

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

April 11, 2017

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 4:10 p.m. by Chair Henry Roybal in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Henry Roybal, Chair
 Commissioner Anna Hansen, Vice Chair
 Commissioner Anna Hamilton
 Commissioner Ed Moreno

Members Excused:

Commissioner Robert A. Anaya

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Alyssa Sena, the State Pledge by Cherylan Archuleta and the Moment of Reflection by Renee Cedillo of the Treasurer' Office.

I. F. Approval of Agenda

- 1. Amendments**
- 2. Tabled or Withdrawn Items**

CHAIR ROYBAL: Do we have any amendments or tabled or withdrawn items?

KATHERINE MILLER (County Manager): Mr. Chair, the original agenda was posted one week ago Tuesday at 2:00. Our amended agenda was posted on April 7th at 4:20 and the items that were added to the agenda at that time are on page 3. That was Matters from the County Attorney. That's item VI. A 1 through 4, and those are items to be discussed in executive session. And those are the only amendments or changes to the

agenda that I have at this time.

CHAIR ROYBAL: Okay. I do have a request from Commissioner Hansen to move item VII. B.1 and its approval and presentation of a proclamation proclaiming the month of April as National Poetry Month, and also I will be moving item III. C. 1, which is a resolution to request that aid, assistance, relief programs and federal funding to be provided to support the Santa Fe Pojoaque Soil & Water Conservation District. I'm going to move those to directly after the Consent Agenda. So if there's not any other changes what's the pleasure of the Board?

COMMISSIONER HANSEN: I'll move to approve.

CHAIR ROYBAL: I'll second.

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

I. G. Approval of March 14, 2017 Board of County Commissioners Meeting Minutes

CHAIR ROYBAL: What's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Since I read the minutes I guess it's going to become a joke now. I have one change – it's actually two changes but it's on page 16 of the packet and it's under the presentation from the City of Santa Fe Film Commission, Commissioner David Lee Zlotoff In the first paragraph, last line, Jim Gollin's last name is spelled G-O-L-L-I-N. And it appears one other place. Did I mark that. It's towards the end. It's on page 20, down at the bottom, it's 7 lines from the bottom, James Gollin, G-O-L-L-I-N. And that is all the changes that I have.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Is there a motion to approve the minutes with those changes?

COMMISSIONER HAMILTON: I move to approve the minutes with the tendered changes.

CHAIR ROYBAL: Is there a second?

COMMISSIONER MORENO: Second.

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

II. CONSENT AGENDA

A. Resolutions

- 1. Resolution No. 2017-35, a Resolution Delegating Authority to the County Manager to Negotiate and Execute all Documents Necessary for the Conveyance of Property Located at 19 and 23 East Frontage Road, Edgewood, NM (Public Works Department/Terry Lease)**
- 2. Resolution No. 2017-36, a Resolution Delegating Authority to the County Manager to Negotiate and Execute All Documents Necessary for the Acquisition of Real Property for the**

Eldorado Fire Station No. 4 (Public Works Department/Terry Lease)

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

COMMISSIONER HANSEN: I move to approve the Consent Agenda.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Hamilton.

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

[Clerk Salazar provided the resolution numbers for these and all the subsequently passed resolutions.]

VII. B. Presentations

1. Approval and Presentation of a Proclamation Proclaiming the Month of April 2017, as National Poetry Month

COMMISSIONER HANSEN: Thank you very much. I was very happy to see that in yesterday's *New Mexican* that this was a month to celebrate poetry and it was in Our View and I wanted to just read one short statement, one sentence or two from the *New Mexican*. US Poet Laureate, Juan Felipe Herrera, who visited Santa Fe in 2017 to present a benefit reading for Somos un Pueblo Unido, wrote, Poetry is a call to action, and it also is an action.

And with that I have a proclamation, but I want to read a little bit from the memorandum that the Academy of American Poets established the month of April as National Poetry Month in 1996 and now it's the largest literary celebration in the world. National Poetry Month seeks to highlight the extraordinary legacy and ongoing achievement of American poets, introduced Americans to the pleasures and benefits of reading poetry, bringing poets and poetry to the public in immediate and innovative ways, makes poetry an important part of our children's education.

And with that, also I have invited one of our own local poets, Anne Valley Fox, to read one of her poems. She just published her fifth book, which is called Nightfall. She has lived in this community for over 40 years and I have known her all of that time. She is a long-time respected friend of mine. Before she comes up to read I would like to read the proclamation. It's in your book, B. 1 near the back and we could each take a turn.

Santa Fe County proclaims – the Board of County Commissioners of Santa Fe County proclaim the month of April 2017 as National Poetry Month.

Whereas, the Academy of American Poets established the month of April a National Poetry Month in 1996; and

COMMISSIONER MORENO: Whereas, National Poetry Month seeks to highlight the extraordinary legacy and ongoing achievement of American poets; introduce Americans to the pleasures and benefits of ready poetry; bring poets and poetry to the public in immediate and innovative ways; make poetry an important part of our children's education; and

COMMISSIONER HAMILTON: Whereas, as National Poetry Month under the leadership and direction of the Academy of American Poets, is now the largest literary celebration in the world; and

CHAIR ROYBAL: Whereas, poetry enhances and enriches the lives of all Americans; and

COMMISSIONER HANSEN: Whereas, poetry, as an essential part of the art and humanities affects every aspect of life in America today, including education, the economy, and community pride and development; and

COMMISSIONER MORENO: Whereas, poetry has produced some of the nation's leading creative artists and has inspired other artists in fields such as music, theater, film, dance and the visual arts.

COMMISSIONER HAMILTON: Now, therefore be it proclaimed by the Board of County Commissioners of Santa Fe County that the month of April 2017 is National Poetry Month.

COMMISSIONER HANSEN: Be it further proclaimed that Santa Fe County urges citizens to celebrate the cultural riches our community has to offer, and to recognize the important role poetry has in creating and sustaining this great nation with appropriate ceremonies, activities and programs. Adopted, approved and passed on this 11th day of April 2017. At that point I would like to invite Anne Valley Fox to come up and read a poem. I believe is a really important part of our artist life.

ANNE VALLEY FOX: Thank you, Anna. Thank you, Commissioners, for making space for poetry and the arts and all of us here. I'd like to read a poem called "The Solace of Trains". It's about a train ride that we took from Lamy Station to Winslow, Arizona one winter and then back to Lamy the following day.

I'm a big fan of train travel. I love the soothing motion of the train and I like the mournful tone of the train whistle, and I like the pace. You get where you're going but not too fast, and I never seem to tire of gazing out the window as landscape and villages and fields with animals and then an occasional city slides by. And I also appreciate conversations that tend to come up on trains. People, there's a special kind of intimacy that's possible with strangers on trains and when you disembark from the train you take with you something of those persons, those strangers that you spoke with.

"The Solace of Trains," this poem, was published in *El Palacio* magazine in 2010. There is some dialogue in it so I will try to sort of indicate this as I read. For instance, at the very beginning of the poem a cowboy from Iowa is speaking and at the end a widower from Winslow tells his sad story.

The Solace of Trains: The Superchief skates on snow-tufted sands between Gallup and Grants. A ruddy Iowan stands in the aisle beside our seats shooting the breeze. He speaks like Demosthenes, learning to talk with stones in his mouth. Not a farmer, but all his life living among them he owned quarter horses. Then one day he got on a mule and the ride was so smooth he never got back on a horse. Of course the mules have got to be broke real good.

After a harvest his five sons would load their wagons with the ears of corn abandoned in neighbors' fields and sell them to the miller for pocket money. Here, his wife, who is curled by the window turns her gaze from the flickering landscape and smiles. The land disrobes in sandy folds, cloud curtains flashing sky open and closed.

Dave rode the train clear from Des Moines to Barstow, he says, to visit his wife's daughter. California is no place I'd ever want to live. There's nothing but sand and brush out there.

A new conductor comes on board in Albuquerque. She delivers a stern recitation of rules for passenger safety over the intercom. Rowdy behavior and children running from car to car will not be tolerated. Don't let the next stop be your destination, she says. The train is skirting Albuquerque's underpinnings, piled lumbar and rebar, cement mixers, trestles slashed with orange paint, a bow-legged barbecue crowding a tiny patio, six tankers parked in a row, a heap of children's bicycles painted purple and pink.

A junkyard Cerberus barks at the train. The locomotive musters speed, edging a pueblo village. Sheep pens, hornos, pickups loaded with firewood. Smokey the Bear guards a cottonwood bosque, jacketed fisherman cast into a pond. Fallow fields turn their stubbled cheeks to the sun. Farther north, pinon and cedar escarpments dazzled with snow. A house made of tires and straw. Peter Pumpkin eater's place, smoke chugging out of the chimney. Blue roof. Two appaloosas.

Next stop, Lamy. The Iowans watch us tug our bags from the overhead rack, 1,100 miles from home their faces are spongy with longing. This is our stop, we say. Well, good luck to you. The conductor, a big-boned blonde named Janice stands by the exit door with an elderly gentleman, also a Lamy. He boarded at Winslow, is headed up to Santa Fe to say good-bye to an old friend who is dying. And one good friend is worth 100 false ones, ¿qué no?

The train completes its hilly ascent and slows into Lamy, lone station and timbered saloon engulfed by mesa and sky. Our fellow traveler comes to the story he needs to tell. His wife had a stroke and lay in a coma for 17 days. He stayed by her side, then he took her home to die. I am so lonely now, he finishes, blinking back tears, but what can we do? Janice opens the iron door. She places the yellow stool on the platform and stands behind it, her leather glove extended. Please watch your step.

Stepping down, I reach for the fleeting solace of her hand.

Thank you so much and thanks to all the poetry and arts in Santa Fe and for entertaining us.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I also want to thank Paul White for bringing this to my attention, that it was National Poetry Month and thank you all the poets in the world and in Santa Fe for making our community richer. I thank you very, very much. We have a proclamation and I will post it on my Facebook and website and the County page and it will be there available for people to see. So thank you. And also, everyone, this is my first proclamation as a County Commissioner and I'm very honored to have a proclamation supporting the arts. Thank you.

CHAIR ROYBAL: Thank you for bringing that forward, Commissioner Hansen. I really appreciate it. Is there any other comments from the Board? Seeing none, we'll go ahead and move on to the resolution.

III. C. Resolution

1. **Resolution No. 2017-37, a Resolution to Request that Aid, Assistance and Relief Programs and Federal Funding be Provided to Support the Santa Fe-Pojoaque Soil and Water Conservation District to Remediate a Failing Flood Control Structure**

CHAIR ROYBAL: We do have some individuals here. We have Alfredo Roybal and Jose Varela, if you guys would like to speak the floor is yours.

ALFREDO ROYBAL: Good afternoon. My name is Alfredo Roybal. I'm chairman of the Pojoaque Soil & Water Conservation District, and I've got with my Jose Varela Lopez, our vice chairman, and our resolution has to do with a dry flood control dam that we own – that we sponsor in Chimayo, in the Chimayo area. These are very large flood control dams and they were built in the 60s, early 60s and all and they were designed to hold back floodwater to protect agricultural land below them.

Over time they've been – housing and development has built up around the base of them. These were low hazard dams at one time and because of the development below them they're now considered high hazard dams. But getting back to this one dam that was of concern to us it has lasted 50 years and it has lived through its useful life. We are in the process of trying to rehabilitate it. It's hopefully going to be done here in the future but right now we're very – we're run out of storage capacity and we're concerned that it could overtop and or fail in the future, so that's what's driving us to ask for this resolution to have people recognize the danger and what it's about. Would you like to add something?

JOSE VARELA LOPEZ: Chairman Roybal, Commissioners, I guess the only thing I would add is that in addition to what Alfredo said is that we've been working for more than ten years to try to rehabilitate this dam. Now the numbers are that it's going to cost upwards of \$10 million and we've been going through the environmental assessment process which has taken quite a long time. After that process is finished, hopefully within six months, then the BLM will look over the documents and hopefully sign off on them, and at that time we can start looking for money to actually rehabilitate the dam. Our contribution is 35 percent of whatever the total amount is. The federal government pays the other part.

I would just like to say that a couple weeks ago with whatever meager budget we have we did actually do some excavations around the tower that releases water from the dam if we have a storm event, so we open up more ports so we hopefully will have more volume and capacity to let out water quickly into the Santa Cruz River as opposed to holding all that water above the sediment. And so we're hoping in the near term that that will help us but if we're able to garner any money from whatever source we will certainly try to enlarge the size of the pool so we can hold water because the consultants tell us right now that the dam will survive a 50-year flood event but it will not survive a 100-year flood event.

And the issue is, when those dams were built, like Alfredo said, they were basically to protect farmland. They were not there to protect houses. Now we're protecting people and property. And so as contemplated in the resolution I think it's a

wonderful step in the interim until we can actually get to that stage of rehabilitating the dam, that an early warning system be put in place so that the residents who live below the dam can be notified in a timely manner in case there is such an emergency. With that I would just like to thank Chairman Roybal for bringing this forward and to the Commissioners for hearing us out. Thank you.

CHAIR ROYBAL: Thank you, Mr. Roybal and Mr. Varela. I was pleased to be able to work with you guys on this resolution and honored. But I'm going to go ahead and read the background summary and it's going to be repetitive in a lot of aspects that were already covered by you guys but I'm going to go ahead and read that into the record and then when I get to the resolution I'd like for all of my fellow Commissioners to read a portion of the resolution into the record. So I'm going to go ahead and read the summary.

The Santa Fe-Pojoaque Soil and Water Conservation District, hereinafter referred to as the SFPSWCD or the conservation district sponsors seven earthen flood control dams in Santa Fe and Rio Arriba counties, and six of the dams lie just north of the Santa Fe County line near State Road 76 and were originally constructed to protect irrigated land from siltation in both Santa Fe and Rio Arriba counties. There has been an exponential increase in residential development below the dams since they were first constructed.

The Santa Cruz site 1 has approximately 17 percent of its original capacity due to sedimentation, thus there is a severely limited functional ability of the dam to capture all stormwater from a major storm event. Public infrastructure, schools, homes, businesses, farmland, and domesticated animals may be inundated if a large storm event were to compromise the dam's integrity, including loss of life.

So today we have this resolution, a resolution to request aid, assistance and relief programs and federal funding be provided to support the Santa Fe-Pojoaque Soil and Water Conservation District to remediate a failing flood control structure.

Whereas, the Santa Fe-Pojoaque Soil and Water Conservation District, hereinafter referred to as the conservation district, sponsors seven earthen flood control dams in Santa Fe and Rio Arriba counties; and

COMMISSIONER HANSEN: Whereas, six of the dams lie just north of the Santa Fe County line near State Road 76 and were originally constructed to protect irrigated land from the siltation in both Santa Fe and Rio Arriba counties; and

COMMISSIONER MORENO: Whereas, there has been an exponential increase in residential development below the dams since they were first constructed; and

COMMISSIONER HAMILTON: Whereas, the earthen dam sponsored by the conservation district known as Santa Cruz Site 1 was designed to have a 50-year lifespan and it has now been over 55 years since its construction; and

CHAIR ROYBAL: Whereas, the conservation district began planning for rehabilitation of the dam approximately ten years ago in anticipation of the end of the dam's useful life; and

COMMISSIONER HANSEN: Whereas, the Santa Cruz Site 1 dam has approximately 17 percent of its original capacity due to sedimentation from the Arroyo de la Cañada Ancha over the past 55 years, thus there is a severely limited functional ability of the dam to capture all stormwater from a major storm event; and

COMMISSIONER MORENO: Whereas, releasing water from the earthen emergency spillway could compromise the dam's integrity; and

COMMISSIONER HAMILTON: Whereas, the National Resource Conservation Service of the federal government is working on an environmental assessment, a requirement which must be satisfied prior to the conservation district submitting an application for funding to initiate the reconstruction of the dam; and

CHAIR ROYBAL: Whereas, public infrastructure, schools, homes, businesses, residences, farmland, and domesticated animals in Santa Fe County may be inundated if a large storm event were to compromise the dam including potential loss of life; and

Whereas, the conservation district has been unable to procure any substantial funding to date for use in mitigating the potential danger to downstream communities; and

Whereas, in recognition of the potential risk posed by the current conditions of the Santa Cruz Site 1, Santa Fe County included an early warning system in the event of the dam failure within the Santa Fe County Hazard Mitigation Plan submitted to FEMA.

Now, therefore be it resolved by the Board of County Commissioners of Santa Fe County to recognize that portions of Santa Fe County are at risk of potential disaster in the event the Santa Cruz Site 1 fails, and therefore supports aid, assistance, relief programs and funding that may be available for the conservation district from the state of New Mexico, from the United States Department of Agriculture, National Resources Conservation Service, from the Federal Emergency Management Agency, and from any other local, state or federal agency with resources to aid in this effort, especially resources that would fund an emergency alert system designed to alert Santa Fe County residents in the event the dam fails.

Passed and approved this 11th day of April 2017 by all the County Commissioners and also the County Clerk and the County Attorney. Thank you. Did you guys have anything additional?

MR. VARELA LOPEZ: We'd just like to thank the Commission very much.

CHAIR ROYBAL: Do we have a lot of discussion from the Board? Questions?

COMMISSIONER HAMILTON: I have a question. By the way, it's nice to see you. Last year when I was on the Water Policy Advisory Committee you did a presentation on this and it really can be alarming and it's certainly a serious situation which you guys have been looking at for quite a while which is very much appreciated. Is this a resolution to provide money or to show support?

CHAIR ROYBAL: To show support for federal funding, yes. Okay. So is that. Do we have any other comments from the Board?

COMMISSIONER HANSEN: Just thank you for bringing this forward and it's really great to see both of you again.

CHAIR ROYBAL: Thank you guys. So I'll entertain a motion.

COMMISSIONER HAMILTON: I would like to move that the County Commission approve this resolution.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: So I have a motion and a second.

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

MR. A. ROYBAL: Thank you, Commissioner Roybal and fellow Commissioners. And I'd also like to thank you for your continued annual support, financial support to help us with the operation and maintenance on these dams. It's greatly appreciated.

CHAIR ROYBAL: You're welcome, sir. Thank you.

III. ACTION ITEMS

B. Miscellaneous

1. **Request Authorization to Publish Title and General Summary of Ordinance No. 2017-__, an Ordinance Amending Ordinance No. 1991-6, as Amended by Ordinance No. 2017-1, to Delay the Effective Date of the Prohibition on Tethering an Unattended Dog Until January 1, 2018, and to Replace Appendix A to Ordinance No. 1991-6 Establishing Fees and Fines**

RACHEL BROWN (Deputy County Attorney): Good afternoon, Mr. Chair, Commissioners. Before you have a draft ordinance for consideration of publication of title and general summary, and I'd like to walk you through the history how we got here very quickly, so that you can put this in context.

As you'll recall, last year there was an effort to replace our animal control ordinance. Ultimately, at the beginning of this year we adopted an amendment to the existing ordinance that intended to address tethering and increase fees for licenses. We have a very limited charge as to the fee component of that ordinance. We then determined – the Commission determined to appoint a committee to consider further revisions to the ordinance and that committee is in the process of being formed, and there was a determination that the anti-tethering provision should be delayed in terms of implementation until that committee had an opportunity to make some further recommendations to you.

So this ordinance accomplishes that. Postponement of the tethering prohibition until January 1, 2018. In the process of working on that it was also determined that although we were supposed to change the fees so that all we did was increase the licensing fees of the existing fee and fine schedule, the fees and fines that had been proposed for the new ordinance were actually incorporated into the revisions, and so before you are choices. Appendix A-1 sets for the fee schedule as it exists now and simply adds in a fee that was inadvertently dropped off of the fee schedule for those individuals who failed to timely get a license, and that is a \$10 fee for the late procurement of the license. However, Appendix 2 reverts your fees back to what they were under the old ordinance and increases the licensing fee as we had intended to. And so the question is whether you would like to leave the fees as they are now, reincorporate the fee that was inadvertently dropped off for the late procurement of a license, or go

back to the fees that you used to have.

So Exhibit A-1 simply adds in the missing fee; Exhibit A-2 goes back to the fees as they were previously with the license increase. And so I would stand for questions and ask for direction as to whether you would like title and general summary published and if so, with either Exhibit A-1 or Exhibit A-2.

CHAIR ROYBAL: Okay. Questions from the Board? Has everybody had time to look over the two? Any other question? Commissioner Hansen.

COMMISSIONER HANSEN: I would like to make a motion to publish title and general summary for Appendix A-1.

CHAIR ROYBAL: Okay. We have a motion. Do we have a second?

COMMISSIONER MORENO: I'll second.

CHAIR ROYBAL: We have a motion and a second.

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

MS. BROWN: Thank you.

CHAIR ROYBAL: Thank you.

COMMISSIONER HANSEN: Then don't we have to approve this ordinance?

MS. BROWN: Perhaps I should ask for clarification. Was your motion to address the ordinance in its entirety, or just the exhibit?

COMMISSIONER HANSEN: The entire ordinance, but that is included in the ordinance?

MS. BROWN: Correct.

COMMISSIONER HANSEN: Okay.

III. B. 2. *State of New Mexico, ex rel. State Engineer v. R. Lee Aamodt et al.*, US District Court, District of New Mexico, No. Civ. 66-06639 WJ/WPL [Exhibit 1: Staff Memorandum]

- a. Update on the Implementation of the Aamodt Water Rights Litigation Settlement Agreement and the Design and Construction of the Regional Water System Contemplated by the Settlement Agreement.**
- b. Policy Direction to Staff Regarding the Following Items: (1) Risks to Santa Fe County of State Not Fully Appropriating its Contribution to the Regional Water System; (2) Risks to Santa Fe County of the Regional Water System Not Being Substantially Complete by June 30, 2024; and (3) Design of the Regional Water System to Deliver Water to the Rest of Santa Fe County**

SANDRA ELY (Utilities): Good afternoon, Chairman and members of the Commission. You should have a memo in your packet kind of summarizing the issues before you this afternoon. The first item, as noted is for purely informational purposes and I will be presenting on that. The second item regarding the risks to the County should

the state not fully fund their contribution will be presented by Mr. Shaffer. And then the third item related to the risks to the County should the Regional Water System not be constructed by 2024, or substantially complete by 2024 will also be presented by Mr. Shaffer. And on the last item related to the sizing of the system I'll be presenting that with the assistance of Mr. Kelly, our Public Works Director. Also, John Utton will be available for any questions that we need to field to him.

So as a way of a little bit of background, the Board approved the Aamodt settlement agreement and the cost sharing and system integration agreement in 2013 and since that time the County staff have been working with the pueblos of San Ildefonso, Nambe, Pojoaque and Tesuque, as well as the federal government, the state and the City to implement the different provisions of the settlement agreement. One of the key provisions, of course, is the Regional Water System that would divert water just above Otowi on San Ildefonso property and be treated at San Ildefonso and transmitted up through each of the pueblos and on up to the Bishop's Lodge area.

In your memo you'll see a table summarizing the costs of the system. In 2006 dollars it's anticipated to cost \$259 million. Again, that's 2006 dollars. The lion's share of that is being paid for by the federal government, about 65 percent, and then the state, about 28 percent and the County about six percent.

To date the County has not put any money towards construction of the Regional Water System in part due to Resolution 2015-125 which requires the legal status of the roads within the exterior boundaries of the settlement to be legally resolved prior to appropriation. The County does continue though to move forward with the implementation of the settlement in anticipation of those easements being resolved.

So the first item under the update I'd like to bring to your attention is the publication of the draft environmental impact statement. The Bureau of Reclamation released that in January. The comment period for that has closed; it closed in February. Staff did provide some technical comments on that. We do anticipate that the EIS will be done in the spring of 2018. It has to be done prior to initiation of construction.

The next item to bring to your attention is the contract that the Bureau of Reclamation awarded CDM Smith for the design-build portion of the Regional Water System. That contract is for \$91.9 million. Now, the design-build portion is for Phase 1 of the system, for that portion of the system. It covers the diversion, it covers the treatment and the transmission from San Ildefonso through Pojoaque. The Bureau of Reclamation has been working with the parties to get input on the design. We had an initial workshop the beginning of the month to help get them to 30 percent design and then they will be holding additional workshops as the design furthers, at 30 percent, 60 percent and 90 percent to receive input from the pueblos and the County.

The rest of the system will be a design-bid-build and that means it will be designed by the Denver office. They will go out to bid and then they will build it. You'll have separate entities doing the design and the build portion of the system. The first phase, design-build is scheduled to start in 2018 and finish in 2021 and it should be operational in 2021 using existing distribution lines at the San Ildefonso and Pojoaque pueblos. Please interrupt me if you have any questions as I go along.

I also wanted to let you all know about the request for proposal that was advertised April 2nd for an owner's representative to assist the County during the design,

construction and initial operation of the system. Because this is an active solicitation I'll mention a few things from the RFP itself but what I can comment on is very limited in the public forum. But the RFP does note that the contractor would do some of the following work for us. It would assist us with reviewing designs, controlling cost during construction operations, assisting with regulatory compliance and drafting some contracts and agreements and of course in closing out the system and getting the operations started.

The work will be determined by the County and of course will vary depending on the phase of the system and the design. We anticipate awarding this contract in June.

The water master rules, they haven't been published for the public yet but we anticipate that those will come out for public review later this month and it seems likely that those rules will include provisions that the Board asked us to support at the February meeting. In February we came forward with a proposal that we allow a partial transfer of water to the County once a customer elects to connect to the utility so that part of their water right would come to the County, they would connect, and then they could use the remainder for outdoor use. We anticipate that that will be there.

One thing I did not put in your memo is the planning of a water fair. Yes, Mr. Chair and Commissioner Hansen.

COMMISSIONER HANSEN: And these rules also –will it be about the non-responders?

MS. ELY: The issue related to the non-responders would be in the order to show cause. So there's two things we brought forward in February and one addressed the water master rules and how the water rights would be transferred to the County. Then there's this other process related to the proposed order to show cause in which we would file a motion with the court, with the other parties, and make a recommendation on when the well election should occur and what should go in there. And that would deal with the issue related to the fourth option, to not be part of the settlement as well as non-responders staying on their well rather than connecting to the County utility.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I should have interrupted you earlier. Do you want me to wait on this question, because it's going back to the EIS.

MS. ELY: That's fine.

COMMISSIONER HAMILTON: Do you/the County have substantial concerns with any portion of the EIS?

MS. ELY: No, we did not. It actually looked pretty good and fairly well written. We have been looking at the earlier drafts, the administrative drafts and they incorporated many of our comments early on. So we had more minor, technical issues than anything and not substantial.

CHAIR ROYBAL: Any other questions? Okay. Go ahead.

MS. ELY: So we are organizing a water fair for probably the beginning of July. We've been coordinating with the New Mexico Environment Department, Los Alamos National Lab and the City of Santa Fe. We think it's important for people to have an understanding of their water quality before they make a well election. The water quality results could help inform their decision.

So that's all for me right now on the Aamodt update unless you have additional questions.

CHAIR ROYBAL: Will this just be a one-day fair?

MS. ELY: No. It's likely to be a two-day fair. We're looking at a Friday and a Saturday, July 7th and July 8th. We have been planning this for a while. It took a little bit of time to find the source of revenue for that because uranium samples cost a little bit more to test for. The Environment Department has in-field analysis capabilities for things like arsenic and nitrates and we will utilize that, but for some of the constituents who need to send off for analysis.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I think you indirectly answered my question, how much sampling you were going to do as part of the fair, because that's what water fairs usually are for, and so people are going to have the option of bringing water samples to the fair to be tested and then distribute the results.

MS. ELY: That's exactly it, and it will be important to do a lot of good outreach, so that people know that that's available to them at no cost over those two days. So, Mr. Shaffer.

CHAIR ROYBAL: Thank you, Sandra. Attorney Shaffer.

MR. SHAFFER: Mr. Chair, Commissioners, so the first issue as to which we wanted to get some direction from the Board concerning is relative to the risk to the County of the state of New Mexico not fully appropriating its contribution to the Regional Water System and so as a macro-level overview to all this, we are getting to the point where parties now need to really make very concrete business decisions as well as substantial potential investments in the construction of the Regional Water System. And so staff felt it appropriate to begin bringing forward to the Board at appropriate times an analysis and assessment of some of the risk that are both embedded in the settlement agreement itself but also risks that are coming to light as a result of actions or inactions by other parties to the settlement agreement.

And so the first issue to be discussed is relative to inactions by parties to the settlement agreement and that's the fact that the state of New Mexico has not yet fully appropriated its substantial share of the construction costs relative to the Regional Water System and I'd say substantial with respect to the County's investment in the project, not with respect to the pueblo portion of the system. So again, the County interest in the system is supposed to be jointly funded by the state of New Mexico and by the County of Santa Fe and as Sandra's chart on the first page of the memo alludes to, if you look at the state's share of the contributions toward the County portion of the system it's about 86 percent of what is estimated in 2016 dollars to be the County portion of the system.

So again, in terms of actually obtaining a system that is useful to the County and meets the County's expectations at the time that the settlement agreement was entered into, the state's money, I don't think I overstate the point by saying it's substantial and it's material to the County.

And so at this point the state has appropriated and transferred to the Bureau of Reclamation approximately \$15 million towards its share of the Regional Water System. There was money that was appropriated – or excuse me; not appropriated. There was money included in the initial capital outlay bill, \$9.1 million towards Aamodt which ultimately was removed from the bill that passed the legislature and went to the Governor. In the event it's not significant because the Governor vetoed the capital outlay

bill so it's a non-event, but at this point in time we are looking at the prospect of the County being asked to contribute or commit to contributing its share of the construction costs of the Regional Water System and we don't have – certainly we don't have a legal commitment from the state of New Mexico that it's going to provide its share of the money.

And again, that presents a variety of risks to the County. If the County were to start to contribute construction money for the Regional Water System before the state had fully appropriated its share and committed its share you would be faced with the possibility that if the state failed to appropriate its share then the County would not have a system that actually met the County's needs. In addition, you could have an interruption to construction if the state doesn't timely appropriate money as the project is going forward because it's being scoped out and designed assuming a certain level of participation by all parties. And so that poses the risk that the system might not be timely constructed.

And then lastly, you do have a prospect of the County going forward and the state failing to appropriate money which would again leave the County in a situation where we don't have a workable or viable system. So the construction is going to go from the river outward and so if the money stopped materializing you could have diversion and treatment capacity but inadequate transmission or distribution capacity. So again, those are the risks that we would see given where we're at and to kind of wrap it up in a fine point before I stand for questions is that the County's assumption, and we've made this clear to the Bureau of Reclamation is when the County brings forward a contributing funds agreement, should the Board ultimately determine to enter one? At that point we anticipate that the County will have identified and set aside and/or pledged a specific fund or revenue stream to fully meet the County's obligations. So in other words it won't be an agreement that says, hey, it's subject to future appropriations if we make them but rather would be we're all in and here's how we're going to fund our contribution.

And so I think to put as fine a point on it as I can, that's staff recommendation is that we need to have at that same time the state making a similar commitment that it's all in with respect to the share that it has at least softly committed to providing. So I would stand for any questions but the staff recommendations are that we be directed to lobby the state legislature to fully appropriate its share of the Regional Water System and that as we move forward with consideration of a contributing funds agreement that the County's contributions expressly be made contingent upon the fact that the state has in fact showed that it's all in with respect to its share of the project.

CHAIR ROYBAL: I'm going to go to Commissioner Hansen and then to Commissioner Hamilton.

COMMISSIONER HANSEN: So Attorney Shaffer, what I understand from this session is that this \$9.1 million was contingent on the same issue that we have that the roads issue be dealt with and that's why it was pulled. So if that was part of what the state was doing, the same thing that we were doing. They were going along on the same path of the roads – the resolution that we passed, we're not going to contribute any money until we resolve the road issue. The state chose the same path that they're not going to go forward as long as the road issue is not resolved.

MR. SHAFFER: Mr. Chair, Commissioner Hansen, I don't believe that

there was ever in the initial bill itself language to that effect. In other words I don't believe that language tying the state's money to resolution of the issue with respect to County roads and alleged trespass actually found its way into the bill language itself. Ultimately, the appropriation, if I understand the chronology correctly was removed from the bill before it passed the Senate without the appropriation in it at all but I would defer to the County Manager and to the Deputy County Manager to speak to those issues as they were more intimately involved in that than I was.

MS. MILLER: Mr. Chair, Commissioner Hansen, the appropriation as originally introduced in the bill did not have a contingency. However, there was a proposed amendment or substitute that did include that language and it was language similar to what our resolution states from 2015, which was to have some resolution to the road issue within the valley. So I do believe that that might even be one of the reasons, based on my discussions with legislators who were involved in getting that particular contingency put on that that might be one of the reasons that the entire appropriation was removed.

COMMISSIONER HANSEN: That is what I also heard and I'm just asking for clarification.

MS. MILLER: Mr. Chair and Commissioner Hansen, there was a committee hearing where that was discussed at length. I'd have to go see if we could pull the record of that to give you the actual discussion about it but I know that there was discussion about putting that contingency on.

CHAIR ROYBAL: Okay, Commissioner Hamilton, you had a question as well?

COMMISSIONER HAMILTON: I actually have three questions.

CHAIR ROYBAL: Okay.

COMMISSIONER HAMILTON: The first one, I feel like what you've laid out here is very strong and makes sense. This is partly interest, partly thinking about options, but in the paragraph, the next to the last paragraph where you talked about the risk to the County if the state – the County invests money and gets no commitment from the state we could be left with a partial – with some structures, a diversion, for example, and no distribution lines. I wonder if, just when the County is thinking about sort of quantifying or characterizing that risk if there were sources of funding that would potentially allow that the County might have access to.

There are some federal programs; I don't know whether it would qualify. Would we even be able to pursue that, because the building of this system is predicated on the settlement that affects water rights and the right to divert water and that sort of thing. So if the state completely defaulted on us and we had a partial system, could we even proceed with converting the system for County use and finding other funding to complete it so that the investment wasn't completely lost?

MR. SHAFFER: I may ask John Utton, our contract counsel, to chime in on this point as well. We'd have to go away and study the settlement agreement and the federal act itself to see if that would play out. I think that again, as we discussed, you're going to have a problem with the system being substantially complete on time because it's being designed and construction is going to begin on the assumption that it's going to be built in a certain way and on a certain timeframe and that the money is going to be

there to build it. So while in the abstract there might not be anything that prohibits us from going to line up additional funding, as a practical matter I don't know that it would be feasible to anticipate that we would be able to do so quickly enough to fill that gap, so to speak, so that the system could be substantially complete by 2024.

COMMISSIONER HAMILTON: I see that as a good point. I guess I was thinking that if the state backs out of its part of the agreement does that break the settlement by itself, so that we don't even have to worry about the timing issue of substantial completion.

MR. SHAFFER: And I think that as John just alluded to that that would be correct. I think the Bureau of Reclamation has at least signaled that it feels that the contributing funds agreement that it has in place with the state, which again by its terms is expressly contingent upon appropriations being made is adequate for it to go forward, but again, I would defer to them as to their risk appetite. But the existence of that agreement seemingly met with their approval in terms of being able to legally go forward under the federal act.

COMMISSIONER HAMILTON: So they're happy with the level of agreement and we're not.

MR. SHAFFER: I don't know what the pleasure of the Board is. I don't want to suggest that they're happy with that as a business risk. I'm just saying that they've agreed that the contributing funds agreement is legally sufficient for it to go forward. We're bringing this issue to the Board's attention because we want to make sure that you're aware of it and that we can receive some direction from you as to what, again, your risk appetite might be.

COMMISSIONER HAMILTON: I think it's really critical and I appreciate it that you're doing that. So my second question is, the last sentence, the recommendation of County staff that the state needs to make a similar commitment to the County. What happens or what options either strategically or in terms of negotiation would we have if the state just refuses to make a more definitive commitment?

MR. SHAFFER: I think at that point, if the Board said, well, we're not willing to go forward under those circumstances then that would be the end of the line, so to speak, at least from the County's perspective in terms of moving forward within limitation of the settlement and the Regional Water System, which is the cornerstone of the settlement.

COMMISSIONER HAMILTON: So my last question is more indirect. It's not directly pertinent to our position and offering support in moving ahead with your recommendations for the state, but it seems to me that we're in the same position with the federal government. There's a high likelihood – I don't know what percentage risk I would put on that, but it's non-trivial, I think that the federal government might not appropriate money, might not fulfill their obligations under the current administration. I think that would be a very different issue for you all to try to get additional information on. It's one thing to be able to go to the state and talk to them. But I wonder if there would be some benefit to also considering the risks to the County from breaking federal participation.

MR. SHAFFER: And I believe – let me just confer with John for a second – Mr. Chair, Commissioner Hamilton, so we believe that through a variety of sources that

the federal share does in fact exist but the short answer to your question is if the federal funds are not fully appropriated then the Bureau of Reclamation can't legally go forward with the construction so you don't have the same species of risk as we do with respect to the state's share. But it's a very good question.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: So the next question is your staff recommendation is to lobby state legislature during the anticipated special session. From information that I've heard they're not planning to be there very long. Who knows? Anything's possible. They could be there longer, but then we go to the budget session. This is a budget issue for the state, so this should be on next year's budget session, or the session for the budget in 2018. Is that correct?

MR. SHAFFER: Mr. Chair, Commissioner Hansen, yes. I think it would be germane and my experience of the state certainly a capital outlay bill which is where this funding would come from is included as part of every regular session of the legislature. So I don't see that there would be any issue with this matter being considered as part of the 2018 regular legislative session from a legal perspective.

COMMISSIONER HANSEN: And the state is not required to give their money, the date for coming up with their money is –

MR. SHAFFER: It actually comes, I think pretty much \$9 million per fiscal year, beginning next year. And so I think, again, from the County's perspective, just like if the Board were going to commit funds, it's not as if the schedule and amount of money needed is unknown and can't be predicted. We actually have a schedule and the state does, from Reclamation. And so the idea is that you know it's \$9 million per year until the project is completed and so you can match appropriations in future fiscal years from severance tax bonding capacity, if that's the source of money, to that schedule and that's what we would again be asking the state to do in the same way that when the County would make those business decisions it would look at what its schedule of contributions are and map out a plan and put the money in place to meet that when it comes due.

CHAIR ROYBAL: Okay, do we have any other questions from the Board? Okay. I do want to say that I feel that the County should not commit money to construction as requested. We do still have the resolution that says that we won't put any money forward so I don't think that this would be included in that. Also, I feel that if the state is putting language and the legislature is putting language supporting our resolution as far as the roads as I've heard as well I think we should actually support that instead of lobbying them to do that. So that's my feeling on it and if there's not anything else from the Commission I'd like to make a motion in that regards, that we don't but I'd like to hear – So what's the pleasure of the Board? I've made a motion but do I have a second?

COMMISSIONER MORENO: I'll second it.

CHAIR ROYBAL: Okay, so I have a motion and a second.

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

CHAIR ROYBAL: Is that good direction? Do you want to clarify that?

MR. SHAFFER: It would be useful if we could get some clarification. So then the idea – we’re not asking at this point in time for the County to appropriate any money for construction. That would be a much larger and very detailed conversation about the schedule and potential sources, what have you. That’s not an issue that’s in front of us. We’re asking more – and again, the presentation as Ms. Ely alluded to is predicated on the fact that the roads issue will be timely resolved, so we’re not asking the Board to deviate from that policy. This is really a separate matter which related to what should we be doing relative to the state funds.

And if the state appropriated the remaining \$57 billion, and again opted to make that money contingent upon resolution of the roads issue that would still address this risk, as that we would know that the money’s there, albeit contingent, so it would all come together at the same time. So to sum up, we’re not requesting that the Board deviate from its stated policy relative to resolution of the roads issue, nor are we asking the Board to appropriate money at this time relative to the construction of the Regional Water System. We’re really wanting to get direction from what does the Board want us to do relative to the risk of non-appropriation from the state. And to be clear on this point, if the state appropriated its remaining \$57 million and made those appropriations contingent upon resolution of the roads issue, this issue that we’ve just been talking about will have been addressed. So again, I just offer that by way of clarification.

So in terms of what the motion actually meant, I said candidly I don’t know if that was we do nothing and continue working forward or how we approach the state with respect to the issue.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I want to make a motion. I want to direct BCC staff to lobby the state legislature if there’s any time during the special session but definitely during the next regular session to fully appropriate its share of funding, and make the County’s contributions under its Contributing Funds Agreement with Reclamation contingent upon the state having fully appropriated its share.

COMMISSIONER HAMILTON: I second that motion. Thank you, Commissioner.

CHAIR ROYBAL: Okay, we have a motion and a second.

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

MR. SHAFFER: So then the next risk that we wanted to bring to the Board’s attention and request some general direction with regard to is the risk to the County of the Regional Water System not being substantially complete by June 30, 2024. So that’s the date that’s specified in the federal Aamodt Litigation Settlement Act as the date by which the Regional Water System has to be substantially complete. Under the Act, substantial completion means the infrastructure is capable of diverting, treating, transmitting and distributing a supply of 2,500 acre-feet of water per year to the pueblos and up to 1,500 acre-feet of water per year to the County distribution system.

And so again, that needs to be in place by 2024 in order for the system to be substantially complete.

If the Secretary of the Interior determines that the Regional Water System is not

substantially complete then that gives the settling pueblos, one or more of them, the right to notify the Decree Court, and that's the Federal District Court of the determination that the system is not substantially complete and should it not be substantially complete and should one or more of the settling pueblos or the United States acting on behalf of a pueblo inform the Decree Court of that determination then the final decree entered in the litigation shall have no force or effect. The settlement agreement shall no longer be effective. Waivers of rights made by the pueblos shall no longer be effective and any unexpended federal funds appropriated or made available to carry out the activities authorized by the federal act, any water rights or contracts to use water, and title to other property acquired or constructed with federal funds appropriated or made available to carry out the activities authorized by the federal act shall be returned by the federal government unless otherwise agreed to by the pueblos and the United States and approved by Congress.

And so again, the Act does not address specifically what happens to the state and County only portion of the Regional Water System, so these would be County only distribution lines and things that we funded 100 percent without using federal funds. So if you applied those provisions of the Act literally, it would seemingly mean that the state and County could have invested millions of dollars each and be left without a functional Regional Water System. Arguably, under that language portions of the Regional Water System constructed jointly with state, federal and County dollars would have to revert to the federal government since they were constructed in part with federal dollars, which means that the County could have no diversion, treatment or real transmission capacity.

Second, the portions of the Regional Water System constructed with state and County dollars would seemingly be stranded in that event. You'd have distribution lines without any source of supply.

So the point of bringing this to your attention was to again, as we start to think about some of the concrete and real investments and business decisions that need to be made we wanted to make sure that you were aware of those risks and really all we're asking for today is direction if the BCC shares those concerns that we go forth with your blessing and try to negotiate with all parties to figure out how we might be able to minimize and apportion those risks relative to the Regional Water System not being substantially complete on time, and the only thing that I would underscore with that is there could be any number of reasons why that doesn't happen, in terms of the system not being substantially complete. Construction delays are not that uncommon and again, can be caused by a difference in site conditions from what was designed, delays in designing the system, delays in terms of supplies being brought to the construction site. There are any number of reasons why a construction project might not be timely completed, especially one as far-reaching and complex as this one, and that's all I would underscore is that this is a risk that may come to pass simply by nature of the challenges in bringing a construction project of this magnitude and complexity to the finish line on time.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I was, since I'm new to the process, this June 2024 deadline, this is like set in stone? There's no flexibility, no movement, no change? Nothing can happen? Or is it something that if all the parties come together and say we want to extend the deadline they can do that? I'm just curious to know.

MR. SHAFFER: Mr. Chair, Commissioner Hansen, the federal act actually allows other deadlines to be postponed by agreement of the parties; this is not one of them. So to literally move the deadline as it currently exists would literally take an act of Congress. There may be other ways in which the parties by themselves might be able to again, negotiate solutions that allow that deadline to be practically moved or come to again, an agreement where that right might not be only – or might only be exercised under certain circumstances. I just want to confirm that I got that right.

COMMISSIONER HANSEN: And how long did it take to build the Buckman Direct Diversion? Does anybody know?

MR. SHAFFER: County Manager, how long did it take to build the Buckman Direct Diversion Project?

MS. MILLER: Mr. Chair, Commissioner Hansen, I don't know exactly but I don't think total construction – we already had the distribution system, so you're not talking quite the same level of construction as that one, but it was two to three years. But the difference is on this system you'll be not just doing the diversion and the treatment, you're also going to be doing the transmission and the distribution, whereas we were basically doing one transmission line to South Meadows and connecting into the City system and one I think to the tank in the Northwest Quadrant. So it wasn't as long of a distribution system, and I also believe another factor is easements. This has much more complicated easements to acquire versus Buckman Direct Diversion.

COMMISSIONER HANSEN: Thank you.

CHAIR ROYBAL: Any other questions from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: Has this topic been discussed some – I'm not worried about it. It seems like we've been thinking about Aamodt for a while so the process of construction has to have been on the table for a while and the parties have to have thought about this or at least thought about things that will stand in the way of hitting the 2024 deadline, etc., etc. I'm asking from the point of view of how big of a problem this is. I have no problem with giving – I think this is a really important thing to do. But it just seems like if this is a big risk then this is a really big problem and I'm not sure what you're going to discuss with parties to try to resolve this and that would be really interesting. Maybe that's what I'm asking.

MR. SHAFFER: Mr. Chair, Commissioner Hamilton, I believe that Bureau of Reclamation feels that it can complete the project on time. I think that it is cognizant of the risk of it not doing so and recognizes that there may be situations that cause it not to do so. Again, I'm hesitant to speak for another party that's not present so I'll just leave it at that. I think that they feel that they can but they have built more stuff than we have and understand that that might not happen despite their best efforts and intentions.

And with regard to how it might be minimized and apportioned, I don't want to get too far ahead of the discussions with the other potential parties and our goal wasn't to really lock the County into a position on this issue because I think there are a lot of different ways in which that risk could be addressed, what it really was so that you were aware of it and we could approach the other parties confident that our Board views this as a risk and wants us to work collaboratively in a way that makes sense for everybody as to

how to address it. I hope that answers your question.

COMMISSIONER HAMILTON: Pretty much. It's just the recognition that what we're suggesting is pretty vague. I think it's really important and valuable that you bring the risk to us and I agree there's a risk but in the first case by suggesting that the state has to come to the table if we're going to come to the table and I'm not sure what to do, what the options for here are. Not really a problem; we can go find out what they are; maybe there are none.

CHAIR ROYBAL: Okay, are there any other comments from the Board? Okay, what's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I'm going to make a motion that we direct staff to negotiate with all parties to minimize and apportion the risk associated with the Regional Water System not being substantially complete by July 30, 2024.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hansen.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton.

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

MR. SHAFFER: And if I could, Mr. Chair, Commissioners, I would just underscore on that point again, anything that we're able to tentatively agree to would be something that the Board would have to approve in the future. I just wanted to underscore that point, is that this isn't us going off and making decisions as to what's acceptable without coming back for future Board action. Thank you. So I'm going to pass the mike back to Ms. Ely.

MS. ELY: So the last item for the Board involves designing the Regional Water System now to provide maximum flexibility for optimizing the system in the future. If we do this, if we design the system now with an eye towards who it could be used at a later date we would keep our options open for future use, including the option to transport water out of the Pojoaque Basin. Doing so would promote a Regional Water System throughout the county, not just within the basin.

The Act and the settlement agreement allow the County's unused capacity to be transported outside of the basin until it is needed within the basin and such an interim use was also contemplated in the joint powers agreement that came before this Board in December as well as Resolution 2014-101 and that resolution directs staff to maximize the interoperability of the Regional Water System with other water systems.

So to optimize the Regional Water System and maximize the interoperability, we are proposing that the system be designed now in such a way that it could connect to the rest of the County utility system in the future. We've thought a little bit about how this could be done. For example, we could put some line extensions from the Regional Water System over to 285 going up Tesuque Village Road and continuing south on 285 to the crest of the Pojoaque Basin at about the 599 turnoff. There is a map in the back of your memo that shows that line extension.

Another possibility for a line extension is the Regional Water System is going to go up Bishop's Lodge. We can continue running that line southward along Bishop's Lodge past the lodge itself to the intersection close to Bishop's Lodge Road and Barranca

Road, which is the crest there. So we wouldn't want to build out the whole system now, right? We want to modularize the system so it can be scaled up over time when we want to eventually bring that water over. And we can do this by upsizing just portions of the transmission line now. Maybe, say, going from 12" to 16" now so you wouldn't have to dig up those lines in the future. We could put that in now. Other strategies would include making sure the footprint for the pump stations that are bringing the water over are large enough that you can put another pump next to it in the future when you want that water. Another strategy is making sure the water tanks – you wouldn't want to put in the largest water tank now until you need that storage. We could make sure that the footprint is large enough to add a second water tank.

We're also not proposing that the diversion be maximized now of the water treatment. That can be modularized as well. For example the water treatment, you could have skids open and ready to accept more water treatment membranes in the future. So a little bit of thinking now could provide us with a lot of options in the future and we don't anticipate the costs would be great to make these changes, to get this planning in place now, though we're working with the Bureau of Reclamation who really understand what those impacts are. But we firmly believe that if we can think about this now we can save ourselves a lot of frustration and costs in the future and ease the optimization of the Regional Water System on down the line.

Now, staff is recommending that the system be designed to better enable the potential delivery of 1,000 acre-feet out of the basin, and we don't believe that this would negatively impact the County customers, and there's a few reasons for that. One is mentioned. The water can be transported out or used outside of the basin until it is needed within the basin. That's the priority. So until it's needed – when it's needed in the basin it would have to be used there to meet demand. Two, we don't think the demand is going to be great, especially in the near future. The County will have up to 1,500 acre-feet and we don't anticipate the demand the exceed even 1,000 acre-feet for decades, if ever, to come. And then, third, if there is spare capacity in the line that the County isn't using to transfer water over it's possible that the pueblos would want to lease water and bring that over the basin as well, so there's that option as well.

So 1,000 acre-feet would be a significant supply to the rest of the county. Currently the County has approximately 2,760 acre-feet of water. Bringing in an additional thousand acre-feet would expand that by about 36 percent and could be helpful with growth, especially growth in light of the uncertainty of climate change and drought, and it's surface water that we're bringing over so that is a sustainable source of water that we could use for the County in the future.

So there will be future opportunities for the Board to decide what actually gets constructed. Right now we just needed guidance so that we can move forward with the initial design of the Regional Water System. So for your consideration is a recommendation that the BCC direct staff to have the Regional Water System designed so that it will be able to deliver 1,000 acre-feet to the County water utility, the rest of the system, with the appropriate peaking factors included in the design.

CHAIR ROYBAL: Do we have questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: How much is this going to cost?

MS. ELY: Mr. Chair, Commissioner, we're in conversations with BOR right now about that. We don't anticipate that the costs would be great but we need to know the costs before we move forward with such a design.

COMMISSIONER HANSEN: That's what I want to know. I definitely support the idea of expanding the system, but I want to know what the cost is going to be.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I certainly agree with Commissioner Hansen but I think this is a really important thing to pursue. There's no way to know without pursuing this what the options are and what the cost/benefit tradeoffs are, and that's what we're talking about supporting here. So I think it's a really good idea.

MS. ELY: I do want to stress too that the costs upfront will be not to add more diversion. The really expensive stuff we're not talking about doing now. We're just talking about planning, allowing room. The only, probably, infrastructure that would be upsized at this point would be the actual transmission line, because it would cost too much, it would be a shame to dig that up in the future and replace it with a larger line.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Could you possibly update us on where we're at with the JPA?

MS. ELY: Yes. It is my understanding that not all of the pueblos have approved it yet. And I don't know when they're all going to consider it, but it is my understanding that San Ildefonso – their council has approved the joint powers agreement.

COMMISSIONER HANSEN: We don't have a timeline?

MS. ELY: We do not.

COMMISSIONER HANSEN: I just thought I'd ask.

CHAIR ROYBAL: Any other questions, Commissioner Hansen?

COMMISSIONER HANSEN: No.

CHAIR ROYBAL: Okay, what's the pleasure of the Board?

COMMISSIONER HAMILTON: I'd like to move that we approve the staff recommendation to pursue gathering the information, to pursue the information needed to consider potential expansion in design now for considerations of future options for diversion into the County.

CHAIR ROYBAL: Okay, we have a motion. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: So I have a motion and a second.

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

MS. ELY: Thank you. That's it for us today on the Aamodt.

COMMISSIONER HAMILTON: Thank you so much.

MR. SHAFFER: Mr. Chair, just on the basis of that motion, what staff is going to tell the Bureau of Reclamation is that they should proceed to design the system to accomplish that goal. Once they have done so that's where you will get the actual construction cost data that would enable you at a future time to say, okay, build that – don't build this. But right now we will be asking them to design the system to meet that

delivery requirement. I just wanted to be clear on that.

IV. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Is there anybody here from the public today that would like to address the Board. Martha Trujillo, come forward please. Anybody else from the public that would like to address the Board?

MARTHA TRUJILLO: Good afternoon, Mr. Chair, Commissioners. My name is Martha Trujillo. I live in the NPT Basin. This is the basin that you all are talking about on the Aamodt settlement. And so while I'm not as informed as our County's Attorney and Sandra and others who are on contract I will tell you that I can speak to you from the heart and where I'm coming from being from District 1.

I lobbied against the \$9.1 million. I followed it closely. I understand how it came in or how it wasn't in and then how it came in and then how it left and how it stayed out. And you can follow that on the legislative website to see exactly what happened in committee at the very end of the decision for it not to be in the bill.

I stand here today because there are still some unforeseen fallouts from the Aamodt settlement and the most recent is affecting our veterans. And for those of you who are veterans and who come from families who are veterans you will know that what concerns them is probably very dear to your heart. It is to mine. My husband is a veteran and what's happening now is that veterans in my area are not able to get a loan and that is through the VA loan program.

Now, a couple of months back my husband and I applied for a loan and we went through the VA and well, we just didn't qualify because of circumstances around it, but we were able to get a loan and we got a loan from an out of state financial institution. So that meant that the dollars that the state of New Mexico could have been using or benefiting from is not an option for the state of New Mexico down in my area.

Well, recently, my neighbor who lives in El Rancho applied for a loan and one of the very first questions asked is are you in the Nambe, Pojoaque, Tesuque area? And as soon as he said yes he was denied to go any further in the process to try to obtain a loan. That's just one of the many negative fallouts that we are dealing with, as you all know. I have to say that it's now elevated to a federal level, our problem. When I went to lobby against the \$9.1 million I was amazed at how ill-informed our Senators and Representatives are when it comes to the Aamodt settlement and how their decision to fund something as large as this for, what? 8,000? Maybe you can speak better to the number, Mr. Chair, in our district, that this entire settlement is willing to make me feel so special to put aside \$200+ million for this amount of people.

I guess I should feel very special but I don't. I don't feel special at all because right now, what my generation is going through I am – let's see. My parents have dealt with the Aamodt. I'm dealing with the Aamodt. My son is dealing with the Aamodt and now I have a grandson who will be dealing with the Aamodt. By 2024 he will probably have to see if he can even live in the basin based on some of the decisions that are being made and some of what I just heard today, us exploring options and ideas and seeking out ways to try to see how we're going to not be at such a risk.

This is a huge risk. We are still struggling with not being able to go in and out of

our driveways, having ingress and egress, still the clouded titles over our head is still a huge issue in our community. And without the County first solving that issue I would say you are putting all of us at a great risk. And it's not just District 1. It is the state of New Mexico that you're putting at a great risk, because the easement issue itself is the largest issue that you are having to deal with right now. The JPA, the fact that there has yet not been made the decision on a JPA that we've been trying to push through for – I guess your staff can speak to that more intelligently than what I can.

It concerns me that we would go now to all the stakeholders and try to say, Okay, how can we make this happen? Well, we are still trying to deal with a joint power of agreement and we can't seem to get resolution on that. And that is one of the first pieces of paper, I believe, that we really need to have, let alone make rules and regulations, the water master rules. These are documents that are not even in place yet.

The money that we're talking about is going to be the one thing that all of our districts are going to share and it's going to be the money that we're going to be strapped to to the 7,000+ residents for District 1 for years to come. That's the one thing that we'll have in common, that your district – I don't know if they're aware of what they're committing to signing on to this water system, because this water system is not just ours. It's being theirs too.

I remember when I was building my home. It started off with a dream. I was going to build an adobe house. I was going to get my own vigas and peel them and build my own adobes and I was – all that. Well, when push came to shove and I really understood what it was going to take it was very disillusioning. It was hard. It was a hard lesson to learn. It was a longer project than I anticipated. It was more of an expense than I anticipated. It was foreign ground. I don't think that the County has the expertise still to have yet another water system. I think that there are still issues with the Buckman Diversion and I think that speaks volumes to what we may be expecting when we look at another Regional Water System.

I know that we don't have the clients that the County will be needing to make this sustainable, much less – excuse me. Sustainable. Right now that I know of, the number last talked about was 155, under 300 people who would consider signing up to a Regional Water System. That's not a strong base for a Regional Water System. I may not be up to date with my numbers, with my figures, but I am very up to date with the way that my community feels, and they feel oppressed and depressed and they feel as if they are not being heard. They feel that staff is pushing more of this agenda.

I will leave you with this: If this were your community, would you be treating it the same way? If it was your home, if maybe your water wasn't adjudicated the way that you thought it could have been. If maybe now you don't have an appropriation for another water well. If maybe now your land isn't valued at what it once was. If maybe now what you have to pass on to your children is no longer available to them, I would say would you say let's just keep on pressing forward and take these risks? I just want to leave you with that. I appreciate you all having this conversation and putting it out on the web so that those people who cannot come here today can at least hear what it is that their elected officials are saying. What the outcome of what their future may look like, that it's all available to them.

I'm fortunate enough to be here today, not the most eloquent speaker to represent

the group but I will tell you that this is very dear to my heart. This is my community. This is where I was raised and born and where I want to die and I'm going to fight with every fiber that I have, even if it does make it to the special session, if it makes it to the next session I will lobby against the money because I truly believe that the Regional Water System for my community is not what our people in our community are desiring. Thank you.

CHAIR ROYBAL: Thank you, Ms. Trujillo. Is there anybody else who would like to address the Board? Seeing none we're going to move on from public concern and what I want to do is go ahead and move to the public hearing if the individuals are here.

VIII. PUBLIC HEARINGS

A. Public Hearing

1. **BCC CASE #MIS 17-5060 Fiasco Fine Wine, Inc. Beer, Wine and Spirituous Wholesaler Liquor License. Fiasco Fine Wine, Inc., Applicant, is Requesting Approval for a Beer, Wine and Spirituous Wholesaler Liquor License. The Property is Located at 20 Bisbee Ct., Within Section 24, Township 16 North, Range 8 East (Commission District 5)**

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, I can go ahead and take that.

CHAIR ROYBAL: Okay, so we have Penny Ellis-Green here and she'll go ahead and do that.

MS. ELLIS-GREEN: Thank you, Mr. Chair. This is at 20 Bisbee Court. There's an existing beer and wine license under the name of Fiasco Fine Wine, Inc. and they'll be changing their name to Fiasco Fine Wine, LLC. They meet the distance from the nearest church and the school and staff recommends approval of this liquor license transfer.

And we stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board? Okay, seeing none, what's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion to approve by Commissioner Hansen and a second by Commissioner Hamilton.

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

CHAIR ROYBAL: Is there anybody here from the public that would like to speak before or against this project? Sorry about that? There isn't anybody from the public. So seeing none we'll go ahead and close public comment. Do we need to do another motion?

MR. SHAFFER: Mr. Chair, I think you're okay. There was no one here from the public wishing to speak to the matter so I don't believe that it's necessary to

redo the vote.

CHAIR ROYBAL: Okay, and I do apologize for not addressing the public comment.

VII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from County Commissioners and Other Elected Officials

1. Elected Officials Issues and Comments

CHAIR ROYBAL: Do we have any elected officials that would like to address the Board today? Seeing none, I'm going to close Elected Officials Issues and Comments.

2. Commissioner Issues and Comments

CHAIR ROYBAL: Is there any Commissioners who would like to bring up any comments today? Commissioner Hansen.

COMMISSIONER HANSEN: Good afternoon. I wanted to let everyone know that I attended the Alameda Rain Gardens on the Santa Fe River over the weekend and our volunteer coordinator Carol Branch was there with me and we are hoping to build a rain garden also in the county, down in District 2 somewhere along the river, so we're working on looking for funds for that. Carol Branch is working on it with Santa Fe Beautiful and I think it's an exciting project and a great way to deal with stormwater and to clean our water going into the river.

And I also want to remind people that in May we have Bike to Work Week and in May we will also have a series of Sustainable Santa Fe presentation by the Sustainable Santa Fe Commission. The first one will be May 3rd from 5:30 to 7:00 and the Genoveva Chavez Center. The next one will be May 9th at the Hotel Santa Fe. Both are with Mayor Gonzales. And then on Saturday on May 13th there'll be one at the Southside Library and on May 20th, the Chainbreaker Community Center, co-hosted by the Chainbreaker Collective. So if you're interested in helping our city become a thriving green city and county, leaders in caring for the environment, the economy and each other, learn about the ongoing development of Santa Fe's 25-year sustainable plan and share your ideas about critical issues and creative solutions.

So I just wanted to let everyone know about those meetings and that we have our own Sustainability Office and that we are also working on our sustainable issues as action items.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Do we have any other concerns from any Commissioners? Okay, seeing none, I'll go ahead and close item VII. A. 2.

VII. B. 2. Presentation on the Dolly Parton Imagination Library Program and Outcome Survey Results

ANNA BRANSFORD (Community Services): Good afternoon, Commissioners. I manage the Community Operations Division of the Community

Services Department. And I am here today with Tecla Johnson who is the vice president of Operations and Program Development of United Way of Santa Fe County who we partner with on the Dolly Parton Imagination Library program. This is a wonderful program that the County helps fund and that United Way of Santa Fe County serves as local champion for.

So just a quick background information. The Dolly Parton Imagination Library was established in 1995 in Tennessee by Dolly Parton because she wanted to promote literacy among children. The program really took off. It has now expanded to well over 1,500 local governments all over the United States and has even spread to the UK. What this program does is it provides children, ages newborn to five with one free book a month that comes in the mail to the child in their name. So it's very exciting for the child. They get mail in their name. The books are age-specific and the first book that each child receives is *The Little Engine that Could*. So if a child is enrolled as a newborn to age 5 they will receive 60 books before they graduate from the program.

So we partnered as a County with United Way of Santa Fe County as our local champion to run this program. Our original budget that was signed at the end of 2014 and we really started in 2015 was \$50,000 and our goal was to enroll 525 kids the first year. Within three months we reached that goal. So we did increase our budget and we were able to expand to 750 kids on that program. Our current budget is \$75,000. We now have a total of 1,200 children on the program. To date, since 2015 we have sent out 21,089 books. We have also, or United Way of Santa Fe County has also distributed 1,096 Spanish speaking books for Spanish speaking families. We have had 268 children graduate from the program and this program actually received a National Association of Counties Award, a NACo Award, in 2015.

This subject was very important to Santa Fe County when we were looking at partnering with a local champion because less than half of 13,000 students that were enrolled in the Santa Fe School District were reading at their grade level. In Santa Fe County alone there was only 46 percent of fourth grade students who were proficient in reading. And not all children have access to books or libraries so we felt this was a really special program to give access to books, to promote reading with their families.

So one of the things that we did ask United Way to do was to develop a survey so that we could see from the beginning of this program how far we've come. So we received really positive results and so I'm going to ask Tecla Johnson to come up and just share some of those results with you, just so you could see how amazing this program is for our county. So with that, here's Tecla.

TECLA JOHNSON: Great. Good evening, Commissioners. Thank you for the opportunity to talk to you about this wonderful program. I just have three slides after this one but I wanted to show you a couple of graphs with some of the survey results and talk to you about that. It's been a wonderful partnership with the County and the results coming back from the survey have been extremely positive. We reached out to families in November of 2016. We reached out to everyone, either by mail or email, depending on what we had to reach them, and 260 families responded, which was about 22 percent of everyone, which is pretty good for just sending something out to people and asking for them to write back. And I think one of the things that really struck me about the responses was the level of comments. Almost everyone wrote quite a lot of comments.

We have pages and pages of what they said thanking us and the County for the program and how wonderful it has been.

So we asked about ten questions regarding changes in reading behavior and habits for the child and for the entire family, and I'm just going to provide you here results for three of those questions, but they all showed significant positive impacts on the families in our county, which were very exciting.

So this first slide here shows you a little bit sort of pre- and post-reading frequency in the homes. So there's the blue, which is before receiving the books, what people reported that they read from more than once a day down to not at all, and then the orange shows what people's reading habits were after receiving the books. So just in seeing where children were being read to more than once a day there's a 58 percent increase after receiving the books, and the eight percent of respondents who were not reading at all went down to zero. The thing that this graph doesn't show, it shows that there is a lot more of regular reading and not any more of that behavior of not reading at all. The thing that really struck me in looking at the results as they came in was that almost all of the respondents, like I would say 95 percent or more went from something lower to something higher. So it's a little hard to tell here how that worked but families really have been impacted by receiving these books and everyone except for a couple of families who might have stayed the same because they maybe were already reading more than once a day, really did increase their reading and many people went from not at all to like once a day or to more than once a day. So those people who weren't reading in their homes really increased their reading and no one decreased from receiving the books.

The next slide also shows the impact of these books on families and the question was: Are other members of the family benefiting from having the Imagination Library books in your home? Then we asked people to comment on how. What this slide shows is that 72 percent of people who responded said that, yes, these books were benefitting other people in their families. And some of their comments in explaining what that looked like in their family were that people were remembering to read more, because the books were right there all the time, and that many times siblings – a lot of the comments had to do with siblings – so the books were coming for the zero to five-year-olds in the home but that many times a six-year-old to a ten-year-old – that was kind of the range that was usually noted, that those aged children were reading to their siblings. So they were learning to read better, to read out loud, to have more confidence. So touching on the numbers that Anna gave about children struggling to read, this program is definitely impacting older children in the family. Some noted that grandparents are now learning how to read English through using these books and that they're also passing books along to friends as they're read them or gone through that as a family, and so they're having a wider impact than just the families that we're serving.

So as a last slide I just wanted to share a couple of the comments. Again, there's just pages and pages of comments. A lot of exclamation points and really positive things. A lot of thank yous to you all saying it's a great program, it's a great service to our community and a lot of sort of little anecdotes and stories about how much more families are reading and how much their children look forward to receiving those books in the mail each month, and again thanking your support for this wonderful program in our community. Any questions?

CHAIR ROYBAL: Is there any questions from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I have a very unsophisticated comment. That's just such a cool program. It's just so wonderful to hear something with what seems to be a simple idea and then a simple effort can have so much positive impact and it's really wonderful that you guys do this.

MS. JOHNSON: Thank you so much for the support. It really does have an impact and it's so easy. It's a lot of fun.

CHAIR ROYBAL: I'd like also to commend you guys for this program. It's a great program, giving these kids an opportunity to get these books. Any time that you can inspire a child to better themselves for this type of program and reading is instrumental to their education so I really appreciate it as well. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you. It's a wonderful program. I completely, 100 percent support this kind of thing. From my newsletter where I had told people I had read books to the children at Salazar, a person who writes children's books said, oh, they wanted the name of the librarian, and they took a number of books over to the Salazar library for the kids. So it's like really inspiring, the more you get the word out that children need books the more they appear so that's really important. Thank you.

CHAIR ROYBAL: Commissioner Moreno.

COMMISSIONER MORENO: Yes, we always read to our kids and happily they're all readers and now their children are readers and that's the way you get it going and it's a lifelong blessing to be able to be able to read.

MS. JOHNSON: Yes, you can see the changes that are occurring. Thank you so much.

CHAIR ROYBAL: Great job, and we have one more little comment from Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, I just wanted to add a thank you to you guys for actually bothering to come here and tell us about this. As a new Commissioner there are a lot of things that the County does, that the County participated in that I don't know about and this is such a wonderful way to find out about things. It's so much easier to help and continue things when we know what's going on. I always feel some obligation to try to find out on our own but that's just not always possible. So I really appreciate you guys coming and doing this.

MS. JOHNSON: I appreciate the invitation from Anna and Rachel. They've been wonderful to work with and it's been a lot of fun.

CHAIR ROYBAL: Thanks. Great job. Thank you, Anna.

VII. B. 3. Presentation on the Santa Fe County Solid Waste Program

ROBERT MARTINEZ (Deputy Public Works Director): I'll make this brief. I know you guys have been here all day long. Before I get started on the solid waste fee structure I want to introduce a couple of the staff. Les Francisco is our Solid Waste Superintendent and Jeff Spillars is our Adopt-a-Road Recycling Coordinator. I thought they were volunteering to be here to support me but I understand they thought Dolly Parton was going to be here.

So at the last BCC meeting there was a resident that came to the Commission in Matters from the Public that has expressed his concern to the Commission about the increase in the fee structure of the permits. So the purpose of my presentation is to let you know where we're at today as far as the fee structure, how we got here and why those graduated fee increases were implemented by the Board.

So you have the printed power point slides. I apologize for it not being on the screen. But anyway, the first table that you see has a breakdown in years and the permits that were available and the rates that were being charged. So in 2005 the BCC adopted Ordinance 2005-5 which set the rates for county residents. At that time the rates were set at for a 24-trip permit it was \$35. A 20-trip permit was \$10 and bag tags were \$5. Recycling permits were also sold for residents and those were for \$15 annually.

Then on July 28, 2009 the BCC established a Solid Waste Task Force through resolution to submit alternatives to the BCC to help us improve our disposal services. Then on November 10, 2009 the BCC adopted Ordinance 2009-13 which amended the previous ordinance. The ordinance was adopted based on recommendations from the task force that the BCC established. The fee structure was amended to set the rates for county residents at \$55 for a 24-trip permit, \$35 for a 10-trip permit. \$15 for a one-trip permit and \$5 for bag tags. At that time recycling was permitted to be free to all residents.

Then on June 8, 2010 the BCC adopted Ordinance 2010-5 which amended Ordinance 2009-13. The ordinance set a graduated rate increase for the 24-trip permit for it to escalate in FY 11 to \$65 all the way to \$105 in FY 15. The ten-trip permit was eliminated at this time and the one-trip permit and free recycling remained unchanged.

On September 14, 2010 the BCC adopted Resolution 2010-160 which authorized a \$10 credit for low income residents and a \$5 credit for senior citizens. On April 10, 2012 the BCC adopted Resolution 2012-52 establishing another Solid Waste Task Force to develop and submit alternatives to the BCC to revise our management ordinance. So on May 29, 2012 the BCC adopted Ordinance 2012-7 and this ordinance suspended the scheduled fee increases that were adopted by the prior ordinance amendment and extended the expiration date of the 24-trip permit for 30 days.

Then on May 27, 2014 the BCC adopted Ordinance 2014-6. This ordinance extended the timeframe which permits would remain valid and allowed permits to be valid until all trips had been utilized. So prior to this if somebody bought a 24-punch permit that permit would expire at the end of the fiscal year regardless if they had 12 punches remaining, five, or if they used them all up.

So on August 12, 2014 the BCC approved the recommendations of the Solid Waste Tasks Force to modify the permit fee structure, make permit changes by calendar year instead of fiscal year, and increase the number of materials that must be recycled. On November 15, 2014 the BCC adopted Ordinance No. 2014-10 which repealed all the prior ordinances for solid waste. The ordinance was adopted based on the recommendations of the Solid Waste Task Force. And I'll let you know that the task force included a couple of County Commissioners, members from the public and staff. This ordinance eliminated the 24-trip permit, and the reason we did that was because people thought that they were getting short-changed by not using the 24-trip punch permit and created a 12-punch permit and a six-trip permit. The one-trip permit and bag tags remained. This ordinance also set a graduated fee increase for calendar years 2015

through 2019. The projected fee schedule was intended to generate enough revenues from permit sales to fund 30 percent of the solid waste operations within five years.

So this 2014-10 ordinance was the most recent one that really is affecting the fee structure today. Like I said it eliminated the 24-trip permit, created a 12-trip and 6-trip permit, left the one-trip permit and free recycling and set the graduated fee increases. The goal was to achieve 30 percent cost recovery from permit sales.

So the graduated fee increase – and this plan was adopted in 2014. So in 2015 we had a one-trip permit for \$15, six trips for \$35, 12 trips for \$65 and bag tags at \$6. In 2016 the rate increased to \$16 for one trip, \$45 for six trips, \$75 for a 12-trip and \$7 for bag tags. So today we're at \$17 for a one-trip, \$55 for a six-trip, \$85 for a 12-trip and bag tags are \$8. So you can see in 2018 and 2019 the rates are expected to go up or proposed to go up as per the ordinance that will get us closer to the 30 percent recovery that was intended.

So the next slide shows in calendar year 14 the percent recovery rate was planned to be at 17 percent. In 2015 the planned recovery rate was to be at nine percent. The reason it went down was because of the permits no longer expiring, so we knew in 2015 there wouldn't be very many permit sales because people would be utilizing all the punches that they had. In 2016 we were planning on an 18 percent recovery rate, in 2017 a 20 percent recovery rate and 2018 26 percent recovery rate, and in calendar year 2019 30 percent recovery rate.

So the funding that we have in place for solid waste is the permit fees. In 2014 we were proposing that it would generate approximately 17 percent. The environmental GRT, which is a 1/8 increment that goes all towards solid waste operations would generate 27 percent, and the general fund would have to subsidize the solid waste operations to the tune of 56 percent. In 2016 not a whole lot of change as per the plan – 18 percent from permit fees, 26 percent from GRT and 56 percent from the general fund. In 2019 it was 30 percent recovery rate from the permit fees, 25 percent from the GRT and 45 percent from the general fund. So it looked like the general fund subsidy would be decreasing. That way the plan was that the general fund could provide support for other services in the county.

So the next slide is what actually took place. I previously showed you what the plan was but this slide here shows you what actually took place. So in calendar year 14 the budget for solid waste, the total budget was \$2.375 million. Permit sales generated \$205,000 and the recovery rate in calendar year 14 was nine percent. Calendar year 15, the solid waste budget was \$2.7 million, and the budget fluctuates dependent upon the amount of capital that is in the budget for equipment replacement and that kind of asset replacement. So in 2015, \$2.7 million was the solid waste budget, permit sales generated \$232,000, and the recovery rate was nine percent.

In calendar year 16 the budget for solid waste was \$2.4 million. The permit sales generated \$336,000 and the recovery rate was 14 percent. In calendar year 17, which we are currently in, our solid waste budget is \$2.12 million. The permit sales, we are on track for permit sales to generate about \$372,000, so we're projecting a recovery rate of 18 percent. By calendar year 2017 we were expecting a 20 percent recovery rate. We're projecting to be at 18 percent. So we are about two percent behind what we had hoped for.

The next table shows our actual funding, so our permit fees in 2014 were \$205,000. The permit fees in 2015 were \$232,000. Our permit fees in 2016 were \$336,000. Our GRT pretty much remains the same, plus or minus \$5,000 or \$10,000. The general fund varies what it needs to subsidize the budget of The Solid Waste Department.

So as I said, the solid waste budget includes capital equipment purchases on equipment. The last slide that I have is just some data that we compiled from 2016. So our operating budget was \$2.4 million. In 2016 the solid waste handled 10,662 total tons of solid waste and recycling. The amount of visits or trips that we had from customers to all of our collection centers was 88,726. The average weight per trip that a resident brings in to our facility is about 240 pounds. The actual average cost per trip to process one trip of waste that we receive is \$27.42. So that's what it costs us to transport it, staff salaries and to pay the tipping fees at the landfill.

So a 12-trip permit, which now costs \$75, or in 2016 cost \$75 was equivalent to \$6.25 a trip. So we're in the hole about \$21 per trip, because that's what it's costing the County, but this is what the permits actually are worth. So that's just that little bit of information for you. I know it's a lot to digest in the short period of time that I ran through this but I stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board?
Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Martinez. That was very helpful. We are still subsidizing, big time, the solid waste part of our budget and I think that the rates are reasonable. I don't think that we're overcharging anyone and I think that they're getting a good deal for what we're offering and I support what you're doing and I support the resolutions that have gone forward in the past. In 2019 they'll probably play \$11 something a trip, which in the city – since I'm the only one that lives in the city of the Commissioners, I pay for trash every month over \$20, I know. I know it's picked up at my house and that's a nice gift but I think \$11 is a reasonable amount to pay.

CHAIR ROYBAL: Commissioner Moreno.

COMMISSIONER MORENO: So this data only reflects the people that use the bag tags. Is that right?

MR. MARTINEZ: No. This data reflects everybody that uses our collection centers, whether they buy a 12-, a one-, six- or a 12-punch permit or bag tags.

COMMISSIONER MORENO: Okay. But it doesn't include the Waste Management and MCT business?

MR. MARTINEZ: Mr. Chair, Commissioner Moreno, that is correct. This is only waste that we collect and we handle. There's all these vendors or contractors that do curbside pickup; that is not reflected in this data.

COMMISSIONER MORENO: And since I'm in the suburban area, if you will, do you know the proportion of people that use bag tags versus having a truck come to their house?

MR. MARTINEZ: That use bag tags or that use the County facilities? It's roughly about – the County handles probably about 20 to 25 percent of all of the waste in the county. The other 75 percent is collected by private haulers. Now, the ordinance that was adopted by the Board that created the district and mandated recycling at the curb in addition to the waste, part of that ordinance requires all private haulers in the county to

report information to the County regarding the tonnages that they pick up and waste and recycling. So in about another six months we will have another reporting period of these private haulers, so we will be able to bring back to the Board a bigger picture of the waste of all of Santa Fe County, not just what we handle.

COMMISSIONER MORENO: Okay. Thanks. I look forward to the next report.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to – I thought Commissioner Hansen's comments and add that the presentation and the numbers and the analyses, they're so helpful and they were really well done and we really appreciate them. And I think that as a result, the decisions on the rates on what not are based on some real information. I think that's just excellent. I very much support what you guys are doing. Thank you.

MR. MARTINEZ: Thank you. Well, the staff, Jeff and Les, they track all of this data. They give it to me and I just compile it, but they track everything from the amount of customers to the amount of waste, to the amount of complaints. So thanks to them.

CHAIR ROYBAL: Okay. Any other comments from the Board? I on the other hand, I do get a lot of calls from constituents concerned with the prices and how they've been going up. If you look back to the beginning of this chart a trip was \$2 and now it's at least 300 percent higher at this point and it's only going to get higher in the next two years. So I do get a lot of calls and maybe in some situations where somebody's taking three bags of trash and using a punch, maybe staff can explain to them that maybe buying bag tags would be a less expensive route.

But I do get a lot of calls from people that are not happy with the prices that do go up, so I'm kind of on the other side and I know I have a dumpster myself so I don't – but I do go a few times a year to the landfill but I don't know. Do you have comments, Commissioner Hamilton?

COMMISSIONER HAMILTON: Just in that regard. I understand people being concerned with costs, but really it falls on the County, which includes all the people in the county to be able to do this service. And by having made recycling free, there is a great pathway people can take to really minimize their costs and the more you recycle the less you're paying to dump trash.

CHAIR ROYBAL: We do have recycling for free, correct?

COMMISSIONER HAMILTON: Yes. And so frankly, I feel like to a great extent we are obligated, one way or another to pay for the real costs of what we have to do but we're putting out – I think we're at least balancing it with an incentive that can be utilized and maybe your point about additional educational outreach for that would be a really good idea but maybe we could do some of that because there is a pathway to minimize costs in a way that could also have all these environmental side benefits. Not that any of us here really –

MR. MARTINEZ: Mr. Chair, we do have on the County website our fee structure and what's available so it is out there that bag tags are available, that recycling is free. We also do an annual mailer to the residents that explain to them what's available as far as permits, what's recyclable and what's not and our locations, our hours. So we do

provide that information through the website and through mailings.

CHAIR ROYBAL: And to we have it posted at our transfer stations? I know a lot times – the only reason I was saying is a lot of people don't use email and a lot of people sometimes don't read all the junk mail, not all the mail that they get. So sometimes it would be good if it was posted somewhere at that landfill. It might be a good idea. Go ahead, sir.

LES FRANCISCO (Solid Waste Manager): No, sir. We don't have anything posted at any of the transfer stations but that would be a good idea to get that out and also the employees, we'll let them know what we have for sale.

CHAIR ROYBAL: Okay, and I know where I live, two or three times a year, maybe more, you clean your yard and you end up with a couple of truckfulls or more of weeds and branches, especially tumbleweeds. They all seem to land in my yard but if you paint them you can sell them probably on eBay. But at any rate I just want to make sure – I know it's weeds, you probably do get your tickets punched, but with branches and things like that that they're going to chip up, do they punch their ticket as well?

MR. MARTINEZ: Mr. Chair, yes, we do.

CHAIR ROYBAL: Okay. I wonder if that could be almost – we'll, there's a lot of operations cost involved with that. All right. I think that's all I had. We have Commissioner Hansen had a question.

COMMISSIONER HANSEN: Yes. I think that one of the things that you could say to your constituents is that the County is really actually paying 80 percent of your trash processing and you're only paying 18 to 20 percent. I think putting it in that kind of context that they understand that the County is really subsidizing their trash and we're not overcharging them or trying to make them pay 100 percent. I think it's a really important thing for constituents to know.

CHAIR ROYBAL: And believe me I have given that information but of course sometimes they'll say, well, what are you subsidizing it with? Oh, the taxes that they already pay. So it's kind of hard to explain that one, but I have said that that we are subsidizing up to 60 percent so they're only paying the 30 percent cost of the tag.

MR. MARTINEZ: Mr. Chair, the misconception from the residents that the County gets all of the property taxes that are collected, so that's another topic for another day.

CHAIR ROYBAL: I agree, and I have brought that up and said, well, the schools get the biggest amount of that. So, yes, I know. And I know we face that every day but I appreciate all your hard work. Thank you, guys. Any other comments from the Board? Thank you, guys.

VII. B. 4. Presentation on 2017 Work Plan for the Santa Fe County Sustainable Land Development Code and Other Growth Management Projects

MS. ELLIS-GREEN: Thank you, Mr. Chair, Commissioners. This is an update our 2017 projects and how they relate to the SLDC. The code was adopted or approved in December of 2015 and at that time the Board asked for a six-month review.

That was done last year. It started in June and was approved in December. Last year's review of the SLDC was extensive. It required public outreach, area-wide meetings, coordination and review from multiple departments and division, outside agencies and it included restatement of the entire document. By having the entire code open it posed a problem for staff of us being able to give a thorough review and analysis as the request spanned the entire document. And also the ability to fully explain all changes proposed to both the public and the Board, because they were so extensive and scattered throughout the document.

We had a number of staff from the Planning Division, Development Review Division and an attorney working almost solely on the SLDC update last year. That meant that a number of other priority project were put off and they had been put off for several years because we had been working on the 2015 version of the code. Specifically we held off on three ordinances that are outdated – the business license ordinance, junk vehicle, and anti-litter. Those ordinances are all between 24 and 28 years old. So we have different procedures now that we do. They're very outdated. They need to be done or rewritten and also we held off on a couple of new community planning processes.

So the projects that we're looking at for 2017 are on the spreadsheet that's been handed out but basically they include the business license ordinance, junk vehicle, anti-litter, two sections of the SLDC, specifically the hard rock mining section and short-term rental provisions that are not currently in the SLDC. One new community plan that are hoping to come forward in the next month or so to get their community planning committee assigned and that will be the La Bajada area. An update on the zoning map – we've had several community plans that have done amendments and that's going to require zoning map updates. That requires a lot of work with mailing and meeting the statute for the noticing requirements. Updating two to three community plans – communities have requested some updates. Supporting communities and establishing COs and ROs, those are the community organizations and registered organizations. We need to amend the affordable housing regulations. Chapter 13 of the code was amended last year to change the affordable housing ordinance, and so the regulations need to be updated to reflect that. We have open space management plans and a countywide strategic plan to be done this year. We have a countywide transportation plan to be done this year. Implementation of the transfer of development rights process, taking in applications, purchasing TDRs and establishing the TDR exchange. A resource guide and implementation of the agricultural revitalization plan. We are staffing the Verde transmission line/BLM project. It looks like there are several different areas for us to staff there, and also my department does the capital planning Countywide.

So it's not proposed at this time to open the entire SLDC in 2017. If specific sections need to be amended staff can take direction from the Board, research the issue and come back with a reasonable timeframe and take that change to the Board as an individual ordinance. That will allow us to focus on one area at a time and then once we've got some changes to the SLDC at that point it could be decided that we would recompile the version, maybe once every several years. It would be just recompiling everything that was approved and rather than making changes at that point. That would make the whole ordinance approval process much faster.

And so that is kind of our major project prioritization. There's a lot of other work

that the department does but these are our specific projects that we would target for 2017. And I'd stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board?
Commissioner Hamilton.

COMMISSIONER HAMILTON: It makes quite a bit of sense. I was just wondering, do you go through periods of getting comments from people, issues with particular sections of the SLDC? Mr. Chair, Commissioner Hamilton, yes. As people make application they will question how their application can fit within the code. If an application is not allowed we will walk people through a variance procedure if necessary. And so if something became obvious that a section of the code really didn't work at that point we could look at that one section.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very, very much for this update. I appreciate it because I know I have constituents who are constantly coming to me with changes that they want and so I'm trying to direct them to you so that we can figure out a way to address them. Some of it is with the HERS and the WERS and then there were some issues with Eldorado, the side setbacks that Katherine Mortimer brought forward. But I think a lot of these things are things that you can deal with, so to speak, in house.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Hansen, yes, I know the setbacks were actually dealt with last year because we did do a fallback if your lot isn't wide enough or deep enough to meet the setbacks you can revert to a lesser setback. So if it's not a physical possibility for you to do those setbacks you can go less. There's also an administrative adjustment of up to ten percent for certain standards that we can – that I can approve, so the Administrator can approve. And so – and there's always the variance procedure if somebody needs to do that.

COMMISSIONER HANSEN: It just gets a little more expensive if they have to do a variance. So I appreciate it. I think working on the hard rocking mining, I think updating our business license and junk vehicle and short-term rental and anti-litter are all important things and I can understand how that will take a fair amount of your time, but I do hope that some time in the future we can talk about variances or issues for people who are building on like a lot split and they have \$250,000 and all of a sudden they come in and they can't afford to build that house because of the prices the County charges them, and so then we end up with a trailer, which is like the last thing I want to see people end up with. I want to make sure that we figure out if people come in with plans and want to build on this, especially, I think this happens the most with family lot splits. That we find some way that we can help them build this house and maybe scale it back for them or help talk or walk them through these issues so that we don't end up with mobile homes or trailers on people's lots, which are not ultimately the best investment for them because it doesn't have the kind of value that a real home has and I think that what we really want to see is people have real homes that they feel like they're investing in. So at some point, I hope that we can approach some of those issues but I also really respect all the hard work that your department is doing and this is a lot and if you get through all this this year I'll be impressed. So thank you for all your hard work.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other questions from the Board? Thank you, Penny.

MS. ELLIS-GREEN: Thank you.

V. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

MS. MILLER: I know you heard enough of me earlier today but I promise it will be quick and primarily I wanted to make sure you got your legislative update but a couple of things I just wanted to remind the Board of is we have the Stanley Cyclone Center ribbon-cutting for the new center. It will be on Saturday, May 6th starting at 10:00 am down in Stanley and the day will be filled with displays by our 4-H groups and we'll conclude with the 4-H horse show starting at 1:00 pm.

Also we're continuing our Community Services townhall meetings. Community Services Department is hosting a series of townhall forums as part of the gap analysis intended to gather information from consumers on their health needs and identify any unmet needs. To date they have held forums on behavioral health and senior health. The last one remaining forum is to be held this Thursday, April 13th starting at 12:30 pm at the Edgewood Senior Center, and that one will focus on general and senior health.

And then also the Animal Control Advisory Committee, we have advertised for committee members. We established that on March 14th and it's comprised of seven members, one member from each Commission district and then one member who shall offer informed input into humane restraint of dogs and one member who shall offer informed input in regulating barking, so we are soliciting for individuals who'd be interested in participating on that committee, and the deadline to have a letter of interest and résumé submitted to the County Manager's Office is Wednesday, April 19th. So if you know anybody who is interested please make sure that they submit a résumé and letter of interest to our office by April 19th. So those are the quick updates I wanted to give you and then, Tony, if you could give them the final legislative update I'd appreciate it. Thank you.

V. B. Update on the First Session of the 53rd Legislature of the State of New Mexico [Exhibit 2]

TONY FLORES (Deputy County Manager): Mr. Chair, I'll be brief. Nothing happened.

In all seriousness, Mr. Chair, Commissioners, 1,400 bills were introduced and 137 were actually put into law by the Governor. We have quite a few bills that did not make the – either vetoed by the Governor or pocket vetoed based upon lack of action. We've already talked about Senate Bill 462 which was the capital outlay authorization which did not go through in its entirety, whether there was a provision on that piece of legislation or not.

Some of the other more interesting bills that were pocket vetoed was House Bill 174 which was the consolidation of the Election Act, which basically took all the elections and we had the ability then as a municipality or county to provide a single election rather than having multiple elections. That did not make the list; that was pocket vetoed, being as she never acted upon it within the timeframe that she had.

The other item that was of interest, and the next item was all dealing with a revenue source for the budget bill that she did pass with line item vetoes as Manager Miller indicated, the legislative and the higher education were not funded and that would be a subject of discussion during the special session, as will capital outlay. She has indicated that capital outlay may be on the call for the special session, so there's still some hope. But the tax of businesses without a physical presence, we call that the internet bill which is basically those organizations like Amazon that were doing business in New Mexico, this bill would have required them to charge New Mexico gross receipts tax, which would again increase the coffers for the state. That was vetoed. So that was actually vetoed with message rather than pocket vetoed. The different is if she vetoes something it should be accompanied by a message as to the way, whereas if it's pocket vetoed there was no action taken. So that one was actually vetoed with message.

One of the other interesting bills that was an Association of Counties' priority was the simple addition of the Treasurer when a tax increment development district was implemented. Typically the Assessors and the County Clerk were notified of that change. This simple piece of legislation basically added a comma and "County Treasurer" and that actually was vetoed without any discussion.

So at the end of the day less than 10 percent of the entire pieces of legislation that went through the session were acted upon. Quite a few of them that were enacted she did appropriate or did sign the general appropriation act with vetoes. However, she did not enact any of the revenue sources that would actually fund the bill.

A couple of the other ones that she did sign into law: the Wastewater System Financing Act. I know that Commissioner Hamilton views that through the Water Trust Board. That one was signed into legislation. And the Public Project Revolving Funds Loan Act was also signed which is another source for local municipalities and counties, municipal water domestics to access funding for and drinking water system financing was enacted into law.

So at the end of the day, not a lot of action. I think this was in my years of being at the County in two tours and having gone through this process over 15 year this was probably one of the most frustrating sessions I've ever been personally involved in and I think the team that was there every day had the same feelings. It was a lot of nothing.

So she has not called for the specific dates of the special session. She keeps indicating within a few weeks she'll set the date and we're still waiting to see when that date happens and to see what pieces of legislation are on the call. And with that I'll stand for any questions.

CHAIR ROYBAL: Can I have any questions from the Board?
Commissioner Hamilton, go ahead.

COMMISSIONER HAMILTON: It's a curiosity question. It makes no never mind, as they say. I had understood at some point for some of the bills that she vetoed but with no message that Senator Wirth was pursuing the legality of that? He was challenging that? Is that something that actually went forward, that challenges?

MR. FLORES: Mr. Chair, Commissioner, there was one bill that was actually challenged and tried to get an override that got almost to the finish line; didn't get there. The legislation that you're referring to, there was a message that was sent out in the media from the Senator Majority Floor Leader said that they were going to challenge

things. I have not seen where that happens. That would go through the judicial process and wouldn't be back at the legislature, is my understanding.

COMMISSIONER HAMILTON: Thanks.

CHAIR ROYBAL: Any other comments? I'd just like to say thank you for the report and I know that you had a lot of patience this year.

MR. FLORES: Well, I do want to, as Mr. Martinez indicated earlier, Rudy Garcia and Mr. Hvtce Miller do the heavy lifting. I just compile the reports. Really the kudos goes out to them.

CHAIR ROYBAL: Make sure you give them our gratitude and thanks as well.

MR. FLORES: Thank you.

CHAIR ROYBAL: Thank you.

VI. MATTERS FROM THE COUNTY ATTORNEY

- A. Executive Session. Threatened or Pending Litigation in Which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, Limited Personnel Matters, as Defined and as Allowed by Section 10-15-1(H)(2) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:**

- 2. Rights-of-Way for County Roads**
- 3. Executive Management Personnel**
- 4. *Ong v. Santa Fe County Housing Authority and Pacheco*, State of New Mexico, First Judicial District, County of Santa Fe, Cause No. D-101-CV-2016-02658**

MR. SHAFFER: Mr. Chair, the matters proposed to be discussed in executive session and the legal basis to do so are as follows: threatened or pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1 (H)(7) NMSA 1978, limited personnel matters, as defined and as allowed by Section 10-15-1(H)(2) NMSA 1978, and discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1 (H)(8) NMSA 1978, Including the following: rights-of-way for county roads, executive management personnel, *Ong v. Santa Fe County Housing Authority and Pacheco*, State of New Mexico, First Judicial District, County of Santa Fe, Cause No. D-101-CV-2016-02658, and potential breach of contract action.

COMMISSIONER HANSEN: So moved.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: So we have a motion. Is that in regards to what County Attorney –

COMMISSIONER HANSEN: Do I need to say more?

CHAIR ROYBAL: Just with what he said.

COMMISSIONER HANSEN: So moved from what the County Attorney just stated.

CHAIR ROYBAL: And we have a second from Commissioner Moreno.
Roll call.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2 and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Not Present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

[The Commission met in closed session from 7:00 to 8:15.]

Commissioner Hansen moved to come out of executive session and Commissioner Hamilton seconded, noting that the only matters discussed were those listed on the agenda, and present were Commissioners Hansen, Hamilton, Moreno and Roybal, as well as the County Manager, County Attorney and Deputy County Attorney

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

VI. B. Possible Action(s) with Respect to Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session

Commissioner Hansen then moved to authorize the County Manager to negotiate and execute an amendment to Santa Fe County Contract No 2015-0349-LG/MY in such amount as she determines to be appropriate to protect the County's interest with regard to pending or threatened litigation in which Santa Fe County is or may become a participant. Commissioner Moreno seconded the motion.

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

VIII. CONCLUDING BUSINESS

A. Announcements

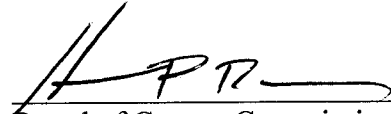
1. The Board of County Commissioners' Next Regular Meeting Will Be on May 2, 2017

Manager Miller advised that the next BCC meeting would occur on May 2nd rather than the last Tuesday in April, and there would be three BCC meetings in May. The budget study session would be scheduled from 11:00 a.m. until 1:00 pm on May 2nd, followed by the Housing meeting from 1:00 to 2:00, with the regular BCC meeting to begin at 2:00.

B. Adjournment

Upon motion by Commissioner Moreno and second by Commissioner Hansen, and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 8:23 p.m.

Approved by:



Board of County Commissioners
Henry Roybal, Chair

ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK



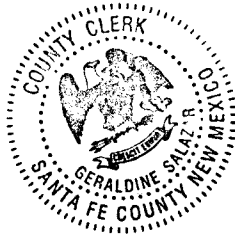
Respectfully submitted:



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

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 42

Hereby Certify That This Instrument Was Filed for
Record On The 16TH Day Of May, 2017 at 09:09:04 AM
and Was Duly Recorded as Instrument # 1825647
in The Records Of Santa Fe County



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