory Committee.

"*Boundaries*" means the boundaries of the District determined in accordance with Appendix A hereto, as such Appendix and term may be amended from time-to-time in accordance with Articles IX and XI hereof.

"*Citizen Advisory Committee*" means the special Advisory Committee described as such in Article III, Section 3 hereof.

"*Contract*" means this North Central Transit District Intergovernmental Contract, as amended from time to time in accordance with the terms hereof.

"*Director*" means any person appointed as a Director pursuant to Article 4 hereof.

Whenever the person appointed as a Member's Director pursuant to Article 4 hereof

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is absent from a Board meeting, the term "Director" shall mean the Official Designee, if any, appointed by such Member pursuant to Article 4 hereof.

"*Governing Body*" means, when used with respect to a Member, the city council, board of trustees, board of commissioners, pueblo council, or other legislative body, as appropriate, of such Member.

"*Initial Boundaries*" means the Boundaries of the District on the date the District is originally certified pursuant to Article II hereof, as such Initial Boundaries are determined in accordance with Appendix A hereto.

"*Initial Members*" means the initial signatories who become Members on the date on which the District is originally certified pursuant to Section 2 hereof.

"*Member*" means the Initial Members and any Governmental Unit that becomes a member of the District pursuant to Article XI hereof.

"*NCRTD*" is defined in the Recitals hereto.

"*Officer*" means the Chair, Vice Chair, Secretary, or Treasurer of the District, and any subordinate officer or agent appointed and designated as an officer of the District by the Board.

"*Official Designee*" means any person appointed as an official designee, pursuant to Article VII hereof.

"*Regional Transit Services*" means the transit services described in Appendix D.

ARTICLE II NAME AND PURPOSE OF THE DISTRICT AND THE REGIONAL TRANSIT SYSTEMS TO BE PROVIDED

Section 2.01. Name. The name of this transit district is the North Central Regional Transit District (hereinafter, "the District").

Section 2.02. Purpose. The purpose of the District, being a multimodal public transit district formed pursuant to the Act, recognizes as its purpose to finance, Construct, operate, maintain, and promote an efficient, sustainable, and regional multi-modal transportation system at any location or locations, subject to compliance with the Act.

Section 2.03. Members. Membership in the District is open to Governmental Units within or containing the boundaries of Los Alamos, Río Arriba, Taos or Santa Fe Counties. Members may be added or deleted pursuant to Section 73-25-17 of the Act and Article XI hereof.

Section 2.04. Establishment. The North Central Regional Transit District shall be established as a separate political subdivision and body corporate of the State pursuant to the Act and as a separate legal entity created by a contract among the Initial Members, effective upon satisfaction of the following conditions:

- (a) Each Initial Member and new member has held at least one public hearing on the subject of this Contract in accordance with Section 73-25-4 of the Act including relevant attention to requirements for public notice; and
- (b) Each Initial Member has executed the original Contract.

Section 2.05. Regional Transit Systems to Be Provided.

The NCRTD will provide, but not be limited to, the type of regional transit services described in Appendix D, "Regional Transit Mobility Concept for the North Central Regional Transit District."

Section 2.06. Specific Responsibilities. In addition to the general powers described in Article V hereof, the District shall have the responsibilities described in this Section and shall have all powers necessary to carry out such responsibilities, subject to the availability of funds and, to the extent required by law, annual appropriation of funds by the Board. The description of specific responsibilities and powers in this Section shall not, however, limit the general powers of the District described in Article V hereof.

- (a) **Regional Transit Planning.** The District shall work in coordination with the New Mexico Department of Transportation (NMDOT), Regional Planning Organizations (RPOs), and Metropolitan Planning Organizations (MPOs) to provide regional transit planning services needed to plan and direct the Regional Transit Services of the District, to pursue state and federal funding, and to coordinate overall transportation policy within the area in which it provides Regional Transit Services.
- (b) **Regional Transit Services.** The District shall use its best efforts to provide the Regional Transit Services described in Appendix D hereto.
- (c) **Contract Transit Services.** The District may enter into contracts with any Member or other Person for the provision of transit services in the manner and subject to the terms of such contracts.
- (d) **Local Service.** The District may fund Regional Transit Services that serve the residents and businesses of a Member (as distinguished from regional services) but, except as otherwise specifically provided herein, only pursuant to an agreement in which such Member pays the District for the services provided on the same fully allocated cost basis used to determine costs of District services throughout the District's service area.

ARTICLE III BOUNDARIES

Section 3.01. Original Boundaries. Membership in transit districts is open to Governmental Units, which means the State, a County or Municipality of the State, or an Indian Nation, Tribe, or Pueblo located within the boundaries of the State. The North Central Regional Transit District may include any Governmental Unit within or containing the boundaries of Los Alamos, Río Arriba, Taos or Santa Fe Counties, as described in Appendix A.

Section 3.02. Amendments to Boundaries. The original boundaries of the NCRTD may be amended according to the process described in Article XI of this Contract.

ARTICLE IV CONTRACT

Section 4.01. Effective Date. The term of the original Contract began when the New Mexico State Transportation Commission certified the creation of the District.

Section 4.02. Termination. The term of this Contract shall end when all the current Members agree in writing to terminate this Contract; provided, however, that this Contract may not be terminated so long as the District has any Bonds outstanding.

Section 4.03. Amendments. Any amendment to the Contract shall be made only by the execution in writing of each of the governmental units that entered into the Contract.

Section 4.04. Parties of Interest. Nothing expressed or implied herein is intended or shall be construed to confer upon any Person other than the Members any right, remedy or claim under or by reason of this Contract; this Contract being intended for the sole and exclusive benefit of the Members.

Section 4.05. No Personal Liability. No covenant or agreement contained in this Contract or any resolution or Bylaw issued by the Board shall be deemed to be the covenant or agreement of an elected or appointed official, officer, agent, servant or employee of any Member in his or her individual capacity.

Section 4.06. Tort Claims. In accordance with the requirements and limitations of liability set forth in the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1 through 41-4-27, the District shall cover every risk for which immunity has been waived under the provisions of the Tort Claims Act.

Section 4.07. Notices. Except as otherwise provided in this Contract, all notices, certificates, requests, requisitions, or other communications by the District, any Member, any Director, any Official Designee, any Officer, or any member of a Committee to any other such person pursuant to this Contract shall be in writing; shall be sufficiently given, and shall be deemed given when actually received:

- (a) In the case of the District and Officers of the District, at the last address designated by the District for such purpose; and
- (b) In the case of such other persons, at the last address specified by them in writing to the Secretary of the District.

Unless a certain number of days is specified, notice shall be given within a reasonable period of time.

Section 4.08. Assignment. None of the rights, benefits, duties, or obligations of any Member may be assigned or delegated without the express written consent of all the Members.

Section 4.09. Severability. If any clause, provision, subsection, Section, or Article of this Contract shall be held to be invalid, illegal, or unenforceable for any reason, the invalidity, illegality, or enforceability of such clause, provision, subsection, Section or Article shall not affect any of the remaining provisions of this Agreement.

Section 4.10. Interpretation. Subject only to the express limitations set forth herein, this Contract shall be liberally construed:

- (a) To permit the District and the Members to exercise all powers that may be exercised by a regional transit district pursuant to the Act and by a separate legal entity created by a contract among the Members;
- (b) To permit the Members to exercise all powers that may be exercised by them with respect to the subject matter of this Contract pursuant to the Act and other applicable law; and
- (c) To permit the Board to exercise all powers that may be exercised by the board of directors of a regional transit district pursuant to the Act and by the governing body of a separate legal entity created by a contract among the Members.

In the event of any conflict between the Act or any other law with respect to the exercise of any such power, the provision that permits the broadest exercise of the power consistent with the limitations set forth in this Contract shall govern.

Section 4.11. Governing Law. The laws of the State of New Mexico shall govern the development and enforcement of this Contract.

Section 4.12. Counterparts. This Contract may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same Agreement.

**ARTICLE V
POWERS OF THE DISTRICT**

Section 5.01. Powers of the District. A district is a body politic and corporate. In addition to other powers granted to the district pursuant to the Regional Transit District Act [73-25 NMSA 1978], the district may:

- (a) Have perpetual existence, except as otherwise provided in the contract;
- (b) Finance, construct, operate, maintain, or promote regional transit systems within the boundaries of the district;
- (c) Enter into contracts and agreements affecting the affairs of the district;
- (d) Establish, collect, and increase or decrease fees, tolls, rates, or charges for the use of property of a regional transit system financed, constructed, operated, maintained, or promoted by the district; except that fees, tolls, rates, or charges imposed for the use of a regional transit system shall be fixed and adjusted to pay for bonds issued by the district;
- (e) Pledge all or a portion of the revenues to the payment of bonds of the district;
- (f) Provide transit services outside the boundaries of the district.
- (g) Purchase, trade, exchange, acquire, buy, sell, lease, lease with an option to purchase, dispose of, and encumber real or personal property and interest therein, including easements and rights of way;
- (h) Accept real or personal property for the use of the district and accept gifts and conveyances upon the terms and conditions as the board may approve;
- (i) Use the streets, highways, rail rights-of-way, and other public ways and, with permission of the owner, to relocate or alter the construction of streets, highways, rail rights-of-way, other public ways, electric and telephone lines and properties, pipelines, conduits, and other properties, whether publicly or privately owned, if deemed necessary by the district in the construction, reconstruction, repair, maintenance, and operation of the system. Any damage that may occur to the property shall be borne by the district; and
- (j) Sue and be sued;

Section 5.02. Limitations on Powers of the District. The District shall be limited as follows:

- (a) The district may only finance, construct, operate, maintain, or promote Regional Transit Systems;
- (b) Advisory Committees may only be appointed and may only exercise the powers as provided in Article III hereof;
- (c) A notice of the imposition of or any change in any fee or the issuance of Bonds shall be sent to the Division of Local Government and shall be filed with the State Transportation Commission in accordance with the Act.

ARTICLE VI

BOARD OF DIRECTORS

Section 6.01. Establishment and Powers. The District shall be governed by a Board of Directors (hereinafter, the "Board") as described in Section 73-25-5 of the Act. The Board shall exercise and perform all powers, privileges and duties vested in or imposed upon the District. Subject to the exceptions in the Act, the Board may delegate any of its powers to an Officer or agent of the Board.

Section 6.02. Powers of the Board. The Board shall, subject to the limitations set forth herein and relevant State law, have all powers that may be exercised by the board of directors of a regional transit district pursuant to the Act and all powers that may be exercised by the governing body of a separate legal entity created by a contract among the Members. Such powers shall include, but shall not be limited to:

- (a) Adopt Bylaws;
- (b) Fix the time and place of meetings and the method of notice of the meetings;
- (c) Make and pass orders and resolutions necessary for the government and management of the affairs of the District and the execution of the powers vested in the District;
- (d) Appoint, hire, or retain an Executive Director;
- (e) Maintain offices at a place the Board may designate;
- (f) Prescribe financial and procurement policies and procedures in accordance with relevant State and Federal laws and policies;
- (g) Adopt other policies as may be deemed necessary for the functioning of the District; and
- (h) Appoint advisory committees and define the duties of the committees.
- (i) Board may add ex-officio members as needed.

Section 6.03. Advisory Committees. The Board may appoint and maintain a Citizen Advisory Committee to advise the Board with respect to policy and service matters. The Board may also appoint other Advisory Committees to advise the Board. The members of the Citizen Advisory Committee shall not be Directors, Official Designees, or employees of the District. The members of Advisory Committees other than the Citizen Advisory Committee may include Directors, Official Designees, and Officers of the District. Advisory Committees shall not be authorized to exercise any power of the Board.

Section 6.04. Bylaws and Rules. The Board, acting by resolution adopted as provided in Article IX hereof, may adopt bylaws or rules governing the activities of the District and the Board, including, but not limited to, bylaws or rules governing the conduct of Board meetings, voting procedures, and the type of resolutions that must be in writing.

Section 6.05. Budget. The Board shall approve an annual budget pursuant to the legal requirement to submit an annual budget to the State.

ARTICLE VII DIRECTORS

Section 7.01. Appointment of Directors and Official Designees. Pursuant to Section 73-25-5 of the Act, the Board shall be composed of one (1) Director from each Member of the District. A Director shall be an elected official, Official Designee or Tribal Council Member. The Director or Official Designee (if any) shall be nominated by the chief elected official of the Member and approved by the Governing Body of the Member.

Section 7.02. Terms of Office. The term of office of each Director and Official Designee shall commence with the first meeting of the Board following his or her appointment and shall continue until removed by the appointing Member, or until she or he no longer holds elective office in the Governing Body of the appointing Member, or until she or he submits a written resignation to the Chair. Directors shall not serve a term longer than four (4) years unless re-appointed by their Member governing body.

Section 7.03. Resignation and Removal. Any Director or Official Designee may resign at any time, effective upon receipt by the Secretary or the Chair of written notice signed by the person who is resigning; and may be removed at any time by the Governing Body of the Member that appointed him or her, effective upon receipt by the Secretary or the Chair of written notice signed by the Governing Body of the appointing Member.

Section 7.04. Vacancies. Vacancies in the office of any Director or Official Designee shall be filled in the same manner in which the vacant office was originally filled.

Section 7.05. Compensation. Directors and Official Designees shall serve without compensation, but may be reimbursed for expenses incurred in serving in such capacities upon such terms and pursuant to such procedures as may be established by the Board, pursuant to State law.

ARTICLE VIII OFFICERS

Section 8.01. Identification. The Board shall elect or appoint a Chair, a Vice Chair, a Secretary, and a Treasurer.

Section 8.02. Appointment. The currently elected Board shall elect Officers by simple majority vote after canvassing each member as to his or her interest in service, time availability, and qualifications. The Officers shall be Directors. All Officers of the District shall meet the other qualifications, if any, stated for his or her office elsewhere in this Article.

Section 8.03. Term of Office. Each Officer shall serve until the end of their term or until a successor is elected or appointed or the Officer is lawfully removed pursuant to State law, this Contract, or the Bylaws. Officers may serve unlimited terms.

Section 8.04. Resignation. Any Officer may resign at any time effective upon receipt by the Secretary or the Chair of written notice signed by the person who is resigning.

Section 8.05. Removal of Officers. Any Officer of the Board may be removed at any time by a two-thirds majority vote of the voting units of the Board.

Section 8.06. Vacancies. Vacancies in the office of any Officer shall be filled in the same manner in which such office was originally filled.

Section 8.07. Chair. The Chair shall:

- (a) Have the power to call meetings of the Board and to preside over such meetings;
- (b) Have the power to execute, deliver, acknowledge, file, and record on behalf of the District such documents as may be required by the Act or other applicable law;
- (c) Have the power to execute and deliver contracts, deeds, and other instruments and agreements on behalf of the District as are necessary or appropriate in the ordinary course of its activities or as are duly authorized or approved by the Board;
- (d) Have such additional authority, powers, and duties as are appropriate and customary for the office of the Chair of the board of directors of entities such as the District, and as the Board may otherwise prescribe.

Section 8.08. Vice Chair. The Vice Chair shall:

- (a) Be the Officer next in seniority after the Chair and, upon the death, absence, or disability of the Chair, shall have the authority, powers, and duties of the Chair;
- (b) Have such additional authority, powers, and duties as are prescribed by the Board.

Section 8.09. Secretary. If a Treasurer has not been elected or appointed, the Secretary shall also serve as Treasurer and may use the title of Treasurer in performing the functions of Treasurer. The Secretary shall:

- (a) Designate a staff member who will assist in carrying out the work of the Secretary, under the day-to-day supervision of the Executive Director but with responsibility lying with the Secretary;
- (b) Give, or cause to be given, notice of all meetings (including special meetings) of the Board;
- (c) Keep written minutes of such meetings;
- (d) Be responsible for the maintenance of all records and files and the preparation and filing of reports to governmental agencies (other than tax returns);
- (e) Have such other authority, powers and duties as are appropriate and customary for the office of Secretary of entities such as the District, and as the Board may otherwise prescribe.

Section 8.10. Treasurer. The Treasurer shall, subject to rules and procedures established by the Board:

- (a) Designate a staff member who will assist in carrying out the work of the Treasurer, under the day-to-day supervision of the Executive Director but with responsibility lying with the Treasurer;
- (b) Be responsible for the custody of the funds and all stocks, bonds, and other securities owned by the District;
- (c) Be responsible for the preparation and filing of all tax returns, if any, required to be filed by the District;
- (d) Receive all moneys paid to the District and, subject to any limits imposed by the Board or the Chair, shall have authority to give receipts and vouchers, and endorse checks and warrants in the District's name and on the District's behalf, and to give full discharge for the same;
- (e) Sign checks and warrants, but must secure the signature of either the Executive Director or one other Board Officer. In the absence of the Executive Director, a second Officer may sign;
- (f) Have charge of disbursement of the funds of the District, shall keep full and accurate records of the receipts and disbursements, and shall deposit all moneys and other valuables in such depositories as shall be designated by the Board;
- (g) Deposit and invest all funds of the District in accordance with the laws of the State applying to the deposit and investment of funds of regional transit districts formed under the Act;
- (h) Have such additional authority, powers and duties as are appropriate and customary for the office of Treasurer of entities such as the District, and as the Board may otherwise prescribe.

Section 8.11. Executive Director. The Board shall appoint an Executive Director who shall be the chief executive officer of the District, shall supervise the activities of the District, shall see that all policies, directions and orders of the Board are carried out and shall, under the supervision of the Board, have such other authority, powers, or duties as may be prescribed by

the Board. The Executive Director shall, subject to rules and procedures established by the Board:

- (a) Sign contracts or agreements with vendors or service providers that are necessary to carry out the purposes of the District, provided, however, that they involve less than \$100,000, and are included in a duly approved budget. Expenses over \$100,000 shall be approved by the Board and signed by the appropriate Officers;
- (b) Appoint, hire, and retain employees, agents, engineers, attorneys, accountants, financial advisors, investment bankers, and other consultants as approved through the budget process;
- (c) Dispose of assets of the District, provided, however, that the assets are no longer useful to the District and have a nominal market value;
- (d) Sign contracts or agreements specifically approved by the Board.

Section 8.12. Changes to Authority, Powers and Duties. Notwithstanding any other provision of this Article, the Board at any time may expand, limit, or modify the authority, powers and duties of any Officer pursuant to the Act.

ARTICLE IX VOTING REQUIREMENTS

Section 9.01. Voting Strength of Members. Each Member of the District shall have a voting strength as determined by the Voting Strength Analysis, Appendix B.

Section 9.02. Quorum. The presence of Directors representing a majority of the Members and a majority of the total number of voting units shall be necessary to constitute a quorum for the transaction of business.

Section 9.03. Simple Majority Vote. If a quorum is present, action by simple majority of voting units present and eligible to vote shall be the act of the Board, unless the act of a greater number is required by the Bylaws, the Contract, or applicable law.

Section 9.04. Two-Thirds Vote. If a quorum is present, two-thirds (2/3) majority of the voting units is required for the following actions:

- (a) Addition or withdrawal of territory or property, pursuant to Article 8 of the Bylaws, Article XI of this Contract, and Sections 73-25-6 and 73-25-17 of the Act;
- (b) Removal of Officers from the Board, pursuant to Article 10 of the Bylaws and Article VIII of this Contract;
- (c) Amendment of the Bylaws, pursuant to Section 15 of the Bylaws.
- (d) Amendments to this Contract, pursuant to Article IV of this Contract.

Section 9.05. Budget. The annual budget shall be passed by a simple majority of voting units.

ARTICLE X ASSETS

Section 10.01. Acquisition of Assets. The District may acquire assets on its own authority or through contract with Members of the District. Assets contributed by each Member shall be so noted.

Section 10.02. Disposition of Assets. The District may dispose of assets that are surplus, at the end of their useful life, or are no longer needed by the District, pursuant to State and Federal regulations.

Distribution of Assets Upon Termination. Upon termination of this Contract, pursuant to Article IV hereof, the net assets of the District shall be distributed to the parties with a financial interest in the assets and in proportion to their contribution to the purchase of the asset. Where the District itself has a financial interest in the asset, its current value will be divided equally among the Members of the District at the time of its termination.

ARTICLE XI

ADDING OR WITHDRAWING TERRITORY

Section 11.01. Initial Members. The Initial Members shall be the initial signatories whose participation in the District is described in Articles II and III, and Appendix A hereof.

11.02 Addition of Members. After the creation of the District, a Governmental Unit adjacent to or contained within a Governmental Unit adjacent to, but not part of, the District may join the District as a Member

11.03 Inclusion or Exclusion of Property. The Board may include or exclude property from the boundaries of the District, pursuant to Section 73-25-6 and Section 73-25-17 of the Act.

11.04 Withdrawal of Members. A Member of the District may withdraw from the District by adopting a resolution to withdraw. The Member shall withdraw its representative from the Board of Directors. Real property owned by the District within the boundaries of the withdrawing Member shall remain the property of the District. The provisions of withdrawal shall be negotiated and agreed to by the Board of Directors, the Member, and the Commission pursuant to Article 73-25-17 of the Act.

SIGNATURE PAGE

To

NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT

Dated as of _____

VILLAGE OF CHAMA

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

TOWN OF EDGEWOOD

Name _____

Title _____

Signature _____

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT**

Dated as of _____

CITY OF ESPANOLA

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

COUNTY OF LOS ALAMOS

Name _____

Title _____

Signature _____

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT**

Dated as of _____

PUEBLO OF NAMBE

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

PUEBLO OF OHKAY OWINGEH

**Name _____
Title _____
Signature _____**

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

PUEBLO OF POJOAQUE

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

COUNTY OF RÍO ARRIBA

Name _____

Title _____

Signature _____

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

PUEBLO OF SAN ILDEFONSO

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

PUEBLO OF SANTA CLARA

Name _____

Title _____

Signature _____

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

CITY OF SANTA FE

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

COUNTY OF SANTA FE

Name _____

Title _____

Signature _____

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

COUNTY OF TAOS

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

TOWN OF TAOS

**Name _____
Title _____
Signature _____**

SIGNATURE PAGE

To

**NORTH CENTRAL REGIONAL TRANSIT DISTRICT
INTERGOVERNMENTAL AGREEMENT
Dated as of _____**

PUEBLO OF TESUQUE

Name _____

Title _____

Signature _____

SFC CLERK RECORDED 04/30/2018



Agreement No. 15-WC-40-563
SFC Agreement No. 2018-0308-PW

FUNDING AGREEMENT

BETWEEN

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

and

SANTA FE COUNTY

for

SANTA FE COUNTY'S SHARE OF COSTS

for

PLANNING, DESIGN, AND CONSTRUCTION

of

THE POJOAQUE BASIN REGIONAL WATER SYSTEM

THIS FUNDING AGREEMENT for Santa Fe County's Share of Costs ("Agreement"), is made this _____ day of _____, 2018, by and between the United States of America, hereinafter called "United States", acting through the Secretary of the Interior, hereinafter called "Secretary", acting through the Bureau of Reclamation, Upper Colorado Region, hereinafter called "Reclamation", acting pursuant to the Act of June 17, 1902 (32 Stat. 388) as amended or supplemented, particularly, the Aamodt Settlement as authorized by the Claims Resolution Act of 2010 [P.L. 111-291], hereinafter called "Act," and Santa Fe County, hereinafter called "County"; the County and Reclamation are hereinafter collectively referred to as "the Parties."

SFC CLERK RECORDED 04/30/2018

RECITALS:

WHEREAS, Congress approved, ratified, and confirmed the Aamodt Settlement by enactment of the Act, which was signed into law by the President on December 8, 2010; and

WHEREAS, the Secretary and the County executed the settlement agreement ("Settlement Agreement"), as revised to conform to the Act, together with a 2009 Cost-Sharing and System Integration Agreement ("Cost-Sharing Agreement"), as authorized by Section 611(d)(1)(A), executed on March 14, 2013; and

WHEREAS, on March 23, 2016 the Court entered an order approving the Settlement Agreement in *New Mexico ex rel. State Engineer v. Aamodt*, No. 66cv06639 MV/LCS-ACE (D.N.M.); and

WHEREAS, pursuant to the Act and the Settlement Agreement, Reclamation will plan, design and construct the Pojoaque Basin Regional Water System ("RWS"), which will provide service to the Pueblos of Nambé, Pojoaque, Tesuque, and the Pueblo de San Ildefonso ("Pueblos") in the amount of 2,500 acre-feet of water per annum (afy) and up to 1,500 afy to the County Water Utility; and

WHEREAS, Section 611(d)(1)(B) of the Act prohibits the Secretary from commencing construction of the RWS until after the State and the County enter into an agreement with the Secretary to contribute the non-Federal share of the costs of the construction in accordance with the Cost-Sharing Agreement; and

WHEREAS, pursuant to Section 3.1.3 of the Cost-Sharing Agreement, the State and County agreed to contribute \$45.5 million and \$7.4 million, respectively, to construct the non-Pueblo portion of the RWS ("Non-Pueblo Portion"); and

WHEREAS, on January 30, 2018, the Board of County Commissioners approved four (4) road right-of-way settlement agreements resolving disputes with the Pueblos of Nambé, Pojoaque, Tesuque and San Ildefonso, which require that the County and Reclamation execute this Agreement prior to April 2, 2018; and

WHEREAS, in accordance with Section 3.1.6 of the Cost-Sharing Agreement, the County and Reclamation desire to enter into this Agreement to set forth the manner in which the County will contribute its share of costs.

NOW THEREFORE, the Parties agree:

I. COUNTY'S COST-SHARE FOR THE RWS

A. Generally

1. This Agreement satisfies the County's obligation under Section 3.1.6 of the Cost-Sharing Agreement.

2. Pursuant to Section 3.1.3 of the Cost-Sharing Agreement, the County's total cost allocation for construction of the RWS was \$7.4 million as of October 1, 2006 ("County Cost Share"). The County Cost Share shall be subject to indexing in accordance with Section 3.1.5 of the Cost-Sharing Agreement and this Agreement. Pursuant to Section 3.1.2, 3.1.3, and 3.1.5 of the Cost-Sharing Agreement, the County may reduce the County Cost Share by reducing the Non-Pueblo Portion. Other than as expressly permitted under this Agreement and the Cost-Sharing Agreement, the County Cost Share may not be changed except by amendment of the Cost-Sharing Agreement or other written agreement by the Parties.

3. All of the County's funding contributions and approved land-acquisition credits under this Agreement, whether made at or before the deadline for such contributions, shall be applied toward the County Cost Share.

SFC CLERK RECORDED 04/30/2018

4. This Agreement does not amend, but is supplementary to the Cost-Sharing Agreement. In the event of a conflict between the language of this Agreement and that of the Cost-Sharing Agreement, the Cost-Sharing Agreement shall control. In the event of a conflict between this Agreement and the Act, the Act shall control.

B. Indexing

1. Indexing shall be based on the federal Fiscal Year (FFY) beginning on October 1, of the preceding year and ending September 30 of the stated year. For instance, the first day of FFY 2016 is October 1, 2015.

2. The basis for the annual indexing shall be the latest published Reclamation Construction Cost Trends Indices (the indices) as specifically described in Exhibit A based on the applicable feature of, or major cost associated with, the RWS.

3. The County Cost Share shall be indexed from October 1, 2006, annually, in accordance with this Paragraph and the example set out in Exhibit B.

4. Reclamation's latest published report for the indices may be obtained at www.usbr.gov/tsc/techreferences/mands/cct.html.

5. Before the total remaining construction cost estimate for the RWS, including the County's remaining Cost Share, is indexed at the beginning of each FFY, all expenditures made by Reclamation and County expenditures for land acquisitions under Paragraph II(A)(3) during the previous FFY shall be subtracted from the remaining unexpended construction cost estimate as of October 1 of the previous calendar year. Funds are "expended" upon disbursement by Reclamation.

C. Annual Funding Cost Share

1. Exhibit C sets out the County's estimated annual funding contribution schedule for FY 2019 through FY 2024. Exhibit C shall be subject to annual revisions in accordance with Paragraph II(C)(1) below to account for annual indexing and the agreed upon construction schedule for each upcoming FFY. In addition, Exhibit C shall be revised to decrease the County's future funding contributions if the County reduces the Non-Pueblo Portion in accordance with the Cost-Sharing Agreement or, in its discretion, makes an early funding contribution over and above its required funding contributions. Exhibit C may also be revised to reflect unanticipated changes in the construction schedule, expenses, or for other reasons, but only in accordance with a written agreement between the Parties.

2. The County shall make its annual funding contributions from the Special Fund defined below in accordance with Exhibit C, as the same may be revised annually and from time to time in accordance with Paragraph II(C)(1) below; *provided*, however, that County Cost Share shall not be increased except by amendment of this Agreement, or as otherwise agreed to by the Parties in writing.

3. The County shall submit its annual funding contribution to Reclamation on or before October 1 of each year in accordance with Exhibit C, as the same may be revised from time to time. If the County fails to make a scheduled contribution in accordance with Exhibit C by November 30, and Reclamation thereafter incurs additional expenses for the Project after all prior County contributions have been expended, Reclamation may assess interest on the County's unpaid share of such actual expenses for the Project at the Interest During Construction (IDC) rate in effect on the date that construction commences. The IDC rate will compound annually.

SFC CLERK RECORDED 04/30/2018

4. In the event the funds contributed by the County pursuant to Exhibit C are insufficient to complete the agreed upon scheduled work items for a given FFY, the Parties shall meet and confer within two (2) weeks of notification provided to the County pursuant with Paragraph VII(A). If the Parties do not agree to additional requested amounts, the Parties may agree in writing to stop work or, alternatively, they may agree that Reclamation will continue the scheduled work without any additional County funding contribution for that FFY, in which case IDC will be applied to any Reclamation expenditures applicable to the County's cost share.

II. ADDITIONAL RESPONSIBILITIES OF THE PARTIES

A. The County shall:

1. Upon execution of this Agreement, establish and maintain a special segregated County fund ("Special Fund") from which it will make all funding contributions required under this Agreement. The Special Fund shall consist of all proceeds the County derived from the sale of the Top of the World ("TOW Proceeds") water rights and farm. In addition, before the TOW Proceeds are completely depleted, if ever, the County will deposit into the Special Fund such additional monies as may be required to cover the County Cost Share; *provided*, however, that such additional monies shall be derived exclusively from revenues generated by the one-quarter of one percent capital outlay gross receipts tax imposed by the County under NMSA 1978, Section 7-20E-21, or the first one-eighth increment of the County hold harmless gross receipts tax under NMSA 1978, Section 7-20E-28 (collectively, "Special Funding Source"). If for any reason the TOW Proceeds and Special Funding Source are not sufficient to meet the County's funding obligations under this Agreement, the County may use such other then-existing funds to cover the remaining County Cost Share as may be approved and

appropriated by the Board of County Commissioners, in its discretion, to the Special Fund. No allocation of revenue from the Special Funding Source into the Special Fund shall occur, if at all, unless and until the County can first make all payments required in connection with any outstanding revenue bonds issued by the County that are secured by the Special Funding Source.

2. Deposit all County funding contributions in a U.S. Treasury account by electronic funds transfer, as directed by Reclamation. Upon execution of the Agreement, the County shall furnish Reclamation with the County's taxpayer's identification number (TIN).

3. Acquire such easements, rights-of-way, land, or other interests in real property for the RWS as may be agreed upon by the Parties. The County's reasonable costs of such acquisitions will be credited against the County's Cost Share, upon satisfaction of the following:

i. The County and Reclamation agree in writing in advance on the real property interest(s) to be obtained and the total estimated acquisition cost;

ii. After the acquisition, the County provides Reclamation with documentation of the actual acquisition cost;

iii. The County shall receive a credit only for the actual acquisition cost, exclusive of staff time; and

iv. The County provides Reclamation with such easements, permits, or other instruments as may be necessary to assure Reclamation obtains access for each interest in land the County acquires.

SFC CLERK RECORDED 04/30/2018

B. Reclamation shall:

1. Beginning on November 1 in the year the Parties execute this Agreement and during each quarter of the calendar year thereafter, Reclamation will provide the County written reports (quarterly reports) with an itemized list of expenditures Reclamation allocated to the Project and the County's cost share, including total County funding contributions and land acquisition credits to date, the County's total allocated amount of expenditures to date, and the remaining balance of the County Cost Share.
2. Prior to commencing construction of any phase or stage, Reclamation shall provide the County with the 30%, 60%, and final design for construction and cost estimate for the phase or stage, and include with the final design a proposed construction schedule. The cost estimate shall include the non-federal share and describe the portions or features being constructed with non-federal contributions. Reclamation shall in good faith consider the County's comments on the design and construction schedule. The cost estimate and the County's cost share shall be broken down into the system components set out in the HKM Engineering Report or other agreed upon formats. The County shall have the opportunity at the 60% and final design levels to reduce or modify the Non-Pueblo Portion within that phase or stage and, at the County's discretion, thereby reduce or re-allocate the County Cost Share accordingly. The County's funding contribution at the beginning of each FFY shall be based upon the final design and cost estimate and the construction schedule; provided, however, that the County's funding contribution and construction schedule may be revised by agreement of the Parties.
3. Index the construction cost annually, on or before December 31 of each year, to recalculate the future values shown in Exhibit C and adjust the funding contribution

schedule accordingly for the purpose of revising Exhibit C in accordance with Paragraph II(C)(1) below.

4. Initiate negotiations with the County pursuant to Section 611(g)(1) of the Act, if the Secretary determines that the cost of constructing the RWS exceeds the amounts described in the Cost-Sharing Agreement, for an agreement regarding non-Federal contributions to ensure that the RWS can be completed as required by Section 623(3) of the Act. Because current cost estimates are in excess of the amounts made available pursuant to the Act the Secretary will initiate negotiations with the parties to the Cost-Sharing Agreement pursuant to Section 611(g)(1) as soon as practicable with the intent of executing an agreement to allocate the excess costs prior to commencement of construction. The Parties acknowledge that, pursuant to Section 611(g)(2) of the Act, the United States shall not bear the entire amount of any cost overrun associated with construction of the RWS.

5. If County funding contributions are no longer needed by Reclamation for any reason, Reclamation will immediately notify the County in writing pursuant to Paragraph VII(A), and Reclamation's Finance Officer in consultation with the County Finance Director, will determine the amount of funds to be refunded to the County and return any remaining funds to the County within 90 days of Reclamation's notice to the County.

C. Joint Responsibilities

1. On or before February 1 of each year, Reclamation shall provide the County with a written cost accounting report. The report shall present a detailed account of all County funding contributions and land acquisition credits to date, an itemized list of total expenditures and the County's share of such expenditures, remaining unexpended funds previously contributed by the County, the remaining indexed County Cost Share, the

SFC CLERK RECORDED 04/30/2018

estimated construction costs for the next FFY, and such other information as may be pertinent to revising Exhibit C. Reclamation shall provide proposed revisions to Exhibit C along with its cost accounting report to the County. If the County does not request an explanation of Reclamation's proposed revisions to the Exhibit within ten (10) calendar days thereafter, the revisions shall be deemed approved by the Parties. If the County timely requests an explanation, the Parties shall meet and confer within ten (10) days of such request to agree upon revised Exhibit C.

2. By April 1st of each year, the Parties shall agree to revise Exhibit C.

3. The Parties will meet as necessary to address matters relevant to this Agreement including, but not limited to, Reclamation's quarterly reports, cost indexing, construction schedules, and substantial completion of RWS.

III. CONTINGENCIES

The County may temporarily withhold an annual funding contribution if:

A. Either the United States or the State has provided notice of or otherwise demonstrated an unwillingness or inability to make a required funding contribution for a given FFY. The County shall cease withholding and make its required funding contribution for that FFY within ten (10) days of receiving notice that the United States and State have made the required funding contribution(s). If Reclamation incurs project expenses during the period in which the County withholds its funding contribution, IDC may be applied in accordance with Paragraph I(C)(3).

B. The Secretary issues a written determination pursuant to Sec 623(e)(2) of the Act that the RWS will not meet the criteria for substantial completion.

IV. TERM OF THE AGREEMENT

A. Effective Date

This Agreement shall be effective upon the date of execution by both Parties.

B. Termination

1. The Agreement shall terminate automatically upon termination of the Settlement Agreement, termination of the Cost-Sharing Agreement, or upon voiding of the Final Decree, whichever occurs first.

2. Upon termination of this Agreement for any reason, the United States shall complete a final accounting of the project to date, return unexpended non-Federal funds to the contributing Party in accordance with Paragraph II(B)(5), and enter into negotiations with the Parties of the Cost-Sharing Agreement to determine the disposition of the constructed portions of the RWS and any real and personal property acquired to date in order to make those assets available to the intended beneficiaries

V. AMENDMENT

This Agreement may be amended only through written mutual agreement of the Parties.

VI. STANDARD ARTICLES

These Standard Articles are made part of this Agreement, pursuant to Reclamation Manual requirements:

A. Notices

Any notice, demand, or request authorized or required by this Agreement shall be deemed to have been given, on behalf of the County, when mailed, postage prepaid, or delivered to the Regional Director, Upper Colorado Region, Bureau of Reclamation, Attention: UC-443, 125

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South State Street, Salt Lake City, UT 84138, and on behalf of the United States, when mailed, postage prepaid, or delivered to the County Manager, Santa Fe County Manager's Office, 102 Grant Avenue, Santa Fe, NM 87504. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this paragraph.

B. Contingent on Appropriation or Allocation of Funds

The expenditure or advance of any money or the performance of any obligation of the United States under this Agreement shall be contingent upon appropriation or allocation of funds. No liability shall accrue to the United States in case funds are not appropriated or allotted.

C. Official Not to Benefit

No Member of or Delegate to the Congress, Resident Commissioner, or official of Santa Fe County shall benefit from this Agreement other than as a water user or landowner in the same manner as other water users or landowners.

D. Assignment Limited-Successors and Assigns Obligated

The provisions of this Agreement shall apply to and bind the successors and assigns of the Parties hereto, but no assignment or transfer of this Agreement or any right or interest therein by either party shall be valid until approved in writing by the other party.

E. Rules, Regulations, and Determinations

Reclamation shall have the right to make determinations necessary to administer this Agreement that are consistent with its provisions, the laws of the United States and the State of New Mexico, and the rules and regulations promulgated by the Secretary. Such determinations shall be made in consultation with the County.

F. Medium for Transmitting Cost Share

All contributions from the County to the United States under this Agreement shall be by the medium requested by the United States on or before the date the contribution is due. The required method of contribution is deposit of funds in a U.S. Treasury account by electronic funds transfer as directed by Reclamation.

G. Agreement Drafting Considerations

This Agreement has been negotiated and reviewed by the Parties hereto, each of whom is sophisticated in the matters to which this Agreement pertains. Paragraphs I-VII of this Agreement have been drafted, negotiated, and reviewed by the Parties, and no one party shall be considered to have drafted the stated articles.

H. Books, Records, and Reports

Subject to applicable Federal laws and regulations, the Parties shall have the right during office hours to examine and make copies of the other party's books and records relating to matters covered by this Agreement.

I. Counterpart

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute the same instrument.

J. Duplicate Originals

This Agreement shall be executed in duplicate originals.

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VII. TECHNICAL POINTS OF CONTACT FOR THIS AGREEMENT

Bureau of Reclamation

Area Manager
555 Broadway Blvd NE (ALB-800)
Albuquerque, NM 87102
(505) 462-3555

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Santa Fe County

Director, Public Works Department
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276
(505) 827-3023
email@santafecounty.org

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WHEREFORE, we agree to be bound by the terms and conditions contained in this

Agreement:

Bureau of Reclamation

By: _____
Brent Rhees
Regional Director

Date: _____, 2018

By: _____
Office of the Regional Solicitor
Intermountain Region

Santa Fe County

By: _____
Anna C. Hansen
Chair, Board of County Commissioners

Date: _____, 2018

ATTEST:

Geraldine Salazar
County Attorney

Date: _____, 2018

Approved as to form:

By: _____
— R. Bruce Frederick
— County Attorney

Date: _____, 2018

Approved:

Stephanie S. Clark
County Finance Director

Date: _____, 2018

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EXHIBIT A
Reclamation's Construction Cost Trend Indices Selected
for each Major Feature of the Pojoaque Basin Regional Water System
that has Costs Allocable to Santa Fe County

The current published report of each construction cost trend and an explanation of how the trends are calculated may be found at www.usbr.gov/tsc/techreferences/mands/cct.html

MAJOR FEATURE	CONSTRUCTION COST TREND INDEX
Intake and Pump Station (Raw Water)	Pumping Plants
Water Treatment Plant	Pumping Plants
Pipelines	Distribution Pipelines
Pump Stations	Pumping Plants
Storage Tanks	Pumping Plants – Structures and Improvements
Hybrid (Aquifer Storage and Recovery) Wells	Pumping Plants
Service Connections	Distribution Pipelines
Pressure Reducing and Control Valves	Distribution Pipelines
SCADA System	Pumping Plants, Equipment, Accessory Electric and Miscellaneous Equipment
Electrical Improvements	Pumping Plants, Equipment, Accessory Electric and Miscellaneous Equipment
Operation and Maintenance Assets	Machinery and Equipment

EXHIBIT B

Numbers are shown as integers but are rounded only when the calculation is complete.

(Pumping Plants, Base Authorized Amount - 1,238)
1,238 (201/136) = 1,830 (New ceiling before 1-76 expenditures are deducted)
-788 (Expended amount in 1-76)
1,042 (214/201) = 1,109 (New remaining ceiling for P. Plants)
-1,109 (Partial expended amount in 1-77)
0 (227/214) = 0 (Remaining ceiling avail.)
+1,897 (Total expenditures)
1,897 (Total ceiling for P.lants)
Over expenditure assigned below -

(Canals, Base Authorized Amount - 9,556)
9,556 (202/133) = 14,514 (New ceiling before 1-76 expenditures are deducted)
-7,090 (Expended amount in 1-76)
7,424 (209/202) = 7,681 (New remaining ceiling for Canals)
-7,457 (Over expenditure for P.Plants in 1-77)
224 (219/209) = 235 (Remaining ceiling avail.)
+14,547 (Total expenditures)
14,782 (Total ceiling for Canals)

(Concrete Pipe, Base Authorized Amount - 7,997)
7,997 (190/128) = 11,871 (New ceiling before 1-76 expenditures are deducted)
-5,179 (Expended amount in 1-76)
6,692 (197/190) = 6,938 (New remaining ceiling for C. Pipe)
-880 (Over expenditure for Land/Rights in 1-77)
800 acres of land assigned 6,058 (205/197) = 6,304 (Remaining ceiling avail.)
+6,059 (Total expenditures)
12,363 (Total ceiling for C. Pipe)

These may also be calculated in the form -

(General Property, Base Authorized Amount - 1,067)
| (Expended amount in 1-75) | (Expended amount in 1-76) | (Total expenditures)
| 1,067 (233/143) - 861 (233/193) - 325 (233/201) + 1,186 = 1,508 (Total ceiling for G. Prop.)

(Roads, below, are calculated same as general property in above scenario, but shows use of special local indexes, e.g., "3250/1285.")
3,269 (3250/1285) - 1,007 (3250/2153) - 648 (3250/2838) + 1,655 = 7,661

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EXHIBIT C

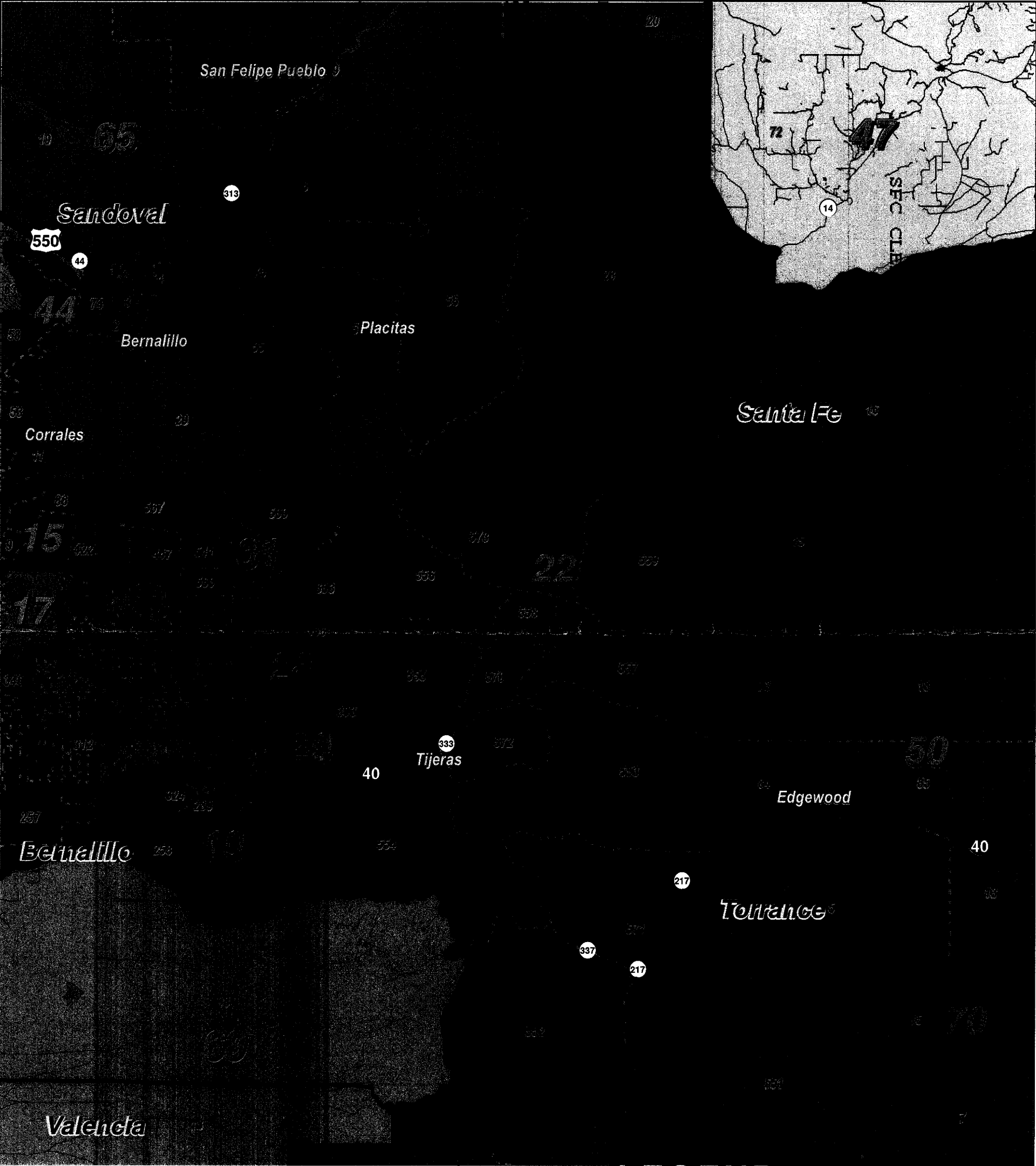
**County's Estimated Cost-Share of PBRWS Project Costs
(\$ Millions)**

Fiscal Year (FY)	Index Factor	Annual Payment amount	Remaining County Contribution
2006	1.000		7.400
2018	1.344	0	9.946
2019	1.380	5.000	5.080
2020	1.418	2.000	3.164
2021	1.456	3.164	0.000
2022	1.496	0.000	0.000
2023	1.537	0.000	0.000
2024	1.578	0.000	0.000
TOTAL		10.164	

Note: the Index Factors for 2020 and subsequent years are estimates and the payment amounts shown in 2020 and 2021 will need to be re-calculated based on the actual index factor for each of those years.

House: HD_District_Court_1
(Court Adopted on Remand February 2012)

District 22



RESEARCH & POLLING INC.

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Miles

For the New Mexico
Legislative Council Service

NEW MEXICO

LEGEND

Created: March 02, 2012

Precincts

Counties

Rivers

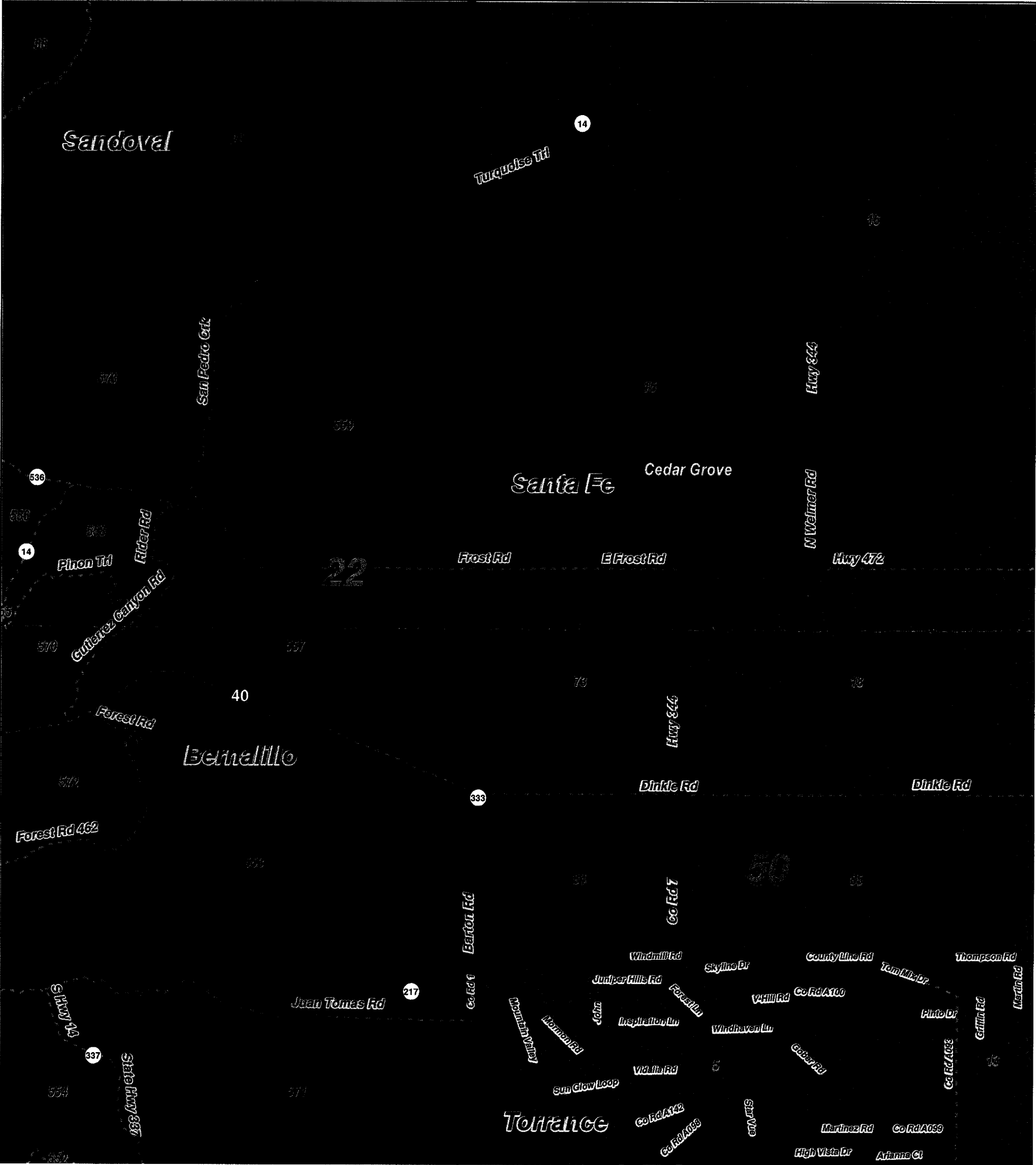
Lakes / Ponds


Interstate

US Highway

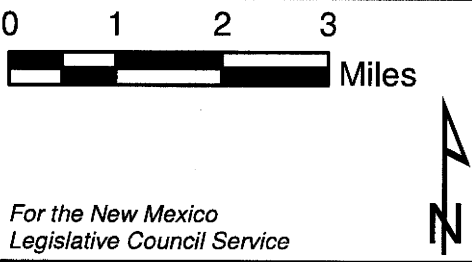
State Highway

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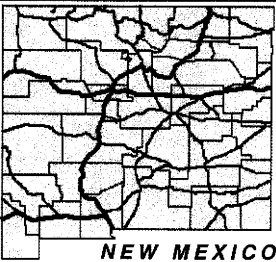


RESEARCH & POLLING
INC.



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For the New Mexico
Legislative Council Service



LEGEND

Created: March 01, 2012

Precincts	Rivers	Interstate
Counties	Lakes / Ponds	US Highway
		State Highway

Research & Polling, Inc. distributes this map assuming no liability for any errors, omissions, or inaccuracies in the information provided regardless of the cause in reliance upon any maps.

Santa Fe County Open Space, Trails and Parks

OSTP 2.0

March 27, 2018



Presentation Overview

- Background of Santa Fe County Open Space and Trails program (OSTP)
 - Paul Olafson
- Why Open Space in Santa Fe County is important
 - Dave Dannenberg, COLTPAC Chair
- OSTP moving forward
 - Maria Lohmann

This presentation will outline what Santa Fe County Open Space has been working on and how the program intends to move forward—OSTP 2.0.

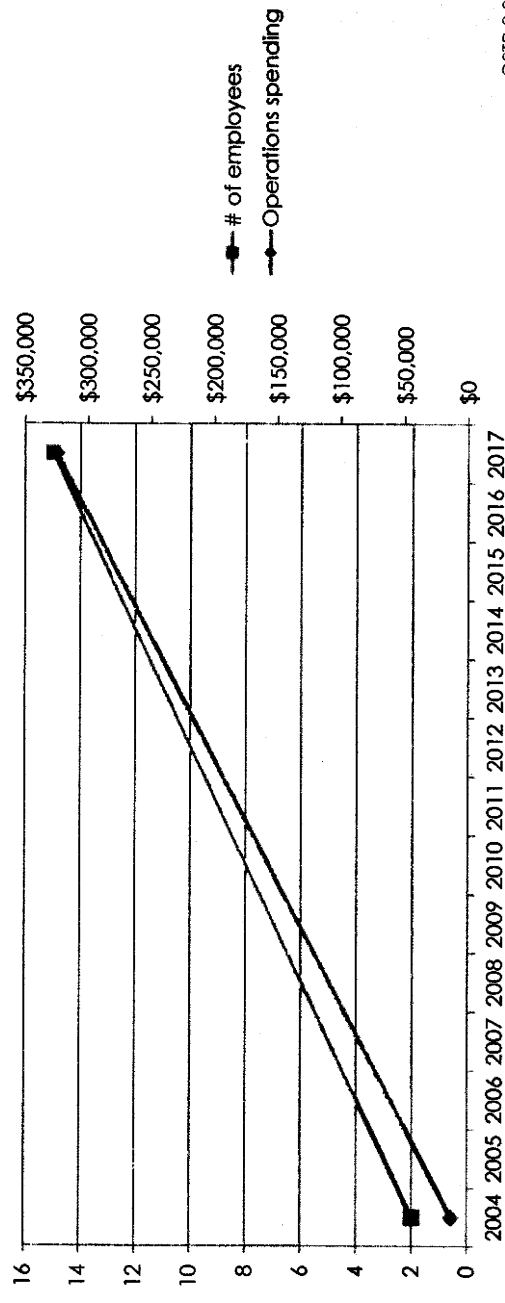
OSTP 2.0 - What and Why?

- An effort from COLTPAC and staff to outline future vision, strategy and implementation for Open Space Trails and Parks.
- A path to significantly build on the Quality of Life values that our current program provides to residents of Santa Fe County.
- A way to maximize return on existing investment in properties and improvements.
- A discussion framework for an Open Space, Trails and Parks Strategic Management Plan to be completed mid 2018.

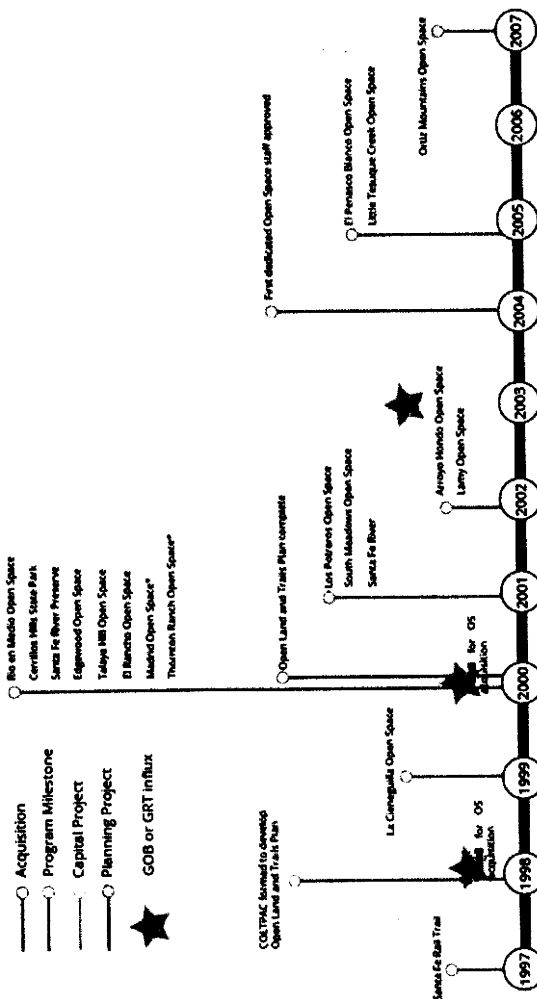
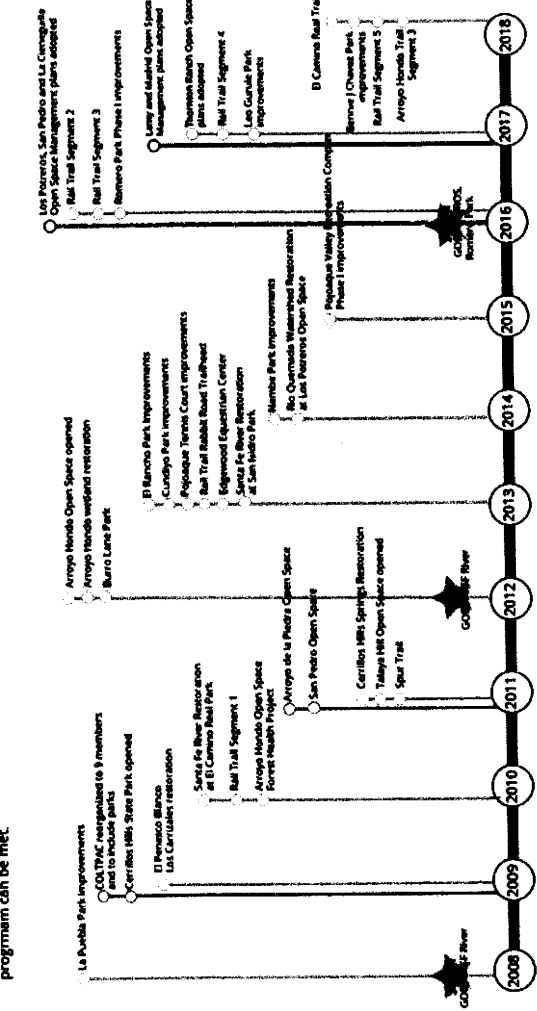
20 years of progress. A program of excellence.

- Santa Fe County Open Space began in 2000 to acquire property for conservation and recreation values. COLTPAC was formed.
- Popular with significant public engagement and interest: Large and vocal outdoor community, COLTPAC.
- High visibility successes: SF River, Cerrillos Hills, Arroyo Hondo. Rail Trail, Dale Ball, La Piedra and Talaya Trails.
- Leadership in local conservation and land management: TROS, El Camino Real Trail, SF Rail Trail, SF River Greenway. TDR and agriculture program in development.
- Many additional recreational opportunities in the queue: e.g. Thornton Ranch, Romero Park, San Pedro, Los Caminitos.

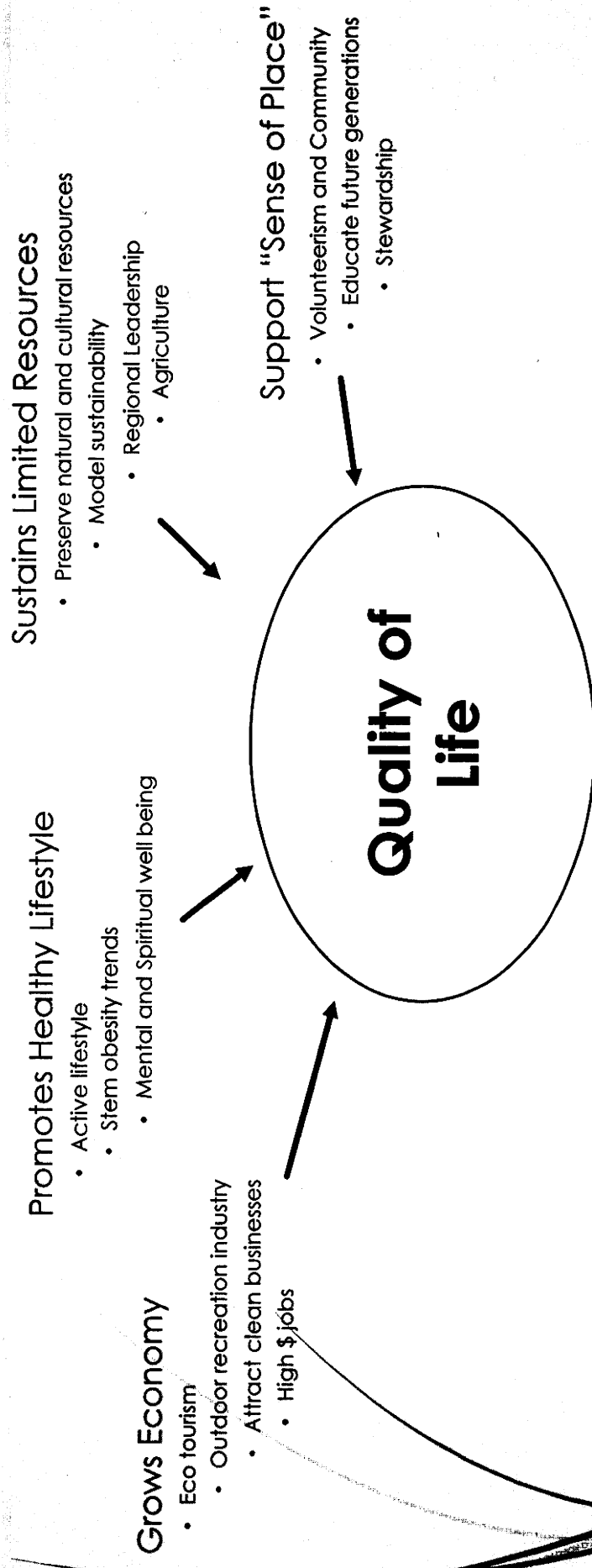
- 2018... 23 Open Space Properties, 6,458 acres, 46 miles of trails, 18 parks and recreation facilities.
- Started with 3 total employees– now there are 13!
- Total \$21,781,167 spent on acquisition of open space properties
- Total \$20,693,579 spent on capital improvements of open space properties including Rail Trail, River Trail, Arroyo Hondo and Talaya Hill Open Space Trails
- Total \$6,788,448 in grant funding received for Rail Trail, Arroyo Hondo Trail, El Camino Real, Pojoaque Valley Recreation Center,



and enhance the environmental conditions of the properties so that the conservation and recreation goals of the program can be met.



OSTP's Central Role in Community



OSTP 2.0 focuses on these Quality of Life factors

Sense of Place

- New Mexico Cultural Identity tied to the land and scenery
- Historic and Cultural Preservation provides the bridge to traditional values and land conservation.
- Open Space Trails and Parks are community assets
- County residents and visitors walk, hike, horse back ride, and bike in the County's diverse natural settings.
- Protection of open space, trails and parks leads to community engagement and stewardship

OSTP2.0 will engage the community in it's success!

Positive Impact on Health and Wellness

- Proximity to open space and parks promotes a healthy lifestyle and increased physical activity¹.
- Slowing the obesity epidemic.
 - Santa Fe County – 75 to 98 deaths per 100K annually due to obesity.² Compare to drug overdose death rate of 32 per 100K.³
 - Upward trend in self reported obesity and sedentary lifestyle since 2004 in Santa Fe County.⁴
 - Western states and New Mexico rank better compared to rest of US, but higher in diabetes and teen obesity.⁵
- Why do some regions have lower rates of obesity?
 - Food availability. Less poverty. Low quality food = higher obesity rates.
 - Access to physical activity and an outdoor recreation culture (Colorado as a model)
 - Education. Youth focus. Good healthcare. (Massachusetts as a model)

OSTP2.0 promotes physical activity, youth education,
agricultural sustainability

1. County Health Rankings and Roadmaps. Ranked survey of studies. September 2015
2. NIH and range over survey of methods, adjusted for regional obesity rates. NM DOH 2011-2015.
3. Center for Disease Control and Prevention. County Data 2004 to 2014.
4. The State of Obesity 2017
5. Assumes SFC per capita equity with rest of NM
6. OSTP 2.0: March 2018

Sustainability, preservation and conservation

- Continued advancement of natural and cultural resource preservation.
- Regional leadership
 - Coordination with BLM, SFNF, City of Santa Fe, and conservation groups.
 - Provide a loud local voice in state and federal land related policies that affect our region.
- Agricultural land conservation and use through TDR, land purchase and swaps.
 - Healthy, locally grown food.

OSTP2.0 is a legacy for future generations

Outdoor Recreation is a large and growing economy

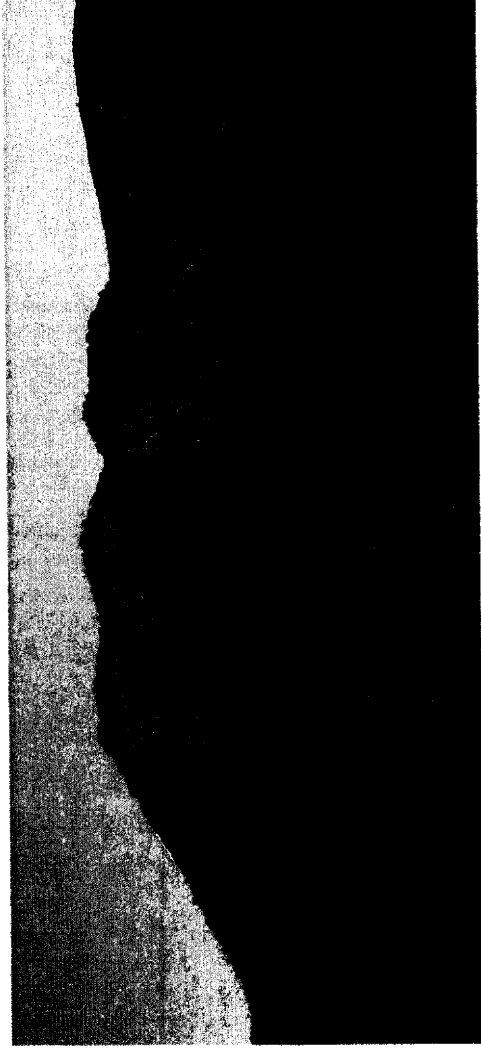
- Outdoor recreation contributes ...
 - In New Mexico: \$6.1B annual consumer spending, 68K jobs, \$1.7B wages, \$458M in state and local tax revenue¹
 - In Santa Fe County by population: \$436M spending, 4.8K jobs, 12.1M wages, \$32.7M local tax revenues³
 - 5% annual growth (2005 – 2011)^{1,2}
 - Events generate significant revenue. Bike and Brew, Santa Fe Century, Grand Prix, Santa Fe Rodeo, Santa Fe Ultra, Heritage tourism
- Public lands and outdoor recreation attract clean industry and high salaried jobs
 - A vibrant outdoor scene is a check box in attracting clean industry and high paying jobs and workers.

OSTP2.0 expands and promotes Outdoor Recreation

1. VIVA New Mexico Strategic Plan 2016-2020
2. Outdoor Industry Association by Southwick Associates 2012
3. Not tracked. Assumes SFC per capita equity with rest of NM

Santa Fe County Open Space and Trails moving forward

- Open Space, Trails and Parks Strategic Management Plan
 - Implements the Sustainable Growth Management Plan, which calls for strategic and action plans to implement each chapter.



What the Strategic Management Plan will do

- Set the vision and objectives for the program in the next 5, 10 and 20 years
- Provide guidance in 5 areas
 - Internal Operations
 - Project and opportunity areas
 - Alternative funding options
 - Enhance public outreach, event programming and education
 - Partnerships

Practical, flexible, effective actions to advance OSTP



Vision and Mission 2018

Vision :

- Santa Fe County's Open Spaces, Trails and Parks Program sustainably manages and preserves a vibrant network of cultural, historical, recreational and natural community resources that inspire a deep sense of regional identity and stewardship among current and future generations.

Mission :

- Santa Fe County provides innovative leadership in local land management and conservation that enhances the quality of life for County residents, provides access to public lands, and advances community partnerships and effectively leverages community investments in the OSTP Program.

Management Landscapes

Management Landscapes leverage Santa Fe County Open Space assets in areas where preservation and recreation goals can be met by leveraging partnerships with agencies, community groups and others.

OSTP 2.0: March 2018

SMP Draft Policies

POLICY 1: MANAGEMENT

The County will manage open space, trails, and park properties to preserve, and protect significant resources of each property by:

- Developing and Implementing Best Management Practices
- Building staff capability and capacity
- Developing management plans for each property
- Determining the level of appropriate maintenance, and
- Developing a monitoring protocol

POLICY 2: STEWARDSHIP

The County will develop partnerships with public and private entities to support environmental protection and conservation that enhances stewardship, education, and user experience of open space, trails, and park properties by:

- Fostering partnerships
- Build volunteer capability and capacity
- Involving youth
- Providing education and interpretation, and
- Coordinating with other departments and agencies

POLICY 3: ACCESS

The County will provide appropriate public access for a better experience on open space, trails, and parks by

- Determining appropriate access levels per property
- Improving information and outreach regarding OSTP
- Providing programs
- Implementing innovative projects

Strategic Management Plan Guiding Principles

Next Steps

Short term:

- Develop the Strategic Management Plan by mid 2018 which will outline next 20 years with 5-year implementation goals
- Program promotion and public engagement
- Develop and promote community partnerships
- Keep focus on short term projects
- Explore alternative funding and implementation models, non-profit support, foundations, grants

Mid term:

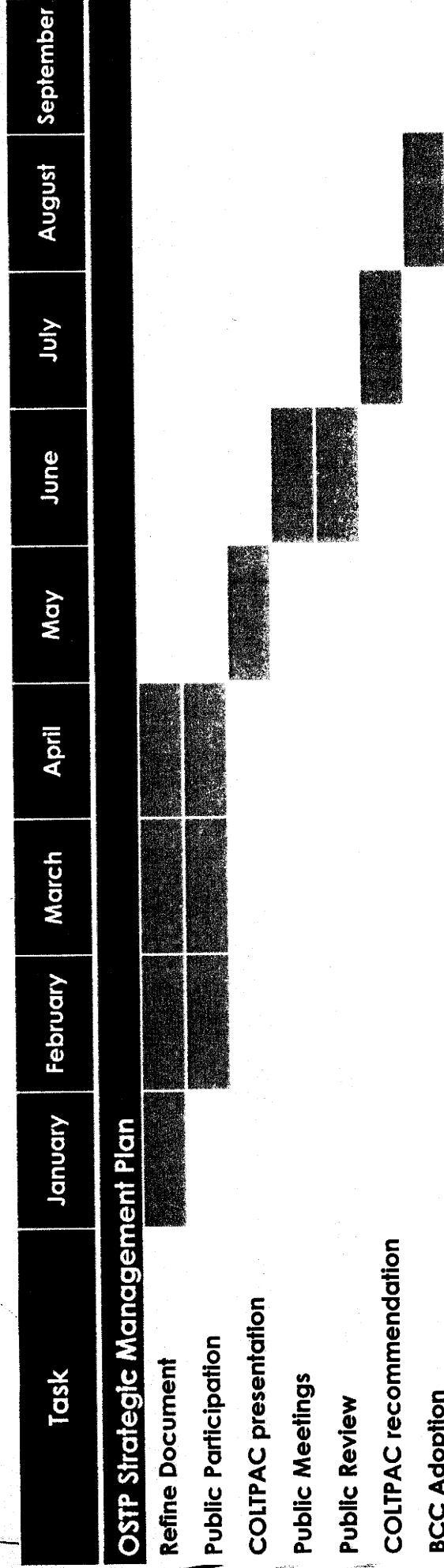
- Explore a non profit "Friends of Open Space" organization
- Expand recreational opportunities on existing property

Long term:

- Vibrant network of connected communities and open space properties
- Robust culture of stewardship and preservation

Short term successes are critical !

Strategic Management Plan Development Schedule



Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: March 20, 2018

TO: Board of County Commissioners

FROM: Ray Mathew, Transportation Planner

VIA: Paul Olafson, Planning Projects Manager
Robert Griego, Planning Manager
Penny Ellis-Green, Growth Management Director
Katherine Miller, County Manager

ITEM: Update on Santa Fe County's Americans with Disabilities Transition Plan

Summary:

All sub-recipients of the United States Department of Transportation (USDOT) funds are responsible for developing and implementing an Americans with Disabilities (ADA) Transition Plan. The County, as a sub-recipient of federal financial assistance through the New Mexico Department of Transportation (NMDOT), is required to complete and submit its ADA Transition Plan to NMDOT no later than June 6, 2018.

Background and Discussion:

In coordination with NMDOT, the Santa Fe County ADA Transition Plan is being developed in two parts:

1. Roads (submitted to NMDOT on December 19, 2017)
2. Other Facilities (includes open space, parks, trails, buildings and other facilities)

To meet the required noticing, public comment, Board of County Commission consideration and submittal of the complete ADA Transition to NMDOT, staff has developed the following timeline of key activities:

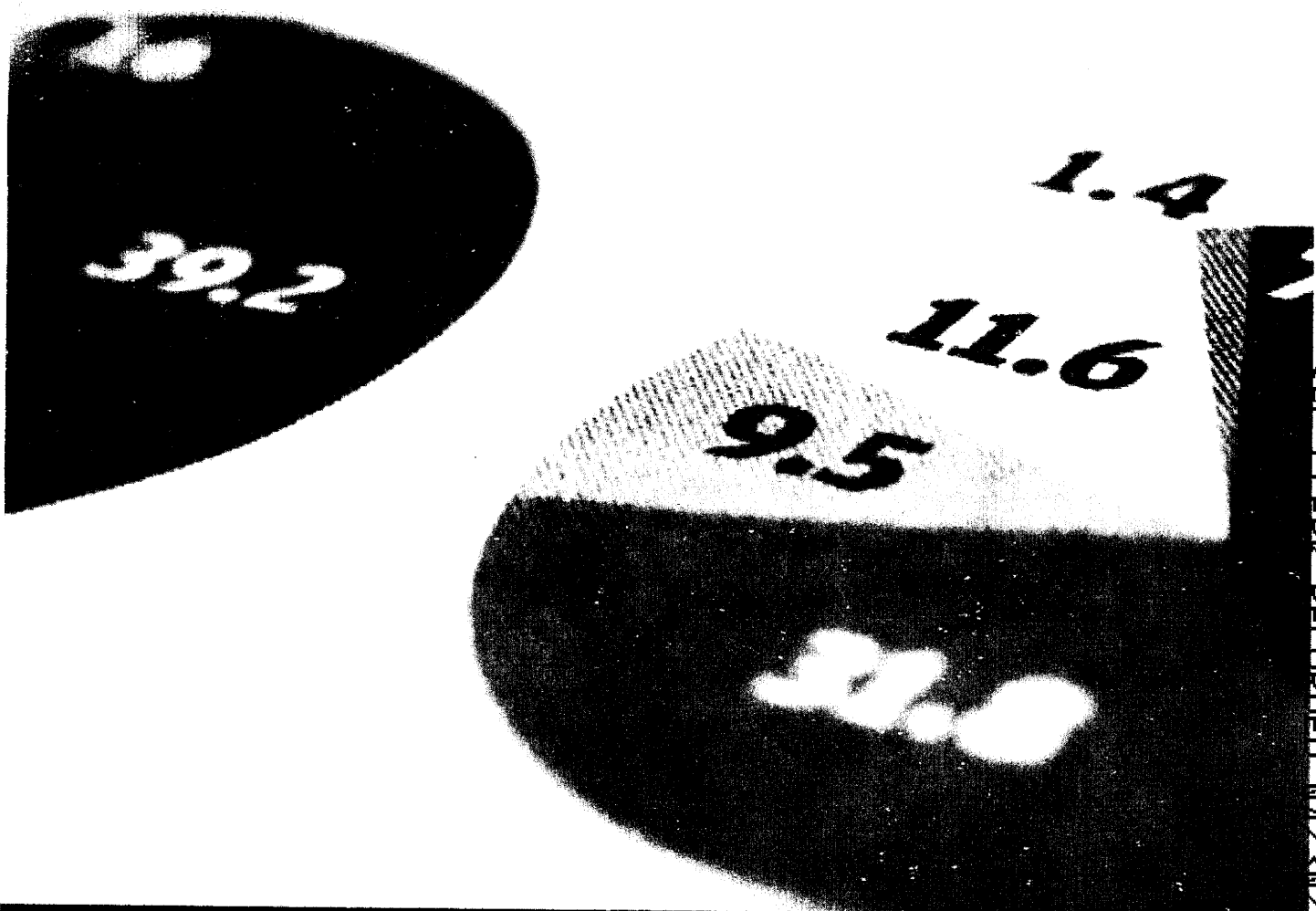
- April 10, 2018: Public comment and BCC review of the draft ADA Transition Plan.
- May 29, 2018: Public comment and BCC consideration of the final ADA Transition Plan.
- June 6, 2018: Santa Fe County ADA Transition Plan submitted to the NMDOT.

Action Requested:

This is an informational item and no action is required.

102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:
505-995-2740 www.santafecountynm.gov

SFC CLERK RECORDED 04/30/2018



Friedman Recycling Albuquerque Material Recovery Facility Cost of Service Report

Report to the Albuquerque Solid Waste Department

Bell & Associates, Inc.

March 2018

Background

China is the single largest consumer of recyclable materials generated in North America and the world. It consumes 40% of all scrap materials sold in the US; 55% of all paper/fiber, and 51% of all recovered plastics. There are no mills in the Southwest region of the US capable of consuming the paper & plastics produced by the City's curbside recycling program. Most of the City's recyclables are shipped to China for remanufacturing into new products & packaging.

The Chinese government has recently taken three significant unilateral actions that have completely disrupted the global market for recovered materials.

1). Banning all Mixed Paper and Mixed Plastics: Effective January 1st, 2018, The Ministry of Environmental Protection of the People's Republic of China (MEP) has banned the import of 21 recyclable commodities, including Mixed Paper & Mixed Plastics. The single largest commodity produced from the City's curbside recycling program has been Mixed Paper, which comprises 26.4% of the recycled tons.

2). Reduction of Contamination Threshold to 0.30%: In addition to the ban, MEP announced that effective January 1st, 2018 all scrap materials imported into China must be 99.70% pure. No material exceeding 0.30% contamination will be allowed into the country. Previously, depending upon the commodity, the industry standard allowed for up to 4.50% contamination. After overwhelming push back from trade organizations around the world, MEP modified its restriction to 0.50% contamination with an implementation date of March 1st, 2018.

3). Revocation, Reduction & Suspension of Import Licenses: MEP has frozen the approval of most scrap import permits. In addition, it has revoked the existing licenses of many mills and significantly reduced the quantity of mills/traders eligible for securing new licenses. As of January 25th, MEP has issued 2018 licenses sufficient to cover less than 20% of China's 2017 consumption volume.

The effect has also decreased cardboard (OCC) values. A significant amount of the #1 (PET, water bottle, pop bottle) and the #2 Clear and Colored HDPE (milk jug, detergent bottle) collected in the West is sold domestically. However, with the coming changes from China, the US market will be overwhelmed with recovered plastic. Most of the collected plastics that were being exported now have no market outlets. The markets for #3 through #7 plastic bottles and tubs has disappeared. Rigid plastic has also decreased. Weighted value of the materials delivered by the City from the sale of the recovered materials has decreased from a high of \$112 per ton in April 2017 to \$78 in January 2018.

The primary reasons for China's coming ban on recyclables:

The Chinese government is working to develop a strong domestic collection infrastructure to supply recyclable materials to domestic mills.

The Chinese government is eliminating manufacturing facilities that generate excessive pollution. The government is shutting down over 2,000 antiquated recycling plants across the country. Many of these plants recycled various grades of plastic containers and film. China has announced that they will no longer allow for the import of plastic that has not been ground, washed and pelletized.

SEC CLERK RECORDED 04/30/2018

Processing Cost

A review of the Albuquerque facility expenses was completed on-site at Friedman’s corporate office in Phoenix. Detailed general ledger accounts for the processing of recyclables in 2017 were reviewed. Invoices were compared to the amounts listed in the general ledger detail - all invoices agreed to the amounts listed.

The expenses in 2017 were segregated into two periods: January to October and November to December. November is when the operational changes were implemented to slow the material throughput. Plant fixed costs and plant variable costs were segregated from the variable processing costs. Processing costs incurred during the last two months of the year are the basis for the projected processing costs in 2018.

Plant costs in 2017 were \$2,320,815 and are comprised primarily of fixed costs such as building and sort line depreciation, interest and variable costs such as on-site plant management / administration, insurance, and office expenses.

Processing costs such as temporary labor, utilities, supplies, and repair and maintenance costs are estimated to increase by \$1,024,669 to \$3,346,000 for 2018. From January to October, the average cost per month for temporary labor was \$122,340 but increased by \$173,401 to \$295,741 with the addition of the approximately 7,500 labor hours to supplement the first shift and add a second shift in November. The labor cost increased by \$30.74 per ton processed (\$173,401 / 5,641¹ tons per month). Associated variable costs such as utilities and maintenance increased by an additional \$2.15 per ton. Temporary labor required to run the second shift and supplement the first shift comprises 86% of the estimated processing cost increase in 2018.

One cost that decreased is the disposal of the residual waste. Since November, the City has assumed the landfill cost on the disposal of the waste generated from sorting operations. Table 3 compares the estimated changes in costs from 2017 to 2018.

Table 3: Albuquerque Processing Cost Comparison

Cost	2017	2018	% ▲
Plant Costs	\$2,320,815	\$2,452,877	1.7%
Processing Costs	\$2,321,539	\$3,346,208	44%

Cost of Residual Waste

Prior to October 2017, Friedman hauled and paid for disposal at the Cerro Colorado Landfill of the residual waste sorted from the commingled materials. To assist with the additional costs incurred by Friedman, the Solid Waste Department has provided additional waste hauling services as well as disposal without charge. From November 2017 to February 14, 2018, the City hauled 406 loads to the landfill and disposed 5,451 tons of waste. A arrangement was made with the Santa Fe Solid Waste Management Agency (SFSWMA / A) where waste tons from their incoming tons are back-hauled by the District for disposal at the Caja del Rio Landfill. Disposal cost on residual waste was segregated from the Plant Costs in Table 3.

¹ 2017 commingled tonnage volume was 67,695 tons divided by 12 months

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Table 5: Albuquerque Processing Cost

Cost	2017	\$ ▲	2018
Facility Plant Cost	\$52.47		\$52.47
Facility Processing Cost	\$22.77		\$49.43
Add '1 Labor Cost		\$30.74	
Add '1 Variable Cost		\$2.15	
Less Residual Disposal		\$(6.23) ¹	
Total 2018 Increase		\$26.66	
Corporate Overhead	\$20.35		\$20.35
Albuquerque Processing Rate	\$95.60		\$122.25

¹ Residual disposal is disposal fee of \$30 per ton multiplied by the percentage of residual waste (20.76%) from the last material composition measurement. Haul costs were not included in this calculation.

Current Contract with Albuquerque

The cost of the City's contract for processing recycling is comprised of three calculations:

1. Minimum Delivery
2. Processing Fee
3. Revenue Share

Minimum Delivery

The contract requires the City to deliver 3,200 tons of recyclable materials per month to Friedman. If the City fails to deliver the minimum tonnage amounts, the pays a penalty based on a sliding scale of \$0.04 per ton and is applied to the total tons delivered during the month. The calculation for the penalty is minimum tonnage less delivered tonnage x \$0.04. That amount is then multiplied by the delivered tons. Here is an example:

Minimum Tonnage	3,200	
Delivered Tonnage	3,100	
Shortfall	100	
Per Ton Penalty	\$4.00	(100 shortfall tons x \$0.04)
Shortage Penalty	\$12,400	(3,100 delivered tons x \$4.00 per ton penalty)

Processing Fee

The contracted cost to sort, bale, and market the City's commingled recycling has a range of \$95.00 to \$99.99 per ton; therefore, the City pays for processing when the aggregate value of the sorted material falls below \$95 per ton. If the value of the sorted material is greater than \$100 per ton, the City is rebated an amount on a per ton basis. Table 6 details the cost or revenue associated with value of the recyclable material.

Table 7: November 2017 Processing Cost per Ton

Cost	Amount
November Processing Cost	\$122.35
Less Material Processed Value	\$(72.83)
Less City Processing Cost	\$(7.00)
Net Cost for Material Processing	\$42.42

Cost Plus Method

Under the current market conditions, the value of the sorted material plus the processing fees paid by the City do not cover the cost of service. While the long-term market outlook is good, Friedman can't sustain the financial losses in the short-term. A revised pricing method will ensure the long-term viability of the facility. The Cost-Plus method for pricing commingled processing is the cost of processing less the indexed value of the recovered materials sold. Utilizing the updated material composition of the increased Newspaper and OCC from Table 1, Table 8 calculates the January 2018 sorted material value.

Table 8: January 2018 Sorted Material Value Calculation

Commodity	Percentage	Index Price	Weighted Value
Sorted Residential Papers & News (#56)	27.07%	\$55.00	\$14.89
Mixed Paper (#54) - SW Domestic	13.44%	\$35.00	\$4.70
Old Corrugated Containers (OCC #11)	25.48%	\$115.00	\$29.30
PETE	3.45%	\$295.00	\$10.18
HDPE Natural	0.90%	\$605.00	\$5.45
HDPE Color	1.78%	\$320.00	\$5.70
Tin Cans	1.90%	\$3.50	\$0.07
Aluminum Cans	1.21%	\$500.00	\$6.05
Plastics #3 - #7	0.14%	\$20.00	\$0.03
Rigid Plastics	1.23%	\$160.00	\$1.97
Pots & Pans / Scrap Metals	2.64%	\$1.75	\$0.05
Residual	20.76%	\$-	\$-
Total	100.0%	Material Value	\$78.37

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