

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MEETING**  
**May 29, 2018**

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

SFC CLERK RECORDED 06/28/2018

**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**May 29, 2018**

**I. A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:15 p.m. by Chair Anna Hansen in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**B. Roll Call**

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

**Members Present:**

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

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance was led by Pablo Sedillo III, the State Pledge by Molly Archuleta, and the Moment of Reflection by Deputy Jose Puentes of the Public Safety Department.

**I. F. Approval of Agenda**

**1. Amendments**

**2. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, on page 2, under Consent agenda, item II. B. 3, that actually is not a resolution and we need to change the caption to just read Approval of a Cooperative Maintenance Agreement, and strike the resolution No. 2018-\_\_, a Resolution Delegating Signature Authority to the County Manager to Negotiate and Execute. And just have it read Approval of a

SFC CLERK RECORDED 06/28/2018

Cooperative Maintenance, Request Approval of. And the item in your packet is the action agreement, not a resolution.

Also under Action Items on page 3, under III. D. 3, we need to correct that to say a Resolution Adopting the Interim Budget for Fiscal Year 2018-2019, not 2019-2019. It's a typo. It should be 2018-2019.

And then on page 4, just to remove item IX. Informational Items. Those items are actually reports that were put under Matters from the County Manager. So they're just listed as items if you had items prior to going into executive session. They were moved under Matters from the Manager. So that caption isn't needed. And those are the only changes that we had to the agenda.

CHAIR HANSEN: Do I have a motion to approve the agenda as amended?

COMMISSIONER HAMILTON: So moved.

COMMISSIONER MORENO: Second.

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

**I. G. Approval of Minutes**

**Approval of April 24, 2018, Board of County Commission Meeting Minutes**

CHAIR HANSEN: Do we have any additions or changes from anyone besides myself? Okay. The minutes, I have a few changes. On page 45, I guess it's the third paragraph, where it says we drafted implementation plans, Mr. Romero and Mr. Varela – I believe it should be a B instead of a V. They are referring to you, Chris, are they not? Okay.

And then on page 57, under recognitions and acknowledgements, five lines down, where it says godson chose to have his second child on my mother's birthday. His name is Bode, not Body. And that is all that I have. So can I have a motion to approve with amendments?

COMMISSIONER HAMILTON: I move to approve the minutes as amended.

CHAIR HANSEN: Is there a second?

COMMISSIONER ROYBAL: Second.

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

**I. H. Employee Recognitions**

**1. Recognition of New Santa Fe County Employees**

MS. MILLER: Madam Chair, for the month of April, April 1<sup>st</sup> through April 30<sup>th</sup>, we had quite a few new employees start. There's a list in your packet. I'll just quickly go through them. Margaret Gonzales in the Assessor's Office, Maria Barela, Finance, Alexiz Rodriguez Gonzales, our new Safety Coordinator, Ian Donnelly in Senior Services, Gary Clavio, Senior Planner, and Dominic Sisneros, Code Enforcement.

Victor Ortiz and Merap Rodriguez-Cervantes, detentions officers, Joseph Sena, warehouse and fixed assets in Corrections. Then in our Fire Department we had several forestry technicians and that's Nicholas Colaveccio, Nathaniel Lopez, Johathan Moquino, Abel Perez, Christopher Serrano, Marisa Tijerina, Douglas Traigle, Casey Trujillo and Darrell Vigil.

In RECC, we have Matthew Montoya and in Public Works, Everett Lovato, Rita Bates and Adrian Salazar. And then in the Sheriff's Office, Thomas Wells. So I'd just like to welcome those individuals to the County and thank them for their interest in serving Santa Fe County.

CHAIR HANSEN: It's always a pleasure to welcome new employees to the County. We are grateful to have your service and we are also grateful that you have decided to come and join our family at the County. The County is a great place to work. Thank you, Katherine for recognizing them.

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

MS. MILLER: Madam Chair, Commissioners, as you know we recognize employees that hit a five-year milestone of consecutive time at Santa Fe County and the individuals who hit that milestone or one of those milestones in May, in Purchasing, Iris Cordova has been with us for five years. In Community Services, Danielle Tennyson has been with us for five years. Dale Lucero in IT has been with the County for ten years, and Naomi Salazar hit on May 12<sup>th</sup> 15 years and she's in administration at Corrections. And then we had two employees who hit a 20-year milestone, and that's Marie Garcia in Community Services and Vicente Archuleta in Growth Management.

So I just really want to recognize their years of service for Santa Fe County and thank them for staying with us.

CHAIR HANSEN: Vicente, are you here? Yes, you are. I've known you a long time, Vicente. Have I known you the 20 years you've worked here? Thank you for your service. That is a really an honor to have you working here, and thank you for all the time that you have spent here. Also I want to thank all the other employees who have been here five, ten, fifteen and twenty years and it's an honor to have you spend that amount of time here at the County. Is there any of my other Commissioners who would like to say a few words? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, thank you. I echo your remarks. Vicente, congratulations on your service and getting to 20 year and also to all the employees. Her name is Naomi but I call her Norma. That's inside baseball there, but congratulations to Naomi and Marie as well that I've spent some time as colleagues in working with over the years in addition to having the honor as serving as a Commissioner. So a shout out to all those employees and thank them for their dedicated service as senior members of the team here at Santa Fe County. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya. Anyone else?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say congratulations to the

new employees and also to our dedicated employees that have all the different amounts of years of service. It's really great to have the longevity of keeping all these employees over the years and I hope that it serves as a goal for the new hires. Thank you.

CHAIR HANSEN: Thank you, Commissioner Roybal.

## II. CONSENT AGENDA

### A. Final Orders

1. **Case No. MIS 18-5000 Dorothy Montoya Plat Amendment.**  
**Dorothy Montoya, Applicant, requested a partial plat vacation to allow lot 7 of the Vista de Sandia Subdivision to have an accessory dwelling unit. The property is located at 33 N Paseo de Angel Road within the La Cienega and La Cieneguilla Community District Overlay, within the Residential Estate Zoning District, within, Section 21, Township 16 North, Range 8 East, (Commission District 3) (Approved 5-0) John Lovato, Case Manager**

### B. Resolutions

1. **Resolution No. 2018-49, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget State Forestry Revenue to the County Fire Department / \$13,248 (Finance Division/Stephanie Schardin Clarke)**
2. **Resolution No. 2018-50, a Resolution Delegating Signature Authority to the County Manager to Complete and Execute All Required Community Development Block Grant Forms, Including any Related Documents, to Receive Reimbursement of Funds for the Re-Roofing of Public Housing Units (Purchasing Division/Bill Taylor) [Exhibit 1: Resolution Text]**
3. **Request Approval of a Cooperative Maintenance Agreement between the New Mexico Department of Transportation and Santa Fe County for the I-25 / NM 14 Interchange Multi-Use Trail within Santa Fe County, Including any Related Documents (Public Works / Colleen Baker) [See above.]**

### C. Miscellaneous

1. **Approval of County Health Care Assistance Claims in the Amount of \$33,007.25 (Community Services Department/Kyra Ochoa)**
2. **Request Approval of Grant of a Permanent Public Highway Right-of-Way Easement for a Public Roadway Improvement and Bridge Replacement Project on County Road 72A (Public Works Department/Terry Lease)**

CHAIR HANSEN: Is there anything that you would like to withdraw from the Consent Agenda?

COMMISSIONER MORENO: I move to approve the Consent Agenda.

COMMISSIONER ROYBAL: Second.

CHAIR HANSEN: I have a motion and a second.

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

[The Clerk provided resolution numbers throughout the meeting.]

**III. ACTION ITEMS**

**B. Appointments/Re-Appointments**

**1. Reappointment and New Appointment to the Health Policy and Planning Commission**

CHAIR HANSEN: Welcome, Patricia. Nice to see you.

PATRICIA BOIES (Community Services): Good afternoon, Madam Chair, Commissioners. I am here to request your approval of two applicants for the Health Policy and Planning Commission. Kim Straus of District 5 is seeking reappointment to a second term. He is the foundation manager of the Brindle Foundation and has been an active member of the HPPC over the past three years.

Sandy Dransfield has spent her career in behavioral health in Santa Fe and elsewhere, both teaching and working and consulting in the Medicaid arena. She serves on the Health and Wellness Committee and Christus St. Vincent, and she is seeking appointment to District 2. And we recommend approval of each of these applicants.

CHAIR HANSEN: Commissioner Moreno.

COMMISSIONER MORENO: Thank you for bringing these two people to carry on the work of the HPPC and District 5 is represented ably and I would move his approval.

COMMISSIONER ROYBAL: I'll second.

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

CHAIR HANSEN: I would like to then move for approval of Sandy Dransfield to District 2 position. Her résumé is extremely impressive and it sounds like somebody really worthwhile to have serving on our board and so thank you for finding her and bringing her forward.

COMMISSIONER HAMILTON: Second.

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

SFC CLERK RECORDED 06/28/2018

**III. C. Miscellaneous**

- 1. Approval of Amendment No. 4 to Professional Service Agreement No. 2015-0229B-CSD/MM Between Santa Fe County and Las Cumbres for the Low Birth Weight Prevention Initiative to Extended the Term of the Agreement One Additional Year and Increase the Compensation an Additional \$71,250, for a total Contract Sum of \$271,250, Inclusive of NM GRT; and Grant Signature Authority to the County Manager to Sign the Purchase**

CHAIR HANSEN: Welcome Mr. Taylor.

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair, Commissioners. Pleasure to be here this afternoon. This is the fourth amendment and final amendment to this agreement. The increase to the compensation takes it to the requirement of the Board to approve and extends the term for an additional year. With that, Madam Chair, I'll stand for questions.

CHAIR HANSEN: Is there any questions from the Board? I think that this is a really important initiative to help young mothers and to make sure that our children meet their adequate weight as newborns into this world is really important. So with that, can I have a motion to approve?

COMMISSIONER MORENO: I so move.

COMMISSIONER HAMILTON: Second.

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

- III. C. 2. Request Approval of Nineteen Agreements (No's 2018-0141-A thru V-PW/IC) for Various Automotive Parts, Equipment, Tires, and Miscellaneous Supplies for the Public Works Department and the Fire Department; and Grant Signature Authority to the County Manager to Sign the Purchase Order**

MR. TAYLOR: Thank you, Madam Chair. Purchasing Division in participation with Public Works issued this RFP to have on-call price agreements to save the County money for cost savings and for convenience of purchases and parts needed. There are two main points for the record that there are two agreements that will not be part of this agreement. They are the agreements for Gerald Illgen and Brewer Oil Company will not be part of this approval. And with that, Madam Chair, I'll stand for any questions.

CHAIR HANSEN: Are there any questions from the Board? Can I have a motion?

COMMISSIONER ROYBAL: Madam Chair, I'd like to move that we approve the request of approval for the 19 agreements, 2018-0141.

COMMISSIONER HAMILTON: Second.

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

**III. C. 3. Request Authorization to Utilize the Design Build Project Delivery Method for the Design and Construction of a New Water Reclamation Facility Located at the State Penitentiary Otherwise Known as the Quill Plant**

MR. TAYLOR: Thank you, Madam Chair. The County procurement regulations as we stated before require the Board approve this to utilize this alternative project delivery method. And we feel, in collaboration in working with Public Works Utility Division that this is a project that fits that delivery method. This is the facility there known as the Quill plant and the State Penitentiary and again, this method of procurement and project delivery require Board approval. There are the requirements that have to be lined out for this type of delivery and we've met all of those requirements and with that, Madam Chair, I'll stand for questions.

CHAIR HANSEN: Are there any questions from the Board? I have a few questions. I'm wondering if part of the redesign of the Quill plant will be using any wastewater reuse or we'll be able to create a purple line or do any kind of reuse of water.

MR. TAYLOR: I'll turn it over to Mr. Dupuis, Madam Chair.

CHAIR HANSEN: Okay. I have a number of questions.

JOHN DUPUIS (Utilities Director): Good afternoon, Madam Chair. The facility has planned to allow for that and there are other components that we'll have to follow for specific uses, but it is provisioned to be able to do release. It's Class 1-A discharge requirement in the specifications and that allows for that purpose.

CHAIR HANSEN: Okay. I know that it's quite a ways out of town but at the same time, in the future, with open space around there and other things I think that it's important that we think about having a purple line of water we use. I know this is already sewer but to have the ability, since we're spending such a large sum of money to upgrade this plant that we have that ability in the future.

MR. DUPUIS: Yes, ma'am.

CHAIR HANSEN: Then are we going to be putting any solar panels out at the plant for energy, or are we going to be using any sustainability components that we can start to use our Lead by Example and the Sustainability Department to save energy in using this plant?

MR. DUPUIS: That's not in the zoning specifications but it is something that has been considered. One of the issues is the land there is from the state. We have a long-term lease and it's something that could be worked out but we require some time to do so.

CHAIR HANSEN: So it's on state penitentiary land. Does the state penitentiary have any interest in developing solar panels and putting in more energy efficiency on their property?

MR. DUPUIS: I believe they do.

CHAIR HANSEN: So is this something that we could work with them on to see if we could get that as part of the Quill plant?

MR. DUPUIS: Absolutely.

CHAIR HANSEN: Okay. I think that was all my questions. Can I have a



motion?

COMMISSIONER HAMILTON: Madam Chair, I would move to approve this.

COMMISSIONER MORENO: Second.

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

**III. D. Resolutions**

**1. Resolution No. 2018-51, a Resolution Adopting the Complete Santa Fe County Americans with Disabilities Act Transition Plan and Authorizing the County Manager to Submit the Plan to the New Mexico Department of Transportation [Exhibit 2: Project Priority Summary]**

CHAIR HANSEN: Mr. Olafson, welcome.

PAUL OLAFSON (Planning): Thank you, Madam Chair. I'm before you today for the third time regarding the Santa Fe County Americans with Disabilities Act Transition Plan. We brought you an update in March and then in April, at the April 10<sup>th</sup> BCC meeting we had the first public hearing and presentation on this. Today is the second public hearing and we'll be asking you to approve the plan and direct staff through the County Manager's Office to submit the complete plan to the New Mexico Department of Transportation.

Just a little background, all entities that receive federal funding are required to follow federal ADA requirements, policies and procedures. The report before you today summarizes the report and how it's put together. We have basically roads, open space and parks, and building facilities, and they've been evaluated and then prioritized for implementation. There's a table on page 3 of the memo that outlines that. In short, there are four priorities for years zero to five, five to ten, ten to fifteen and fifteen to twenty, and then also as needed for accommodating staff and the public. So those are the five levels of prioritization.

Again, this is a 20-year plan. It's a long outlook on what is coming forward. It is not a binding requirement for the Board to fund these projects. However, it is an outline of how we might go about it and the timing and phasing for those projects. Also, with the resolution we'll be asking to adopt as well – and this is part of the packet as well, and we also at the last minute had a request for an additional table from Commissioner Hamilton and that has been handed out and that outlines just the facilities section. The open space and roads were already in a table like this in the original plan. And this handout will now be part of the completed plan. And with that I would stand for any questions.

CHAIR HANSEN: Are there any questions from the Board?

COMMISSIONER HAMILTON: I just want to thank you for the additional information. It was very usefully arranged. I really appreciate that.

MR. OLAFSON: Thank you.

CHAIR HANSEN: Commissioner Moreno.

COMMISSIONER MORENO: Mr. Olafson, how many comments or

inquiries have you entertained and how was the process as it's unfolding?

MR. OLAFSON: Thank you, Madam Chair, Commissioner. How the process was put together is we first developed an internal staff team that included the County Manager's Office, Planning Division, Public Works, the Legal Department, and any other staff that could be part of it. We got together, kind of scoped it and then we hired a consultant to compile a plan. We first presented the first part in December, and that was just the roads element because there was a time commitment for DOT to get that element in first. Then the consultant continued to work on the facilities and the park and open space elements and those were completed about the end of March. We brought this to you in April and again today and all the elements now are included as one final plan.

And we did not receive a lot of public or any public comments so far but we have a lot of internal staff discussion in making sure we were all understanding what it was and what we were getting and what it was telling us.

COMMISSIONER MORENO: And do you interface with the Highway Department or the MPO? They also have requirements to make their facilities usable for everyone. Do you work with them?

MR. OLAFSON: Madam Chair, Commissioner, yes. In all public facilities we are following the ADA and whenever they're building something or planning or jointly planning we always consider the ADA element and make sure that it's at least met if not exceeded in the project development and implementation.

COMMISSIONER MORENO: Thank you. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Moreno. Any other questions? I have a question. It says in the resolution that the Federal Department of USDOT which provides transportation funding to state and local government implements Title 2. So how do we apply for this funding?

MR. OLAFSON: Madam Chair, this would be on any grant that we would apply for. So this is just a statement saying that when we do apply for a federal grant that we have to consider ADA and include it as part of the project element. So does that answer your question?

CHAIR HANSEN: I just want to make sure that there are places that we can apply for federal funding for upgrades because I know that ADA upgrades or renovations are very expensive and the more that we can find money to help us do that the better off we all are.

MR. OLAFSON: Yes, Madam Chair. Agreed.

CHAIR HANSEN: And I think that possibly we could talk to Congressman Ben Ray Lujan's office about grants for this. They came to visit me and I would think that this would be an appropriate place that we could approach and ask them to do some research for us to find money for ADA.

MR. OLAFSON: Yes, Madam Chair. We can do that.

CHAIR HANSEN: Okay. Thank you. With that, can I have a motion to approve?

COMMISSIONER HAMILTON: So moved.

COMMISSIONER MORENO: Second.

**The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was**

not present for this action.]

**III. D. 2. Resolution No. 2018-52, a Resolution Providing Salary Increases for Elected Santa Fe County Officials**

CHAIR HANSEN: Welcome, Stephanie.

STEPHANIE SCHARDIN CLARKE (Finance Director): Thank you, Madam Chair, members of the Commission. Before you you have a resolution providing for salary increases for elected officials of Santa Fe County. This is the result of House Bill 69, which was approved and enacted during the last regular legislative session. That bill amended Section 4-44-4 NMSA 1978 to provide for the salary increases, but putting them into effect requires a resolution of the County Commission. In your packet you have a schedule of the changes that would be enacted for County Commissioners, the County Assessor, the County Sheriff, the County Clerk, and the Probate Judge. Because each salary increase would take effect on the first day of the next term they would go into effect on a staggered basis over the next four fiscal years. So if you approve the resolution in FY 19, which is about to start July 1<sup>st</sup>, the fiscal impact to the County would be about \$17,000, and then it would continue to phase in over four years for a total cost by FY 22 when it was fully phased in of about \$72,000.

I stand for any questions.

CHAIR HANSEN: Are there any questions from the Board? Could I have a motion?

COMMISSIONER ANAYA: I'd move for approval, Madam Chair.

COMMISSIONER HAMILTON: Second.

**The motion passed by unanimous [4-0] voice vote with Commissioner Roybal abstaining.** [See Page 19 for Commissioner Roybal's vote]

**III. C. 3. Resolution No. 2018-53, a Resolution Adopting the Interim Budget for Fiscal Year 2018-2019 (FY19) [Exhibit 3: Staff Report]**

MS. CLARKE: Thank you. We have a power point behind you and you also have the handout. Erika Lovato, Budget Administrator, is actually going to make the presentation. Thank you.

CHAIR HANSEN: Welcome, Erika.

ERIKA LOVATO (Budget Administrator): Thank you. Thank you, Madam Chair, Commissioners. What you have before you is a resolution to approve the interim budget, which is due to DFA on Friday. So what we're going to go through is just what we went through during the budget study session with the recommendations. There is one section in the power point where I will need your recommendations before I move forward.

So on page 1 is a review of our population goals, which is provide a safe community, be a proficient, transparent, and accessible government, support a healthy

community and promote a sustainable community. What we're working towards with our five-year plan is to incorporate budget with our population goals.

On page 3, as we move through the budget, after your direction from the 16<sup>th</sup>, our total interim budget without capital is about \$249 million. We have a total of budgeted cash within those funds of \$31,899,282 and those incorporate our fixed asset renewal plan, one-time expenditures and any roll-over projects that we may have that may not have begun but were budgeted.

Transfers between funds total \$59,886,044. Our transfers from general fund to other departments total \$34,176,564. Our transfers for debt service total \$6.4 million, and our transfers from and to special revenue funds total \$19,256,574. And again, this is our interim budget. I'll be bringing a final budget to you in June and this is just – some of this is going to be familiar from the 16<sup>th</sup>.

So on page 4, a recap of our estimated revenue – gross receipts tax, property tax, grants, care of prisoners, utilities charges for services, permits and fees, other taxes, property valuation, investment income, ambulance charges and JPAs and other revenue. The total of that totals \$138,747,494, and this is identical to the presentation I made on the 16<sup>th</sup>.

On page 5, after the recommendations were approved, these are some of our base budget increases. We had an increase to general liability, umbrella, medical malpractice, and our ancillary insurance policies of about \$385,000. Our full-year cost for additional FTEs from last year is going to be \$1.8 million this year. Growth in our base budget across all departments is approximately \$332,000. We had some reduction in grant funding this year and actually, I just got word that DWI, we did get an additional \$132,000. I just found out. So that's good.

And we're going to have a one percent health insurance premium increase of \$100,000, and within our self-insurance plan we do have a plan administration fee increase of about \$215,000.

Our full-year cost from our 2018 COLA is approximately \$1.5 million.

On to page 6. This just summarizes what operational revenue is available and what we have available for expansion. So our operational revenue available is \$119,133,334. Our base budget requests totaled \$114,000,000 and the increases that I presented on the previous page, the health insurance increased, the new FTEs, the insurance and the equivalent of the three percent COLA gives us an amount available for expansion of approximately \$2.5 million. Any questions?

CHAIR HANSEN: Any questions from the Board? Thank you.

MS. LOVATO: Page 7 is also a recap of our expansion. After the direction from the Board from the 16<sup>th</sup> we had our elected official salary increase of \$17,000. New FTEs – and it is in the back of your packet; just as a reminder what we approved. This totals \$392,000. And we now have a new split tier for our employees, which covers the \$50,000 to \$75,000 wage earners totaling \$181,000. The COLA for non-union and AFSCME is 2.5 percent for an annual salary of less than \$50,000, and two percent for an annual salary for anyone making \$50,000.01 and more. The two percent totals \$417,000 for a full year but because it starts in January it will be approximately \$208,000. The two percent COLA will equal for a full year \$399,000 but for half a year it

would be about \$200,000. And the collective bargaining union negotiations to be determined. The total that we've allocated for those union negotiations is \$866,558.

We discussed payment in lieu of taxes for expansion. We have about \$700,000 available. The programs that were recommended were affordable housing, economic development and supplementation of solid waste fees. There was no decision made at that time and I wasn't sure if at this point in time you were ready to give direction. I am able to budget it in the final budget if we don't have a decision at this time.

CHAIR HANSEN: So at present you have \$700,000 allocated to affordable housing, economic development and solid waste, and I believe what we had spoken about is that we would put \$300,000 towards affordable housing, \$300,000 towards economic development and \$100,000 towards the solid waste fees. So would the Board members that I have here – is that what you remember also?

COMMISSIONER HAMILTON: Yes, and if I'm not mistaken, the idea that there was some flexibility, we could tolerate additional discussion but the total amount was the same so they were able to move forward.

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: So I gather we're getting to where we need to actually have that discussion.

CHAIR HANSEN: Right.

MS. LOVATO: So would you like me to allocate it as recommended in the prior budget?

CHAIR HANSEN: Yes. I would like that. The rest of the Board that's present?

COMMISSIONER HAMILTON: I'm fine with that.

COMMISSIONER MORENO: I concur.

CHAIR HANSEN: Okay.

MS. LOVATO: Thank you, Madam Chair. Thank you, Commissioners. So if we move to page 9, this is – I know it's kind of small but this is just a snapshot of the 42 funds that are budgeted at this point. It does total \$249,677,535. It starts at general fund and ends up in the self-insurance fund. The Finance Department and the budget staff behind me have worked really hard to get this together so the next three days we'll be crunching to get everything together and submitted to DFA by June 1<sup>st</sup>.

CHAIR HANSEN: I want to acknowledge that I know this is a heavy lift and I am grateful for your hard work and we all are grateful for your hard work because I know how much time this takes to pull all these numbers together. So thank you.

MS. LOVATO: Thank you, Madam Chair. So the first couple of pages were just kind of a rehash of what we did on the 16<sup>th</sup>. You did give me an answer on direction for the additional programming for the \$700,000, so we'll move forward with that. So what I'm requesting approval on today is approval of the interim budget which includes the department budgets, contingency amounts, new FTEs, base increases and expansion, and our fixed asset renewal and replacement, which are attached in your packet also.

They're identical to the budget study session that we had on the 16<sup>th</sup>. And I stand for any questions.

CHAIR HANSEN: Okay, any questions from Board members? What's the pleasure – go ahead, Commissioner Hamilton.

COMMISSIONER HAMILTON: Looking just very briefly at for instance the FTEs, this listing looks very similar. Are there differences from what you presented in the interim?

MS. LOVATO: No. It's identical to the FTEs that were presented on the 16<sup>th</sup>.

COMMISSIONER HAMILTON: Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ANAYA: Madam Chair. I apologize. I stepped out for a moment. I had a specific question relative to the interim budget that I wanted to get some feedback from the Manager on, and it was directly related to the discussion that we've been having relative to PILT money and the set-asides that are in the budget. And so because any modification to our solid waste would take an ordinance change either way, up or down, we definitely are going to have that discussion, have a possible ordinance change at some point if it's the will of the Commission and getting public input. So I just wanted to ask my colleagues, and I'm looking to Commissioner Hamilton, Commissioner Hansen and Commissioner Moreno specifically, because I know Commissioner Roybal's perspective on that particular item.

But what I wanted to ask for from the three of you is that we increase the placeholder – I think she put in \$100,000 – is that my understanding? And what I'd like to request of the three of you is that in our interim budget we put a placeholder of \$250,000, \$250,000 and \$250,000 – economic development, \$250,000; housing \$250,000 and then \$250,000 solid waste as an offset, because we're not designating anything today but at least that gives us a mechanism as part of a public hearing process and a discussion to occur relative to solid waste. Could you just elaborate and clarify on what I'm requesting?

MS. MILLER: Madam Chair, Commissioner Anaya, yes. Commissioners, in our study sessions we had talked about the PILT money being \$750,000, roughly. We got a confirmation that we will be getting the PILT money, and we had talked about different variations and I think in the study session, the last study session we had \$300,000 to affordable housing, \$300,000 to economic development and the remainder to solid waste, so that the Board could entertain an ordinance change to at least put a moratorium on the increase that comes effective on January 1<sup>st</sup>. And what Commissioner Anaya is requesting is if we could do it at \$250,000, \$250,000 and \$250,000, so that when we do have that conversation with the Solid Waste Ordinance that there is \$250,000 available in the budget to work with, not just \$100,000, or \$150,000. And that would give greater possibilities for changes to the transfer station permits.

COMMISSIONER ANAYA: Thank you, Madam Chair and Manager Miller. Madam Chair, if I could just add a few additional comments to that.

CHAIR HANSEN: Okay.

COMMISSIONER ANAYA: And so the additional comments that I have is I've been getting feedback not just from my Commission district. I think one of the things I want to put on the record is that I've been getting concerns from constituents,

maybe not in every single district, but for sure in Commissioner Moreno's district, Commissioner Hansen's district and Commissioner Hamilton's district. Mr. Roybal, his constituents, there's a little more clear separation between districts in northern Santa Fe County and do I guess I can understand why I don't get as many. But I get concerns from residents in Glorieta, Cañada de los Alamos, absolutely on Highway 14 in the Lone Butte area, across from the Lone Butte Store, which Highway 14 bisects, District 5 as well as District 3. And then I absolutely get comments, Commissioner Hansen, from Agua Fria, from some of the individuals that have come here, supporting the Agua Fria community district and the zoning, concerns about the permit fees.

And so I say that respectfully, and I ask for consideration of the \$250,000 because I think what that does is it doesn't guarantee that we're going to do anything. It just provides an opportunity and a placeholder for discussion to occur, and then through a public process and a potential ordinance change, provides people on both sides of whatever that equation is – we may have people that come in support of sustaining the current structure. In fact we likely will have some that do that. And I think we're also going to have individuals that come speak to a potential decrease or a moratorium. So I'm just asking respectfully that we put in more as a potential use, up to \$250,000 and we have equal in each area, and then we allow that process to evolve through a public hearing ordinance process by which the public has a chance to provide input.

So that's my request before we move to a vote on the interim budget.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: So I have a couple of clarifying questions. First, what was in here, what was just requested for input on moving forward with a placeholder for \$700k. So I know we don't even know for sure what we're getting. I know that's not a definitive number but can you speak to that? Do we need to keep it to \$700,000, or is \$750,000 just as realistic?

MS. MILLER: Madam Chair, Commissioner Hamilton, actually we did get verification. We're going to get 100 percent funding, which is like \$750,000 or \$760,000. So there is \$750,000.

COMMISSIONER HAMILTON: Thanks. And then can you say a couple of clarifying words? I know we're actually having some public hearings tonight on some of the things. And I do acknowledge that there's a lot of concern about the raising of the permit fees in my district as well as others. So what are we doing when we're giving this direction on what kind of placeholders to leave? Like, is it substantially different than saying the total is \$750,000 and we wanted – and these are the three things we're going to put it to?

MS. MILLER: So Madam Chair, Commissioner Hamilton, we had said initially when we weren't sure if we were going to get the PILT, so we weren't budgeting it as a recurring revenue. But it's now back in the federal budget and it's likely that we will continue to get it. So when we made the recommendation, when we got that information, made a recommendation out of our strategic planning, that portion go to the affordable housing funding, because we don't have any recurring revenue stream to that fund, and we have our down payment assistance, our Happy Roofs, and we're trying to do affordable housing development.

And economic development was the second priority because that also does not have any recurring revenue stream. We had put some money in that fund and had been funding our economic development initiatives, including salaries, out of the cash balance from that fund. So that was the second one.

And then the third is to say if we are going to either put a moratorium or roll back the cost of the solid waste permit fees we actually need to – we're going to show a decrease in revenue if we do that. So we'd be saying this revenue replaces the revenue that we'd be losing. So what Commissioner Anaya is saying is that in order to even get to that point of having that discussion we have to do an ordinance change. The Solid Waste Ordinance was put in place four years ago with a five-year increase every year. The last increase goes from \$110 for what a 12-punch permit costs now to \$140 on January 1<sup>st</sup>. Just 4,000 permits, if we just put a freeze on that, that's \$120,000 less in revenue that we would get next January, February, March timeframe in people getting their permits.

So what the Commissioner is requesting is saying could you increase that amount to \$250,000 instead of the \$120,000 or so that we were estimating and give room to even roll back the fee from \$110 to something lower than that, possibly. By earmarking the PILT money for that you have room to do that, if that's what you choose to do when you entertain an ordinance change. If you budget the money somewhere else, and it gets spent elsewhere you don't have that flexibility at that time unless you come up with another revenue stream.

COMMISSIONER HAMILTON: And so we're not actually pre-committing actions. We're doing a placeholder until such time as that discussion takes place. So building starting with tonight and subsequent discussions. So just for example, because I'm not making a recommendation; it's just an example. The first action was a moratorium and the total amount was a little less than that and the balance could be directed someplace else. If it took the whole amount the point is it holds that whole amount until such time as that decision is made.

MS. MILLER: Madam Chair, Commissioner Hamilton, yes. So if you did just a moratorium on the increase and you have another \$100,000 you could then choose to put that to affordable housing or something else.

COMMISSIONER HAMILTON: I definitely want to hear about what the study results were and some of the public input, but in fairness I also want to say I recognize all three of these items as being very important in our strategic planning, are things that really affect people and especially people of limited means really directly. And so it's hard to just say which one is more or less important. And so it's kind of a judgment call. But I don't have a problem with modifying what we have talked about earlier.

CHAIR HANSEN: So if I may, so while you were in the other room we actually agreed, the three of us, that we would go with the \$300,000 and \$300,000 and \$100,000. I'm open to modifying it but I want to point out that at \$110 for a card, and you get 12 punches, that is \$9.16 to get rid of trash, which is an entire pickup load, and in the city I pay \$16 a month, or \$20 a month every month. So I don't think that \$9 is an outrageous amount to pay for solid waste. I know that there's gas and I know there's wear and tear on your vehicle, but you can take it to the transfer station so you don't have to go all the way to Caja del Rio.



So I want to just put out those numbers because I think it's important. I also find it interesting that my constituents from Agua Fria would be calling you because they have trash service now in Agua Fria. They're part of what you did in the last Commission of providing trash service to all the residents and so Agua Fria is one of the areas where they have Ulibarri's and Waste Management or some of the other trash haulers picking up trash for them. And they are now paying more money than that also. They're probably paying around the same amount that I'm paying, at least. I'm not positive.

I think that solid waste is a huge discussion that we need to have, not just among the punch cards but how can we provide that kind of service to our residents and utilize some outside the box thinking of ways to pick up trash. And ways to encourage recycling and not just aspirational recycling but to encourage real movement away from filling our landfills with trash and making sure that anything that we can recycle is possible to go into recycling, because with what is happening in China – there's two articles that were just in the New York Times about what's happening with recycling and what's happening in China, and there's a lot of discussion about ways that we need to deal with solid waste and ways we need to deal with recycling.

And so then I come back to the thought of \$9 to take things to the transfer station seems reasonable to me. Now, that doesn't seem like a high price and I am open to the moratorium and I do understand that the people in the rural districts are suffering but maybe what we need to think about is also with these punch cards is that they get six punches for \$55, that is more reasonable for them to purchase it at one time. Because I think what I'm hearing is for them to put out \$110 all at one time is a heavier burden. And so some way that we can accommodate our residents and constituents and make them feel that this is not such a burden on them, that they only can buy a 12-punch pass. That they have to put out the \$110.

But maybe – I think this is a bigger discussion that I'm looking forward to us having and so with that, I would like to suggest that because I feel that affordable housing is something that is so important to me that we leave – if we have \$700,000 that we leave \$300,000 for affordable housing, we put \$250,000 towards economic development because broadband is another issue that is so huge for our rural residents, that they are constantly feeling left out about. And our Economic Development Department is spending a tremendous amount of effort working on broadband. That is one of their basic goals is to do that. So that leaves us – that would leave us \$150,000 or maybe close to even \$200,000 if we're getting \$750,000. So that would leave \$200,000 towards solid waste.

So what I'm asking, since we're going to have this discussion and it doesn't matter exactly how we put them, if that seems to be something that would be reasonable to you.

COMMISSIONER ANAYA: Madam Chair, I respectfully am going to just ask for the three categories - \$250,000, \$250,000 and \$250,000, because we could debate a lot of different things I think today that we maybe don't have the time to debate today. But here's one comment I would make, just respectfully. So the discussion about solid waste is not about anti-recycling and anti-thinking out of the box for creative ways to deliver trash modalities. I am absolutely and have been 100 percent in support of – on the record and through votes – on this bench for over seven years, supporting amped up

recycling, amped up ways to be more creative and use better modalities to deal with our trash.

What I think there's a little bit difference of perspective is, if we start isolating each of our Commission districts, and if we just looked at the average cost of a home in a given area, and we started equating what is the social and economic factors within each district. It gets real easy to see where people with higher social and economic backgrounds and more resources have less of a concern associated with trash costs. But when you look at an area where there is immense poverty, frankly, it's a little tougher to look them square in the eye and say, what's the big deal? Nine dollars isn't a big deal.

I don't want to get into the debate today, respectfully, because I don't – that's not the perspective I come from. The perspective I come from is that people pay a certain amount of tax and should have a certain amount of service associated with that tax. And that tax is property tax, that tax is gross receipts tax as two examples, and other fees that we charge and we impose for baseline needs like fire suppression and public safety for their homes, access to water, good water. I equate the same discussion in my district, and I respect each district has differences. But for the constituents that bring this point to, I see solid waste, not as a cost that they should pay face value for, but a cost associated with a tax that they already provide.

So it's a little bit different perspective than dollar for dollar, if it costs \$150 a month for us to deliver trash for you, then you should give us \$150. Because I see it a little different. I think it in the terms and the context of what we do with public safety and that's a deliverable that we're trying to provide. Today, Madam Chair, I'm not asking for a commitment but I am saying can we at least earmark in equal proportions three ways those resources to have that discussion, and at the end of the day, after that discussion, if the determination as Commissioner Hamilton brought forward is that no, we're not going to do that but we might consider a moratorium, and there's a balance of resources left, then at that point the Commission could say let's take that balance and put it in housing, if that's the will of the majority, or economic development, or there might be some other need in the county where you might need to place those resources that makes the most sense.

Today, I'm just asking for respectfully equal distribution today and that we at least have that discussion. And then at the end of the day, it's going to be the will of the Commission based on the feedback they hear and the input they get from the public and a majority of the Commissioners. So three Commissioners are going to make a determination at that point as to whether or not it's leave it alone, it's moratorium, or it's some other potential change.

I'm just respectfully asking your consideration for a little bit more resource than what we have. So I'll leave it at that, Madam Chair. But I really appreciate your indulging the conversation and allowing us to have the discussion. Thank you.

CHAIR HANSEN: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Commissioners, I think this is a good way to start with three identical pots, and I think it's probably time to have a discussion about what we do with trash and how people, based upon their financial circumstances, that it can be a burden. I can appreciate that. But we also have limited opportunities to put that

trash. And if you're a reckless person you don't care. And when people resort to dumping their trash in somebody's arroyo, we're not getting anything out of that but problems.

So I think – I don't have a framework in mind, but I think the flexibility that we have to work with might be a good way to get to the issues that really matter. So I'm going to support the three-three-three for the moment and see what happens. Thank you.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Commissioner Roybal.

COMMISSIONER ROYBAL: I'm also going to support the equal \$250,000 in those three increments. I think that we have to broaden the conversation with the public. I've had a lot of calls, a lot of complaints and have even taken a photograph myself of a mattress that was on a dirt road by the Black Mesa within Santa Fe County. So there's some issues where we are having problems with people throwing trash where they shouldn't and I think it is associated with the cost of the permits from all of the feedback that even our employees are getting at the satellite office that sell these permits.

So I think that it is one of the contributing reasons as to why we're having this issue out in that area. But I do know that I think we need to broaden the conversation and have feedback from the public. So I appreciate it. Thanks.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ANAYA: So Madam Chair, respectfully, I would move that particular amendment of three equal pots of \$250,000 in each – housing, economic development, and solid waste.

COMMISSIONER ROYBAL: I'll second.

CHAIR HANSEN: Okay.

**The motion on the distribution of the funds as discussed above passed by majority [4-1] voice vote with Commissioner Hansen casting the nay vote.**

MS. LOVATO: So the \$700,000 will be split, \$250,000, \$250,000 and \$250,000. Did you – so what I'm requesting –

MS. MILLER: Erika, you'll have to build that into the final budget because I don't think you have time to put that in the interim, but we'll do it as \$750,000 total revenue from PILT and split it between the three initiatives equally. That will be reflected when we bring the final budget back next month and then she just needs a resolution approving the interim budget for submission. And as we said, it's currently just sitting in there as just \$700,000 not earmarked anywhere.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ANAYA: Madam Chair, I just want to close with this. I really appreciate the discussion and the consideration of allowing the discussion to move forward. I appreciate the support of the vote today from those Commissioners that felt that way. And I greatly respect your vote of no and acknowledge and respect that perspective. So thank you, Madam Chair, for the discussion. I think it's always healthy and worthy, and I just wanted to say that on the record.

CHAIR HANSEN: Thank you, Commissioner Anaya. I think discussion is always important and I've learned from you that you have a dissenting vote and so there's nothing wrong with a dissenting vote. And with that I would like to have a motion to approve the interim budget for fiscal year 2018-2019.

COMMISSIONER ROYBAL: So moved.

COMMISSIONER HAMILTON: Second.

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

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ROYBAL: I'd like to state for the record, on item number III. D. 2 that I abstained from that vote. It was the resolution providing salary increases for elected officials.

CHAIR HANSEN: Okay.

#### **IV. MATTERS OF PUBLIC CONCERN**

CHAIR HANSEN: Is there anyone here from the public who would like to speak? Please state your name and address for the record.

MELICENT D'AMORE: Good afternoon. My name is Melicent D'Amore. Would you like me to spell it? I reside at 16 Tarro Road in Eldorado, located within Mr. Moreno's district. I'm accompanied today by the director of Better Eldorado, Kim Crickard, the former Eldorado HOA president, Francine Kern, Dr. Mekah Gordon and Diana Grise. I'm here to discuss RAP, which as you know, is recycled asphalt pavement that's been torn up and removed from existing highways. It's also called millings. And before I proceed I'd like to supply each Commissioner with a packet that I prepared if I may. *[Exhibit 4]*

CHAIR HANSEN: You may approach the bench. Thank you.

MS. D'AMORE: The exact properties of RAP depend on its contents, or contents that have been added to the original pavement since being applied. These factors include the number of times the road has been resurfaced, patched, crack-sealed or seal-coated, all of which influence the RAP's content, chemical makeup and quality. Also included in the mix are the countless chemicals and pollutants deposited onto the road surface by nature, vehicles and other events.

RAP is used as an aggregate additive for pavement applications, generally 20 to 0 percent of RAP is mixed with 70 to 80 percent virgin material. The most common of these materials is hot asphalt. As this Commission has previously been informed, 100 percent raw RAP has been used on Eldorado's roads.

On November 16, 2016 the Eldorado Road Committee minutes states that Deputy Public Works Director Robert Martinez was asked about using millings, such as ground asphalt, as an option to cover our dirt roads. He advised the committee, and I quote, "Application of the cold millings requires reconstruction of the road to the subgrade and processing the millings with some new asphalt. This would cost as much as a chip seal project and funding isn't available for either. As noted in the 2007 edition of the New

Mexico Department of Transportation Paving Manual uniform screening of recycled matter should be a maximum of one inch and used with a liquid emulsion. A sample of RAP should be tested. Once this is approved by the Department of Transportation the application should proceed.” No documentation of this testing has ever been revealed by the County or the Eldorado ECIA, although there is documentation from the NMDOT dated May 4, 2017, describing the RAP used on Eldorado’s dirt road as “worn out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use by the New Mexico DOT.”

Within two weeks after the St. Francis Drive RAP stockpile was deemed no longer safe by the Department of Transportation, the County covered Carlito Road in Eldorado with it. As per Exhibit A, which you have in front of you, on December 14, 2017 the New Mexico Environment Department sent a letter to Public Works Director Michael Kelley. This letter is based on an onsite investigation by the Environment Department. Here are a few sentences from it. “The amount of solid waste, including pieces of broken plastic shards, pliable road fabric, tire shreds, scrap metal pieces, and large chunks of asphalt found missed in with the millings and observed in both the stockpile on St. Francis and what was placed on Juego Road could potentially disqualify the materials as recyclable.”

It goes on to say, “Any solid waste must be removed from the millings that are to be reused and applied to roadways. Additionally, in order for the reclaimed asphalt to be considered ‘clean fill’ the material must not be contaminated or comingled with solid waste or the millings would need to be disposed of as solid waste.”

It then states: “Another concern is the length of time the piled asphalt millings have been stored at the St. Francis location – several years at best or perhaps decades. AS such this may be construed as abandonment and would therefore need to be disposed of immediately.”

Additional documentation acquired via New Mexico Public Records request showing an email from Mr. Martinez stating: “Commissioner Ed Moreno is requesting that the New Mexico Environment Department revise or rescind the letter from Ms. Ashley-Marx.” Ms. Ashley-Marx is the sender of Exhibit A.

As noted in Exhibit B, within ten days Michael Kelley replied and contradicted Ms. Ashley-Marx condemnation of the recycled material on Eldorado’s dirt roads and the stockpile on St. Francis Drive. His letter included photos revealing only what Mr. Kelley wanted the New Mexico Environment Department to see. Mr. Kelly’s letter says, “The RAP is not comingled with solid waste but contains remnants of the previous road surface. This includes items like rubber crack sealant that was placed during the life of the road prior to the milling. The yellow and white fragments depicted in the attached photo of your letter – that is Ms. Ashley-Marx – are larger pieces of RAP with the paint and/or thermoplastic pavement markings of the pre-existing road surfaces.”

Please note Exhibit C, D, and E, as Mr. Kelley goes on to say this material is being screened prior to being transported. The County crew has been instructed to pickup and remove any remnants of the previous road surface found in the RAP once placed on the roadway. The photos attached in your letter shows the RAP prior to being compacted and prior to the removal of any of the previous road surface.

Mr. Kelley’s letter was written on December 22, 2017. The additional photos that

I have provided were taken between February 6, 2018 to April 5, 2018, proving nothing was put through a proper screen to keep out foreign objects, nor did the crews remove “any remnants of the previous road surface found in the RAP once placed on the roadway.”

Mr. Kelley’s supposed findings eventually made their way to J.C. Borrego, Deputy Secretary of the New Mexico Environment Department to Dr. Ghulam Mustafa of the federal government’s EPA informing everyone based on the Solid Waste Bureau’s thorough review any investigation of the complain by an Eldorado resident and finding no environmental violations within its jurisdictions, the Solid Waste Bureau considers this complaint closed. Elsewhere he writes: The items in question were no longer in the RAP. He states this based on photographs Mr. Kelley sent to the New Mexico Environment Department. Obviously no pictures taken by Eldorado’s residents of decomposing RAP-ed roads were submitted.

And finally he says “The Solid Waste Bureau agrees that after the initial placement of the millings County workers removed the roadway debris and compacted the surface to create a suitable roadway.” We now know this statement is false. Perhaps Mr. Martinez, Mr. Kelley, Mr. Moreno and members of this panel would like personal tours by the residents of Eldorado of their eight RAP-ed roads.

I’m here as a concerned resident of Eldorado and as a representative of a grassroots organization known as Better Eldorado with now nearly 500 community members against the use of RAP on our dirt roads. In case there is any confusion about whether property owners in Eldorado want RAP applied to their roads, here are the results of the survey petitions circulated by residents on five Eldorado roads during the second half of 2017, and which Mr. Martinez’ office received copies of at that time.

In summary, the five roads contain 101 properties; 73 of the owners participated and signed he survey, 65 homeowners, or 90.3 percent signed that they were against having RAP applied to their roads. Seven homeowners, or 9.7 were in favor of RAP. That’s an overwhelming majority against it. It should be noted that once the County became aware of these surveys the Eldorado Road Committee was told to discontinue any further surveys regarding RAP. With that in mind, this panel of Commissioners has been told by County and ECIA officials that though there is opposition to RAP it’s only a small minority.

But just the opposite is true and it appears it is something the County does not want this Board of Commissioners to know. From the very seat he’s now sitting in Mr. Moreno stated having RAP put on Eldorado’s roads was “bringing a little bit of civilization.” Eldorado is a community of approximately 7,000 residents and a community that generates over \$6.5 million in property taxes. Eldorado is home to countless residents with the highest degrees of education, talent and success. Oddly, Mr. Moreno also stated from that exact seat, when asked if he wanted RAP on his Eldorado road he quickly responded no.

If the Commissioners intend to have Mr. Martinez, Mr. Kelley, or any representative tell us about documentation they’ve sent or received, stating the matter is closed for one reason or another, please don’t. We’ve heard it all before. Residents of Eldorado have done more work looking into the RAP on our roads than the County has done in looking at any environmental concerns, nor their concerns for the health of

Eldorado's residents, the community, and for Santa Fe County itself. There are entities that are not being forthcoming about their responsibility for recommending or applying RAP to Eldorado's roads, nor for objecting to unsafe, contaminated and comingled solid waste being put on those roads with no concern for its residents or the community.

What would be the motivation behind putting RAP that has already been deemed unsafe and contaminated on Eldorado's roads? It certainly doesn't seem to be for the benefit or in the best interests of the county's residents and the community. If the County's representatives are sure of what they've told the Commissioners, the state and the federal EPA, have them walk the RAP-ed roads in Eldorado with our taxpaying citizens who live there. Thank you very much.

CHAIR HANSEN: Thank you.

MS. D'AMORE: Does anybody have any questions? Comments?

CHAIR HANSEN: Are there any comments or questions from the Commissioners?

COMMISSIONER MORENO: I'd have some comments.

CHAIR HANSEN: Okay. Commissioner Moreno.

COMMISSIONER MORENO: Thank you. Thank you for coming and giving this briefing. I appreciate it. Eldorado is very active as a community, has always been active and I'm happy to live there. When this project was proposed it took me by surprise but I took upon myself to drive every road that was treated with the RAP product. And frankly, I ran into a lot of people who were very grateful, and that's why I didn't object, because in the interests of public safety this product is a stabilizing material that is better than dirt.

And we know how those dirt roads are when they haven't been graded for a while. So this is the first time that I had seen that product and I think frankly there was a lot of concern out of not knowing what it really is.

MS. D'AMORE: I just explained to you what it was.

COMMISSIONER MORENO: Well, I'm speaking right now about it. We have – I requested our Public Works Office to put together a fact sheet that gives some information about the RAP process and I have copies here. [Exhibit 5] If I could ask one of my people in the back there to come up and give us an orientation from your perspective.

MIKE KELLEY (Public Work Director): Madam Chair, Commissioners, just in a nutshell, some of the things that were said here this afternoon are taken – you have to take it in context. The RAP in a nutshell is 93 to 97 percent rock aggregate. It's three to seven percent asphalt binder. Asphalt binder as it ages tends to solidify and is a chemically very low reactive material. The RAP that's being used in Eldorado, as I think they alluded to, is coming from local sources. We confirmed that with the DOT. Local sources – they didn't say specifically what the roads were but it's cost-prohibitive for the DOT to haul this material significant distance so we deduce that it's coming from St. Francis and I-25.

The County did apply to the DOT – the County does not own the material that's sitting out at the end of St. Francis. It is owned by the FHWA and the DOT, so we applied – the DOT invited all counties within the state to use this stockpiled material, so we took them up on that offer and we applied to them, and through the process and

agreement they have with the Federal Highway Administration, we received what's called a categorical exclusion for the projects that we proposed, that Mr. Martinez proposed to use in Eldorado.

And I'm going to read from the factsheet that you're talking about just briefly. I'm going to define what a categorical exclusion is so if you would bear with me just for a moment. FHWA categorical exclusion: "Categorical exclusions, CEs, are actions which meet the definition contained in 40 CFR 1508.4, and based on past experience with similar actions, do not involve significant environmental impacts. They are actions which do not include significant impacts to plant growth or land use for the area, do not require relocation of significant numbers of people, do not have significant impact on any natural, cultural, recreational, historical, or other resources, do not involve significant air, noise, or water quality impacts, do not have significant impacts on travel patterns, or do not otherwise, either individually or cumulatively have any significant environmental impacts." I'm quoting that from the actual US Government Publishing Office webpage.

So given the fact that the FHWA and NMDOT issued the categorical exclusion for the use of this material as defined by the scope of work that we put together and submitted to them, the letter we received from the NMDOT stated that no further environmental consideration was required. So the material is safe to put on the roads. It does not cause any issue with air pollution or water pollution. So with that, that's a basic tour of RAP and what's in.

Now, others may debate that but those can be found on the factsheet.

CHAIR HANSEN: Thank you, Mr. Kelley, very much. Commissioner Anaya.

COMMISSIONER ANAYA: So, Madam Chair, I think you might have a few others under Matters of Public Concern and then I'd like to make some comments after that, if that's okay.

CHAIR HANSEN: Okay. Is there anybody else? You made your comments. Is there anybody else from public concern who would like to speak? Okay Commissioner Anaya.

COMMISSIONER ANAYA: Just a few comments. I didn't have a chance – I appreciate the fact that you came to the meeting today, took the time out of your days to come and make comments. I want to make a few comments that speak to this issue and also speak to the staff and the Commissioners and the County Manager. No one at the County, in over three decades that I've been around this County, nobody sits around, volunteer, paid, contract even, and says How can we hurt the public? How can we get material that's going to hurt the public? Nobody does that.

Nobody does that at all. Those people – Mr. Kelley, Mr. Martinez, those road crews that work day in and day out on your roads, they work in good faith and good spirit to help you have good roads. In the whole county there is no other jurisdiction that has as good of roads, collectively in one given area as Eldorado. Across any district, you pick it, 1 through 5, and well before I sat in this chair and well before I was an employee, I sat on the Road Advisory Committee in the nineties for about six or seven years. And you have awesome people that sat there on that Road Advisory Committee, that sat on the Road Committee in Eldorado and fought and advocated for your fair share.

And you have received your fair share, year after year after year. And you have



trails throughout many of those roads. They're public trails by the way, they're County trails, so it's not just Eldorado residents that can utilize those trails. Anybody in the county can go to those trails and park at the senior center or the school or wherever they can in a public place and utilize those trails. And there's public roads for that matter.

So I want to just say it again. No Commission, no staff member, no volunteer person, sat around and tried to figure out how do we hurt the public. Now, that said, now that said, if Commissioner Moreno or any other Commissioner chooses not to use this material in the future I can assure you that there's roads in my district that would absolutely utilize it. Absolutely without question.

And so I just want to say, Commissioner Moreno and Madam Chair and everyone listening or watching and yourselves respectfully, my closing comment is this. It's not just about you. Those Sheriff deputies that are standing in the back that have to access calls for service in Eldorado have to go on safe, passable roads. Those school buses that drop off the children and pick up the children in your area have to go on safe, passable roads. It's a responsibility. And the oath that I took as a Commissioner. So it's just not about you or my own individual constituents on my individual roads, for them to wake up one day and say, Gee, we don't want this anymore. Let's just stop the pavement or just stop the chip seal. It's not about you. It's about you and the collective community which includes the Fire Department, the County staff, the police officers, state, County, and otherwise. And all the other people that access those roads too.

And so I say it respectfully, but truthfully and as straightforward as I possibly can. It's not just about you, folks. It's about everybody's need and necessity to travel not only those roads in Eldorado but every County public road and facility. Respectfully and truthfully, Robert Martinez, Mike Kelley, all the crew, the County Manager, they sit around and try and figure out how to help people. And so does this Commission. Not how to hurt you or contaminate you. I don't know how else to say it. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. I closed public comment. I asked if there was anything earlier, but I really am grateful for you to all be here and thank you for your time. We are all concerned about roads and what is happening there. We have heard this many times before. I know that Commissioner Moreno will meet with you, has probably met with you and will do – we're here to take care of our constituents and that's what we provide services for. So thank you very much for being here.

- V. MATTERS FROM THE COUNTY MANAGER**
- A. Miscellaneous Updates**
  - B. Community Services Department Monthly Report**
  - C. Growth Management Department Monthly Report**
  - D. Public Safety Department Monthly Report**
  - E. Public Works Department Monthly Report**
  - F. Finance Division Monthly Report**
  - G. Human Resources Division Monthly Report**

MS. MILLER: Madam Chair, I don't really have any updates other than this Saturday at 11:00 is the ribbon cutting to the FLAP Trail and it's out at Dead Dog

Trailhead. So that's on Saturday and then I put the monthly reports under Matters from the Manager, so that while the directors were here, instead of at the end of the meeting, if you had any questions about any of the monthly reports they're available to answer questions.

CHAIR HANSEN: Anybody have any comments? I wanted to thank Rachel for her update from Community Services. I was very happy to see that you have met with Grow New Mexico as I have met with them and I'm hoping that we can find money, always. To work with USDA. So thank you for doing that. And thank you for your report and I look forward to meeting with you soon.

But, I do also want to thank you, Manager Miller, for mentioning June 2<sup>nd</sup>, Saturday, the FLAP Trail, out on Dead Dog Road. Please join us. It will be really fun. It's a ribbon cutting in my district. I want to especially thank Commissioner Anaya for his work on that because he initiated that many years ago and I am grateful. Thank you.

## VI. MATTERS FROM COUNTY COMMISSIONERS

### A. Presentations and Proclamations

#### 1. **Presentation on the Gross Receipts Tax Election Survey – North Central Regional Transit District**

ANTHONY MORTILLARO: Good afternoon, Madam Chair, County Commissioners. Thank you for allowing us to return to your meeting to present to you the results of the survey that we had conducted in the four-county region. Presenting those results is Brian Sanderoff with Research and Polling. Once Brian has completed his presentation Jim Nagle with our public information office would just like a few minutes to talk to you about the public education and outreach program and then that will conclude our presentations for today. So I'm going to turn this over to Mr. Sanderoff.

CHAIR HANSEN: Welcome, Mr. Sanderoff. Very nice to see you.

BRIAN SANDEROFF: Thank you very much. It's a great pleasure to be here. I actually lived in Santa Fe in my twenties, my first home that I bought was in Santa Fe. In fact I worked with Commissioner Moreno's wife in the 1970s many years ago, spent quite a bit of time in this building as well. So it's a great pleasure to be here.

I'm here to report the results of a survey that you were a part of commissioning through the RTD, and what we have here behind you – you've got the full report but the power point slides are coming up on the screen behind you. Basically, the research objective of this particular survey was to determine support levels for people in the four-county area that covers RTD for extending the gross receipts tax, the 1/8 percent gross receipts tax that is currently on the books, and it's set to expire in 2024.

And we conducted 850 surveys. Now, doing in doing surveys, an 850 sample is large. You might be reading in the Albuquerque Journal this week where they surveyed the governor's race and that was a survey of 450 people statewide. 850 just in the four-county area – and the reason we had such a large sample size is because RTD staff wanted to have accurate results not only within the four-county region but also for each individual county. So each county commission can look at their results with some level of accuracy and confidence.

We were in the field in March of this year. The margin of error is plus or minus

3.4 percentage points. In other words had we done this same survey 100 different times, 95 out of 100 times they would fall within that margin of error of about three percentage points. If you do a survey right you can generalize the results to the larger population – have the right mix of gender, ethnicity, and what have you and we worked on this. But this was a survey of registered voters, not just general adults because it was basically asking people if they want to extend a tax.

We asked – you’ll enjoy this question as County Commissioners. It had little to do with the survey but we asked people as a warm-up question, what are the biggest issues or concerns facing your community. And it was open-ended. We didn’t read the categories. So you can see the results for the total sample as well as for the individual counties. Notice that the top concern in the four-county area was drug abuse and opioid abuse. But notice how in Rio Arriba and Taos, it was so much than Santa Fe. Education system being a concern was the highest response in Santa Fe with 14 percent saying it unaided.

Lack of good jobs is still a big issue in the north. Crime. Weak economy. In fact if you combine weak economy and lack of good jobs, economic development is still such a critical issue on the minds of the voters in Santa Fe County.

Cost of housing – in Rio Arriba zero percent said that is an issue, but in Santa Fe, unaided, 11 percent, as you might expect.

So this just gives you an idea of what the issues are that are on people’s minds in Santa Fe County, which I thought you’d appreciate.

Getting closer to the topic, we asked people on a five-point scale, with five being very positive and one being very negative, what’s your impression of these different public transportation organizations? And so this is system wide. This is all four counties. We’ll break it out for Santa Fe in a minute. The Rail Runner is quite popular. Typically what we do is we add up the fours and the fives for the positives, and we add up the ones and the twos for the negatives. So 61 percent of the registered voters in the four-county area have a positive impression of the Rail Runner compared to only seven percent who have a negative impression.

The North Central Regional Transit District, 42 percent have a favorable impression if you add up the fours and the fives. Only three percent of the people in the four-county area have an unfavorable impression. That’s a great number. There are many transits districts within this nation where they’re highly criticized, and you can see, unfavorables of 30 or 40 percent. Here, now you do have 43 percent who just don’t know. They’re not familiar with that term, but among those who are you can see the ratio of favorable to unfavorable is very good. The Blue Bus – actually the results for North Central Regional Transit Blue Bus and Santa Fe Trails are very similar. In all cases, 42 or 43 percent have a favorable impression. Only three or four percent have an unfavorable impression.

Chili Line, positives go down but not because the negatives go up – only two percent negative. It’s just that a lot of people are not familiar with the Chili Line bus service. And then the Atomic City as well, because it’s more isolated. It’s one of the counties. A lot of people just haven’t formed an opinion.

Here we break out the same organizations by counties, so we’ll just stick to Santa Fe. Notice that 66 percent of the people of Santa Fe have a favorable impression of the

Rail Runner, compared to seven percent unfavorable. The transit district itself, 32 percent favorable, three percent unfavorable. So that's a ten to one ratio of favorable to unfavorable. Still a lot of people who don't know. The Blue Bus Line, very similar numbers you see there as well.

But then for Santa Fe Trails, notice that here your positives are 52 percent and only five percent negative. Again, for Chili Line and the Chama City Transit we see much lower awareness levels than Santa Fe.

We asked folks on an unaided banner, where does the RTD bus service receive its funding. And we didn't provide categories; we just asked people. It's interesting. And notice only five percent said gross receipts tax and sales tax in the four-county area and four percent in Santa Fe. And another six percent did say city and county taxes. And you did receive some grants from the state government and from the federal government, but basically most people just weren't sure where the funding for RTD does come from with five percent specifically mentioning gross receipts tax. Seventy percent just said I don't know. So that's significant, because when you're asking people whether they're for or against extending something they didn't necessarily know about that tax in the first place and that's really not unusual. So there's no awareness of the funding.

So then we advised people, we said well actually the Regional Transit District does receive its primary funding through a 1/8 of a cent sales tax. We called it a sales tax; people don't know gross receipts taxes, the term that we use. And we explained it. We explained that it would be sunseting – or expiring – in 2024. And we asked people whether they support extending it beyond that 2024 period. And we used the five-point scale. We basically asked people – well, actually it was a four-point scale with a “depends” volunteer. Do you strongly support it, do you somewhat support it, do you somewhat oppose it or strongly oppose it. So it's a very balanced scale. And typically, again, you add up the stronglies and the somewhats on both sides and we found 81 percent do support it. This is within the four-county area; we'll break out Santa Fe in a minute. And then nine percent opposed.

So that ratio of nine to one is unbelievable. I know Santa Fe has had its excitement in the last couple of years with a couple of bond issues and tax increases. We saw what happened. We saw ones in the past and ones that failed, but to see ratios like this does demonstrate two things. One, gross receipts tax people like more, better, than they do property taxes generally. I've learned that over the years, over 30 years of doing polls, and two, when it comes to public transportation, there is a commitment. Some people think it's just a general good thing to do and other people think there are many people who use it and need it for their lifestyle.

I want to say that when it comes to party affiliation that 85 percent of Democrats and 82 percent of independents and 71 percent of Republicans, and 87 percent of passengers support it. So regardless of party affiliation and no affiliation there are high support levels for this extension of the tax.

Here you just see the strongly supports and the somewhat supports. Remember how that number was 81 percent for the total sample. Here you can see the strongly and somewhat supports for the individual counties. And so for Santa Fe County, the 81 percent support was the same as it was for the total of the four counties combined.

We then asked people unaided, okay, you said you support it. You said you

oppose it. Why do you feel that way? Unaided. Well, I support it because I just support public transportation in general. That's what happens when you go from mill levies, typically, for education. People just say I support the schools. I support the hospitals. That's what they're saying. Other people said, well, they provide good service. RTD is good for the region. I use it and my family does. It's just a small tax. Those are the reasons people gave for supporting it.

Opposing reasons were I just don't use public transit. There's always going to be a certain percentage of people who just oppose something because they don't use it. It's their right. Or they oppose taxes in general.

Then we asked, well, prior to this survey were you even aware that the gross receipts tax funding expires in 2024? And to no surprise, we found out that only six percent of Santa Feans said I was aware that it expires. Well, that's because we learned earlier that very few people even realized the tax exists in the first place. So it's just the kind of issue where people support the regional transit. They're not really sure where the funding comes from but once you tell them where it comes from, they support extending the gross receipts tax.

Then one more question, the final question was well, would you be more likely to support it or less likely to support it if we tell you that some of the money is earmarked for those local transit organizations like Atomic City transit and Santa Fe Trails within the counties and they get some of the monies as well, and in Santa Fe we found that 55 percent said that they were more likely to support it knowing that some of the local transit systems get some earmarked money above and beyond the RTD lines.

So in summary we found a tremendous amount of support for extending the money for the gross receipts tax, not only in Santa Fe County but in the four counties that comprise bulk of the RTD. Any questions?

CHAIR HANSEN: Commissioners? Thank you for the presentation. I'm glad to know that 852 is a large sample. It doesn't seem large to me but that's because I don't do surveys.

MR. SANDEROFF: If I may, one thing is fascinating. If we did a survey tonight, if you're watching the news tonight and there was a national survey on approval rating for the president, and at the end of the survey they said the margin of error was plus or minus 3.4 percent, that would have been 800 people in the whole United States of America. So the 800 sample has the same margin of error for the nation as it does for the county, if you do it randomly and if you have a representative sample. It defies logic but it works.

CHAIR HANSEN: Okay. Commissioner Hamilton.

COMMISSIONER HAMILTON: I actually just wanted to thank you. That was a really effective and clear presentation and I found it really, really useful. So thank you for that.

MR. SANDEROFF: Oh, sure. Thank you.

CHAIR HANSEN: Commissioner Moreno.

COMMISSIONER MORENO: When you made this presentation in Espanola I was there and you described it, I think, as being people like it, but they're not quite sure about it in some respects. How can I described it? The support is kind of soft. Is that accurate?

MR. SANDEROFF: Madam Chair, Commissioner Moreno, what I said was that among those who know about the RTD transit, its systems and its services, they have a very, very favorable impression. And among those who have used it in other parts of the survey that we didn't share, satisfaction levels are high. But there still are a lot of people who are not aware of it, if you were to then have an election, I would advise you to educate all the voters and remind them of all the good things that you do. Because people are supporting the tax, even those people who are not aware of some of the lines are supporting the tax because they support public transit in general. But if you want to further guarantee passage you'd educate everyone and all the great things that you do, because some people are not using the system.

And let's face it. We did registered voters. Think of all those unregistered voters, younger people, lower educated people, who are really taking great advantage of this system. If we included them in the survey then you'd see even higher support levels, but because the objective was to deal with the tax extension we restricted ourselves to registered voters.

COMMISSIONER MORENO: So in that frame, we do have a responsibility to make sure that we publicize and do things to inform the people who are just not aware.

MR. SANDEROFF: Madam Chair, Commissioner Moreno, absolutely.

COMMISSIONER MORENO: Thank you.

CHAIR HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: We have a celebrity in the house. I respect your objectivity in your polling and professionalism and work that you've done for decades now and I think it's very appropriate that you've done the survey because of that objectivity and professionalism and it's helpful information to see what the reality is of what people feel and what their input is on the RTD tax and the system itself. And so we know that it takes time to evolve public transportation and we've seen the strong evolution of public transportation and so I think the advice and the facts of the questionnaire are appreciated but the advice is helpful as it relates to assuring that we have appropriate systems of educating the public before they vote. And so thank you for your work here, but also thank you for your work collectively over decades in New Mexico. It's appreciated.

MR. SANDEROFF: Thank you, Commissioner. I appreciate that very much.

CHAIR HANSEN: Yes, Mr. Sanderoff. I have seen you on TV. I'm a fan. Thank you. I also feel that this presentation was very clear and concise and I really appreciate that once again that economic development is something that citizens really care about and care about how we spend our money, and that economic development is something that New Mexico really needs to invest in, because that is our lifeblood, so to speak. The more people we can put to work the more services we can provide. So I really appreciate that aspect and I appreciate all the information that is provided by this survey. It's very useful.

We just did a strategic planning and some of the same things came to the top of what our concerns here at the County are. So it's nice to see that reaffirmed. So thank you very much.

MR. SANDEROFF: Thank you very much. Appreciate it.

CHAIR HANSEN: Hi. Welcome, Jim.

JIM NAGLE: Thank you, Madam Chair and members of the County Commission. So as Brian was able to elaborate on in the presentation there is a need now for public education. And we're retained a firm here in New Mexico, Griffin and Associates, and we're going to be working with them to go out and educate the public. While we're heartened by the support for public transit, the support for the RTD as well as the support for the other regional transit agencies we help fund, we still need to educate the public on what the reauthorization is all about, the services that we provide and the benefits that we bring to the community.

But another of the things we're doing is going out and soliciting – working with members of the public for op-ed pieces. We're going to be soliciting our board members, working with County Commissioners, City Councilors to kind of get the word out there and show their support for what this tax provides. We're going to be doing social media, working with editorial boards at the major newspapers for favorable editorials in support of the reauthorization. Also going out to community groups and identifying them and doing public education and presentations, power points on who we are, what we provide, what the service is, and what the tax is all about. And what they gain from that tax. Advertising information on our website and really just making a concerted effort over the next six months to get the word out there and let people know that this tax brings a lot of benefit. Even if you've never ridden the RTD we want people to know that that money is going to a good cause and something they could feel good about. And I'd take any questions you might have.

CHAIR HANSEN: Commissioners? Okay, thank you, Mr. Nagle. Welcome, Tony.

MR. MORTILLARO: Thank you. We will have the two ordinances that the Commission will need to consider to put the question on the ballot coming to you in June and July. We have to hit an August deadline. We've met with the County Clerk and her staff and have planned out the timelines necessary in order to make sure that the question gets on the ballot. We understand we'll be on the front page of the ballot where all the local issues are and at the bottom, according to how things are laid out on that ballot. So we're on the track to get that in front of you here within the next two months as well. Thank you for having us here today.

CHAIR HANSEN: Thank you very much. I look forward to seeing you on Friday. Any other comments or questions from the Commission?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Yes, I won't pass up an opportunity to –

CHAIR HANSEN: I know you won't.

COMMISSIONER ANAYA: To say that the RTD has done exceptional work in transporting people to their work, to stores, to doctors' appointments, to every facet of their need in daily life and it's been a great benefit to constituents from one end of the county, literally, to the other, and everything in between. I know we've still got some work in progress on Glorieta and working towards other routes that go east to help those folks out but it's been awesome to watch constituents and people get on the bus

from Edgewood to Moriarty, Stanley, Galisteo, and all the way into town and then all the other routes that go throughout, not just in Santa Fe County but northern New Mexico.

So it's an awesome endeavor that we've undertaken and we need to continue it, right? We're not talking about brand new. We're talking about continuing the good work that's already been set in motion. So thank you for your presentations and your collective efforts and I look forward to being part of the education plan to help people understand what a great benefit public transportation is and in particular, ultimately free public transportation to those people that travel throughout northern New Mexico. So thank you very much. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Commissioner Anaya. I wholeheartedly agree. I think that the job that the Blue Bus RTD, all public transportation is doing for northern New Mexico is so important and we need that. So thank you for being here and we'll all support the tax – to the continuation of the tax. It's not a new tax, it's just the continuation. I think that's a really important point to make to people that we're not adding any taxes to them already. So with that, thank you very much and see you all soon.

**VI. B. Recognitions and Acknowledgements**

None were presented.

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

CHAIR HANSEN: I want to remind everybody to vote. We have a week left in the primaries so I hope that everyone will go out and vote. You can vote early. There are many places to go out and vote around the county. I can't list them all but I know that at the County Extension and right here at our offices downstairs and I think it's our civic duty to please go out and vote. So I just want to remind people about that.

**VIII. MATTERS FROM THE COUNTY ATTORNEY**

- A. Executive Session: Items Including But Not Necessarily Limited To: Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978, 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, 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**
- 1. Real Property Acquisition Rail Trail – Trail Head**
  - 2. El Camino Real de Tierra Adentro National Historic Trail Easement**
  - 3. Authorization to Pursue Collection on Judgment**

MS. MILLER: Madam Chair, before we go into executive session I did



want to note that the public hearing for the Saleh, the applicant has asked to table that for a couple of months. There are some conditions they would like to try to work out and so that item is tabled at the request of the applicant.

CHAIR HANSEN: It is item X. A. 2, Saleh Plat Extension? Okay. Then we will go on to matters from the County Attorney.

BRUCE FREDERICK (County Attorney): Thank you, Madam Chair. We're requesting executive session on items including but not necessarily limited to: limited personnel matters, as allowed by Section 10-15-1(H)(2) NMSA 1978, 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, and discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1 (H)(8) NMSA. Specific matters listed are real property acquisition Rail Trail Trailhead, El Camino Real de Tierra Adentro National Historic Trail Easement, and authorization to pursue collection on judgment.

CHAIR HANSEN: With that can I have a motion to go into executive session?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I've like to make a motion to go into executive session for the items described by Mr. Bruce Frederick.

CHAIR HANSEN: Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HANSEN: Roll call.

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

Commissioner Anaya	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

CHAIR HANSEN: We are now in executive session. We should be back some time after 5:00, 5:30.

MR. FREDERICK: It should be no more than an hour.

[The Commission met in executive session from 4:27 to 5:32.]

CHAIR HANSEN: Could I have a motion to come out of executive session?

COMMISSIONER HAMILTON: Madam Chair, I move that we come out of executive session, assuring that the only things that were discussed were those that

were listed by the County Attorney before we went in and are on the agenda.

COMMISSIONER MORENO: Second.

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

**VII. MATTERS FROM OTHER ELECTED OFFICIALS**

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

CHAIR HANSEN: I want to first, before we turn to public hearings is want to allow Matters from Other Elected Officials and Clerk Salazar has a few extensions about voting.

GERALDINE SALAZAR (County Clerk): Yes, thank you, Chair Hansen and thank you for briefly mentioning early voting earlier today, and also I want to wish you a happy birthday.

CHAIR HANSEN: Thank you very much.

CLERK SALAZAR: I would like to announce to our citizens and qualified voters that voter registration closed Tuesday, May 8<sup>th</sup>. So that's the first part. The second part, absentee in person voting is continuing until June 2<sup>nd</sup> during regular days and hours of business at the County Clerk's Office, Monday through Friday, 8:00 am to 5:00 pm. We did close on Memorial Day, yesterday. The County Clerk's Office will be open for voting on Saturday, June 2<sup>nd</sup>, and no other Saturday. Just June 2<sup>nd</sup>.

In addition to that, early voting is now occurring. It began Saturday, May 19<sup>th</sup> and it will last until Saturday, June 2<sup>nd</sup>. Hours of voting 12:00 noon until 8:00 pm in the evening, Tuesday through Friday from 10:00 to 6:00 on Saturdays.

The early voting sites are located at the Abedon Lopez Community Center, the Christian Life Church, the Edgewood Elementary School, the Max Coll Corridor Community Center, the Pojoaque Satellite Office and the Santa Fe County Fair Building. Those are the areas where you can vote for early voting. Thank you so much.

CHAIR HANSEN: Thank you, Clerk Salazar, very much for that information. I did not have that at my fingertips. So I appreciate you informing the electorate of where they can vote and with that, I think Commissioner Anaya also has something he would like to say.

COMMISSIONER ANAYA: Thank you, Madam Chair, Madam Clerk. I just want to do a shout-out to your entire team, your ongoing team that are here throughout the course of the year but then your seasonal team of assistant clerks. I don't know what you call them but they're awesome poll workers and they do a fabulous job in facilitating and helping your team and you do your work. So a shout-out to your whole team.

CLERK SALAZAR: Thank you so much, Chair Hansen and Commissioner Anaya. People don't realize what it takes to run an election. It's a lot of work. Last week my staff and I were conducting trainings for poll workers. In addition they were going out to polling places and tonight is our last poll worker training. So we'll be there, hopefully we'll leave before 9:00 tonight. But it just started at 5:30, so we'll be there. We have an incredible crew and citizens that help us. Thank you for

acknowledging them because they work very hard. Take care.

CHAIR HANSEN: I want to also acknowledge them. I voted today and it is a pleasure to vote downstairs. It's efficient, quick. Everybody is incredibly helpful and it's a pleasant experience to go vote downstairs. I am one of those people who have always liked to vote on election day. Now that I'm right here all the time it's really pleasant to vote at the County Administration Office.

CLERK SALAZAR: Thank you, Chair Hansen. And also, the best turnout we have is at the Clerk's Office during early voting and in-person voting. In spite of what people say that there's no parking, we have more voters come downtown to vote. It's pretty incredible. So thank you again.

CHAIR HANSEN: Thank you.

## X. PUBLIC HEARINGS

### A. Land Use Cases

1. **BCC CASE # MIS 18-5100 Ojo BCBC, LLC Beer & Wine License. BCBC, LLC, Applicant, Requests Approval of a Restaurant Beer and Wine License. The Property is Located at 3810 NM 14, within the San Marcos Community District Overlay, within Section 35, Township 15 North, Range 8 East, (Commission District 5)**

JOHN M. SALAZAR (Case Manager): Thank you, Madam Chair. Thank you, Commissioners. It's good to be back here. It's been a while. Commissioners, as stated in the caption, the applicant is requesting a restaurant beer and wine license. This property is at 3810 New Mexico Highway 14 within the San Marcos Community District Overlay. As such the property is zoned commercial neighborhood. Table 9-14-18, the use matrix, allows restaurants within incidental consumption of alcoholic beverages as a permitted use.

The previous restaurant in this location was Babalu's Cocina Cubana which also had a restaurant beer and wine license. The applicant has met the noticing requirements for the state of New Mexico. Staff recommends approval of a restaurant beer and wine license to be located at this address. Madam Chair, I'll stand for questions.

CHAIR HANSEN: Are there any questions from the Board? Yes, Commissioner Moreno.

COMMISSIONER MORENO: I think this is a technical thing. The map that is attached to my sheet of paper is not the right location.

MR. SALAZAR: Madam Chair, Commissioner Moreno, that's correct. That's an incorrect map on that.

COMMISSIONER MORENO: And is it a flaw –

MR. SALAZAR: This is actually off Highway 14 by the Feed Store, down there in the vicinity of the Silverado Subdivision.

COMMISSIONER MORENO: Okay. That threw me, but does that matter that the map doesn't reflect where the location is actually?

COMMISSIONER ANAYA: Madam Chair, Commissioner Moreno.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: So it's right on the first page of the memo, it shows it off of 285.

CHAIR HANSEN: First page of the memo –

COMMISSIONER ANAYA: Right on the vicinity map. So it's right after tab X. A. 1-2.

CHAIR HANSEN: But it's on New Mexico Highway 14?

COMMISSIONER ANAYA: Well, it's directly across the street, Madam Chair, from the Lone Butte. Correct?

MR. SALAZAR: Correct, Commissioner Anaya.

CHAIR HANSEN: So it's not off of 285?

MR. SALAZAR: Madam Chair, no.

COMMISSIONER ANAYA: So is this the wrong map?

MR. SALAZAR: It's the wrong map, Madam Chair.

MR. FREDERICK: Madam Chair, as long as the – there may be an error in the memo but as long as the notice was correct and the agenda is correct, that's really the legal operative.

CHAIR HANSEN: I'm going to defer to our County Attorney as to –

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ANAYA: I think there's – it's a good question but I think the clarity is the question itself. Let's not overthink it too hard. We know it is right across the street from the Lone Butte Store across from Highway 14. I hope we don't delay the hearing because of the map.

COMMISSIONER MORENO: Madam Chair, there is a map that shows Highway 14 in the body of the application. I don't think it would be a fatal flaw if it's only reflected in the memo.

MR. SALAZAR: Madam Chair, it has met the legal notice requirements in accordance with the Liquor Control Act by publishing the notice twice before this meeting.

CHAIR HANSEN: And with the correct location.

MR. SALAZAR: With the correct location.

CHAIR HANSEN: So the only place where we have the incorrect location is on the memo? That map?

MR. SALAZAR: Madam Chair, that's correct. Everything else is the legal noticing, the legal description with the Township, Range and Section is all correct.

MR. FREDERICK: So again, Madam Chair, the staff report is for your benefit. It looks like it's equivalent to a typo. It looks like you cut and pasted from some other report and it just slipped in there. All the other legals, the notice, as long as that's all correct, and I don't think this came through Legal. But as long as all that's correct, then there shouldn't be a problem with it.

MR. SALAZAR: Madam Chair, that is correct, the legal noticing.

COMMISSIONER MORENO: Just for the record, I'm okay with moving forward with this.

COMMISSIONER ROYBAL: Same here.

CHAIR HANSEN: Yes. I just want to rely on our legal advice and our

County Attorney so with that, we have to do a public hearing. And the applicant might have something. So first, would the applicant like to speak? Okay. Fine. Thank you. Now, is there anybody here from the public who would like to speak on this case? Seeing none, I am closing the public hearing. And then I will go to asking the Commission – I'll entertain a motion.

COMMISSIONER MORENO: I move to approve.

COMMISSIONER ANAYA: I second.

CHAIR HANSEN: It was a motion to approve Case #MIS 18-5100.

COMMISSIONER ANAYA: Is there conditions? There's no conditions?  
So just a straight-up motion.

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

CHAIR HANSEN: Congratulations. It looks like a very nice restaurant, your layout and your plan is very well designed and thank you, and I wish you good luck.

- X. A. 2 **BCC Case #SLTE 18-5010 Saleh Phase 1 Plat Extension.**  
**TABLED**
  
- X. B. **Ordinances**
  - 1. **Presentation Summarizing the Comprehensive Water and Sewer Rate Study in Support of the Ordinances Proposed Under Agenda Items X. C. 2 and 3**

CHAIR HANSEN: Welcome, Mr. Dupuis. Nice to see you again.

MR. DUPUIS: Thank you, Madam Chair and Commissioners. We have a bit of a presentation. We have recently worked with HDR Engineering for a master planning project and part of that is a rate study for providing support to the proposed rates. And through that effort we've contemplated how to endeavor being an enterprise fund when there are some challenges doing that regarding staying competitive and staying fair and reasonably priced for what is a significant service for the community.

The intent of the study is to find sufficient revenue to prudently operate and maintain the water and sewer services as a viable utility. And we are making with the proposed title and general summary that was at the last BCC a great stride towards achieving an enterprise fund and prudently operating and maintaining the water and sewer services that we currently provide today.

The consultant has a moderate length presentation. We're going to try to cut it down but if there are questions we're more than willing to go as in-depth as you would like and we're also willing to follow up with anything if that's desired. But I will turn it over to Mr. Koorn, Shawn, to walk you through the presentation of slides and if there are any specific questions I'm sure he's comfortable with those along the way.

CHAIR HANSEN: Thank you, John. Welcome, Mr. Koorn.

SHAWN KOORN: Thank you, Madam Chair, Commissioners. Appreciate the opportunity to be here this afternoon/evening. As John talked about, we have a brief

presentation on the results of the water and sewer rate study. I'll kick it off with just a quick overview. I'll talk about how we go through the process of establishing cost-based water and sewer rates. We'll walk through the results of the rate study, talk about the sewer rate designs and then summary recommendations.

As John spoke about, one of the key objectives of this study was to establish rates that fully support the operations of the water and sewer utility and so the basis of that is an enterprise funding model where the revenues received from the customers fund the cost of those services. We look at the water and sewer independently. We want to make sure that water revenues pay for water costs, sewer revenues pay for sewer costs. So we're looking at two separate studies.

We want to make sure that we're able to maintain the current level of service as well as meet the County's financial policy targets such as minimum reserve levels, prudent maintenance and repair costs, and ultimately come back with equitable and cost-based rates. Ultimately, we want to make sure that those rates that you charge your customers reflect the costs that you incur to provide that service, and that the structure or the method in which you charge those customers is based on a contemporary basis so it's what's going on in industry today. It's meeting the current customer characteristics of your customers for water and sewer service.

We don't make this up. There are actually manuals of how to establish rates. On the left is the American Water Works Association M1 Manual. On the right is the financing chart just for wastewater systems; that's the sewer side of the equation. And so it provides the approach and methodology of establishing rates, but the key here is tailoring this to the County's customers and systems, and that's what we do, is we go through that process.

It's a three-step process. They are consecutive. Essentially we go through the revenue requirement analysis, which is how much revenue do we need to fully support the operating capital and means of each utility. We then allocate those costs to the different types of customer classes. So why is it different to serve a residential customer versus a commercial business versus a wholesale customer. That's what that cost of service analysis does is it reviews the overall characteristics of each customer class and the impacts they place on the system, so that rates reflect the costs or the level of service that they derive.

Finally, we designed rates to meet those overall revenue needs, and as I said this is on a utility-specific basis. So we develop this for the water utility as well as the sewer utility.

So I'll start off with the water utility analysis. The starting point of the analysis was the current 2018 budget. We projected that over a five-year period, 2019 to 2023 for rate setting purposes. We assumed minimum customer growth, about a percent per year and then we project budget expenses out over that five-year period based on historical inflationary factors. One of the key costs that you all incur as part of operating a water utility is the purchase water expense. It's about 46 percent of the overall budget and it's about \$2 million in 2019 and that increases to about \$2.1 million by 2023. We have not assumed any extraordinary O&M expenses or in other words costs over and above what the current budget has included in 2018. We simply escalated those costs for inflationary impacts over the next five-year period.

We have included \$1 million of capital – CIP – capital improvement projects funding with \$4 million of that allocated to the Aamodt project and we've developed a rate transition plan to begin funding the renewal and replacement or the R&R needs, which is the target of depreciation in year five and I'll talk about that a little bit more later.

As we started the analysis we came back to staff with Option C here and what that was was a fully funded enterprise account or utility. That included the O&M expenses, the capital replacement needs and future infrastructure needs to continue to provide service to your customers. As we did that, that was a significant impact and I've got a chart on the next slide that shows that. What we did is we worked with staff to come back and develop some alternatives that we all could review internally to come back with a prudent rate transition plan to meet the service levels of your customers as well as prudently fund all the needs of the utility.

So Option C was my first take of what this should look like as an enterprise fund. We then came back and said, well, what if we just establish rates to meet current O&M costs? That's all we're funding is ongoing maintenance of the system. No major capital, not capital improvements. We then developed Option B, which was O&M, plus annual depreciation expense. The purpose of annual depreciation expense as a funding level is to account for how fast your infrastructure is depleting from an accounting standpoint. So as the pipes get old you need to replace them. Well, how fast should we be replacing them. Part of that equation is looking at that accounting standpoint of how fast that's being depreciated. So for funding the annual depreciation expense we're putting back into the system as fast as it's being depleted. So we're maintaining it.

The challenge is depreciation expense reflects an average age of a system that's roughly 50 percent old. So in other words is halfway through its useful life. The pipe that was put in the ground 50 years or more costs probably 1 ½ to two times to put in place today as it did back then. So that depreciation is really a minimum funding level.

Option C was the full boat. That was where we were taking care of everything as an enterprise. Option D, which is the proposed alternative that we've put together includes O&M expenses, as well as the Aamodt project funding as part of that. So what that looks like from a rate adjustment perspective, and this is over the five-year period, Option A you can see on the left-hand side shows what that overall change would be. Option B goes up more. Option C, significantly more. Option D is where we landed as a group for our rate transition plan. This provides for full O&M cost recovery, as well as some partial capital funding over this next five-year period. So we're picking up a piece of that capital component through our ongoing rates on an annual basis.

So what does that look like from a revenue and expense standpoint on slide 10? The bars represent the annual expenses. So the red bars or the first bar that stays positive is the current level of O&M expenses. The blue horizontal line is the current level of revenues. So as you can see, over this time period, revenues do not fully fund operations and maintenance expense. So in essence, the utility is pulling from reserves each year to make ends meet.

You can see that in 2018 where there was no rate adjustment. You'll see an orange bar that's negative, that is actually the funding using reserves to offset costs. That orange is roughly equal to the difference between the top of the red bar on that year and

the blue horizontal line. The dashed blue line is the revenues at the proposed rate levels. So when we get to the end and we have the rate designs these are the revenues that would correspond to those rates as implemented by you all.

The purple, or the top part of that bar chart, that's that additional funding for capital. So we're able to fund our O&M and a little sliver of capital on an annual basis as we go out into the future.

So this was the challenge when we put together these four alternatives is what is that appropriate level of funding? And what we came back to is we need to fund our O&M expenses, we should cover our costs through rates, and we should be putting back from general industry standards, putting back a portion of those rates into the system on an ongoing basis to maintain the current pipes, pumps – all that infrastructure that's there needs to be replaced at some point in time. So this gets you down the road a little towards an enterprise funding being able to start in making capital improvements on an ongoing basis.

How does this impact the overall reserves? That's one of the key components that we look at. This chart, the top of the chart is the reserve levels. What we have done at this point in the analysis is we have not assumed any capital use of those funds. If we assume that we're going to use those funds the dashed line that goes horizontally across, or declines, that is where the reserve funds would end. So as we use those, those would go away because we're not funding those on an annual basis.

So what does this look like to the typical customer bill on the next slide? What this would do is adjust the customer's bill over the five-year period by approximately \$18. You can see the annual changes based on the proposed rate structure and I'll get a little bit more into that as we go forward, based on how the structure is proposed to be changed. This is based on an average customer usage on a monthly basis for the water utility. It's approximately 4,700 gallons of water.

On the sewer analysis, same approach. We looked at the same five-year window. We started with the 2018 budget, similar inflationary factors and customer growth. Again, no extraordinary O&M expenses, but we have not built in any capital funding as part of the sewer. So you'll see here, similar four options. Again, we came back with Option C at our initial draft when we met with staff to review that. We came back with those same four options to look at on the sewer side. For sewer Option D, the proposed, it includes O&M and the use of cash reserves to offset \$800,000 for the Quill project in 2020, so we are pulling from reserves to fund a portion of that project.

Very similar bar chart for four different options. You'll see Option C is significantly higher than the others, so that was a concern to all of us as we were going through this process and you'll see Option D, similar to water is kind of right in the middle of where we want to be for Option A and B as part of this. So we're able to fund our O&M expenses and fund a portion of the Quill project.

On slide 17 is a summary of our revenue requirement. Again, same approach, red bar is O&M. As I said, we did not include any additional capital funding in the sewer analysis so you'll see again the O&M expenses exceed the revenues at the current time, so we're not funding those so funds are coming from reserves each year to pay for those projects or for those O&M expenses. And then the dashed blue line is our proposed revenue line based on the implementation of the proposed rates.



Reserves are a very similar picture. You can see they drop down. That drop from 2019 to 2020 is the use of the \$800,000 for the Quill project. As we go forward again, there are some funds available for capital in the reserve funds but we have not built that into the projections. Essentially on the sewer side the rate transition plan or revenue transition plan that we're looking at simply gets us to funding O&M expenses over this next five-year window.

So overall impacts for the typical sewer customer, you can see the current bill would increase approximately \$6.40 over the five-year window, so about \$1.20, \$1.30, per month year increase in the sewer bill based on the current rate transition plan.

Now that we know our top box, that first box of the three boxes, we know the revenues that we need to collect to prudently fund each of the utilities on a stand-alone basis, then we can allocate those costs to the different customer classes. So we equitably allocate those costs based on generally accepted cost of service principles. The reason we have to do that is no utility tracks cost by: today we worked on a residential pipeline, and the day before that we worked on a wholesale customer pipeline. We have costs – we have distribution costs, we have source of supply costs, we have transmission costs, we have pumping costs. We need to have a method to equitably allocate that to the different types of customers that you serve. So the cost of service analysis goes through and allocates those costs based on how each customer type utilizes the system, based on their average day needs, peak day needs, number of customers. If you're really bored and want to go to sleep the M1 Manual, you can read that section you'll go to sleep pretty quickly.

But as you go through that, those are the components that we're looking at. It avoids subsidies. That's really the goal of that cost of service is so that each customer class is paying their fair share of those costs. It provides a basis for developing that fixed charge and those consumption charges on the water side, as well as on the sewer side, and those are the starting points for the rate design.

So as we go into rate design, then we take a look at what are those goals and objectives that the County has for establishing rates. We talked about the goals for water and sewer as an enterprise fund and funding the total costs. On rate design we also have similar goals where we want to make sure that we have revenue sufficiency and stability. So when we don't sell water because of the drought or other reasons our revenues don't take a huge hit, and that's been highlighted across the country over the last ten years, those utilities that go through droughts and the impacts it has on revenues. So revenue stability was a key component.

We want to make sure it's easier to understand and administer – customers know how they're being billed and why their bill is what it is going forward, along with all the other components that we look at as part of the study.

So when we looked at the rate design, our starting point was the cost of service. It's important to note that this is the first cost of service in some time for the County, so that's an important point because it's like one data point out there. As you do more studies then you have a trend line and then you can start making adjustments. So we've used this as the starting point and developed rates based on that. For the water utilities we've made some proposed adjustments to the rate structure.

Currently you have a tiered rate structure where as you go through those tiers progressively in 5,000-gallon increments the rate becomes higher. That's an increasing

block or tier rate structure. It's very common in the water utility industry. Our proposal is to reduce those tier sizes from 5,000 to 4,000 and add one more tier. So we have five tiers in 4,000-gallon increments. That goes back to looking at the customer information and data and tying that back to how your customers utilize water.

We've also proposed an increase in the meter charge, all in the first year. One of those goals was revenue stability, and it also reflects how you incur costs. For water and sewer utilities the vast majority of costs are fixed in nature. So when you think about all the costs that you incur, the variable costs are electricity for pumping some water. Some of the costs for water supply are variable, based on how much you purchase. The majority – salaries, wages, materials, supplies – those are fixed costs that don't change much from year to year and don't change even if you didn't sell a drop of water in the short term. So that was one of the key goals of the study was to come back and establish a fixed charge that reflected a greater proportion of those fixed costs as you incur that.

And then the wholesale rate is based on the supply cost from BDD for the wholesale customers. So that was the premise for that rate.

So the present proposed residential water rate designs – as I mentioned you have an increasing tier rate structure. Right now it's in 5,000-gallon increments. You also have a variable meter charge. Again, very common and the larger the meter the higher the rate, which reflects the capacity demands that those customers can place on the system. So they pay a greater proportional share of those fixed costs, based on the demands they place. So you can see in the 5/8 inch meters, you go across the page, it's currently \$14.50. the proposal, to meet that revenue stability and fixed cost threshold was increase to \$22.83. That stays flat over the five-year period.

On the usage charge or that tiered structure, we've added an additional tier. It is now in 4,000-gallon increments to maintain that conservation rate structure with the higher tiers having a higher rate. Non-residential is a very similar rate structure but different rates based on how they utilize the system. Their fixed charge is slightly higher and their consumption charges are slightly lower as part of that, again, the same structure. The fixed charge varies based on the size of the meter and we have the same tier structure with 4,000-gallon increments for those five tiers.

On the high volume rate design – this is what I earlier referred to as the wholesale rate, they have a meter charge that varies by meter size as well, to reflect their proportional share of the fixed charges, and then we have a rate for domestic associations, potable water and non-potable water, and as I said on an earlier slide, those rates are based on the actual cost of water supply from BDD. That was the basis of establishing the rates for these customers.

Similar discussion on the sewer rate design on slide 28. It's the first time that a cost of service analysis or COSA has been developed, so it's a snapshot and point in time. As I said, it's one data point but we're also looking at one year of costs, and that can change over time as your cost structure can change. So that varies as you go through time as all costs change over time.

Some of the recommendations: The primary recommendation is to move away from the winter water average billing, and we've proposed that for a couple reasons. 1) it more closely coordinates with how the City of Santa Fe bills the County, so the County is billed on total water consumption but we were currently only billing on winter water. It

helps ensure that revenues are recovered. It also simplifies the billing process for the County going through that winter water analysis each year and updating all the fields. This will simplify that approach over time.

So the present proposed sewer rates: Right now, just based on that rate transition plan, the present rate, that monthly customer service fee would increase from \$8.18 and increase annually up to \$10.44, and that usage charge would also increase annually, based on the revenue needs to fully fund the O&M expenses for the five-year period.

So summary of the study: We've reviewed the County's rates for both the water utility and the sewer utility in a comprehensive manner. We've completed a full rate study including those three boxes of the revenue requirement, cost of service and rate design to develop costs based on equitable rates. We based that on generally accepted methodologies and approaches but tailored to the County's specific costs, customer classes of services, and system needs. Overall, it's about a 38.5 percent increase for water and 24.5 for sewer and we've used the cost of service to establish those proposed rates with the changes we just spoke about on water and sewer as part of that. And again, that transition plan – you remember our four options – gets us moving down the right path of fully funding our O&M expenses and starting on the water side, at least to be able to fund some capital improvements through rates on an ongoing basis.

With that, I can turn it over to the Commission for any questions that you all may have.

CHAIR HANSEN: Are there questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Just one comment. I would appreciate staff and the contractor working together to have a one-page summary, at best, two pages, so that information we posted on the website and provided to the ratepayers can be as concise as we can explaining what the current rates are and the proposed rates for those consumers. That's my request. Thanks, Madam Chair, and thank you for the presentation.

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

COMMISSIONER HAMILTON: Thanks. I have a couple of sort of detail questions. So back on the water thing, you said there were no extraordinary costs included in that, which makes sense to me, but I wonder what the implications of that are. Like, is it possible to have extraordinary water costs associated with extended drought, for example.

MR. KOORN: Yes, that's a great question. When we're thinking about it in terms of the revenue requirement it could be something like you just mentioned where we have additional costs due to a drought or other water shortage event. A lot of times what we're talking about when I'm going through that is we've added additional staff to the forecast, as an example. So some utilities will be looking out over time and say, in year three we need another water operator because our demands are at this level. So what we've done is kept the current budget levels and inflated them based on historical inflation. We haven't added any staff or impacts on supply.

COMMISSIONER HAMILTON: But on average that would take care of a certain percentage of those things.

MR. KOORN: Correct.

COMMISSIONER HAMILTON: Sort of an analogous question but on the sewer side, what are the implications of not including any recovery for capital investment over the long term?

MR. KOORN: That's a great question. What we were trying to do is develop a transition plan to get the utility off to a good start to that funding and currently, a majority of the capital is funded through other County funds as part of that, so that would essentially assume the same approach going forward in the short term, at least over this next five-year window.

COMMISSIONER HAMILTON: Right. But it's not – it wasn't the same approach for water, and technically, it's not a full enterprise, which is fine. That's a reasonable decision potentially, I just wanted to know, is it really to avoid having just unreasonable – not unreasonable but unmanageable increases in so short a term?

MR. KOORN: Significant increases. Yes. Absolutely.

COMMISSIONER HAMILTON: Thanks.

CHAIR HANSEN: Commissioner Roybal or Commissioner Moreno?

COMMISSIONER MORENO: I'm not sure what my question is but it's in the vein of drought and the variability of the weather and all that. With a diversion that is problematic – is that a good term for it?

COMMISSIONER HAMILTON: BDD? Yes, that's been a problem.

COMMISSIONER MORENO: As time goes on and the rates would be adjusted on schedules, right?

MR. KOORN: Correct.

COMMISSIONER MORENO: And so if we wanted to go down this road, which I do support, I think it's going to be a tough sell. But I do support the principle as pay as you go, if I can use that term. So we have a job to do when we're starting down this road, and we need to have to have very good explanations and I think the two pager that was alluded to earlier, that would be a good start. But my benchmark for a while has been the City of Santa Fe and they haven't done this, and we haven't done this yet. But I don't want to have future Commissioners saying dang, we should have done that. We wouldn't be in this pickle. And I really appreciate the details and I'm going to be really interested how it plays out. But I do support the whole premise of it and I think the County would be well served with an enterprise method.

CHAIR HANSEN: Thank you, Commissioner Moreno. I have a few questions myself. One goes to this winter water rate. So what you're meaning by the City, the winter water rate, you have three months where the City calculates your sewer bill by the months of January, February, and March, and what you're suggesting is moving away from that.

MR. KOORN: Correct.

COMMISSIONER HAMILTON: Okay. I understand that. I just want to be clear. I want constituents to be clear about that also because I live in the city so I'm familiar with that methodology of how they charge for sewer. And then, just a hypothetical is we're in a severe drought and Buckman is not running. So then therefore we're buying water from the City. So my concern is, and I think the other Commissioners is that we need to be covering that cost of what we're paying for water. So that is like

what I'm really interested in making sure that we talk about to the constituent is that we are not charging above what we're paying. That we are not making a profit on water. They are paying the same fees that we're paying for water. Because I think that once they understand that we're charging them for what we're paying it's a lot easier to swallow. Because we are increasing the rates.

Some places it doesn't seem quite so bad. On the sewer we're now at a present rate of \$13 and by 2023 we're going to be going up to \$16.50. So that's over a five year period. That's like maybe a dollar a year or less. So that I think people will be able to handle. I think the water rates that we're talking about are going to be a little more substantial but I think that people realize that we live in a very arid climate and that drought is upon us and climate change is a reality, and that we have to start facing some of those facts and that we're just wanting to cover our own water bill.

I think those are some of the very important issues that we need to get across to people. And I do agree that having a one- or two-page explanation – simple, nice graphics. Most constituents are not going to read all these pages and so we want them to feel confident that we are looking out for our water and our maintenance and I think that maintenance and capital expenditure and making sure that we're covering those costs is really important and not putting ourselves more in the hole.

I was looking for the page with the water rates on it. What page is that?

MR. KOORN: The actual rates, 25 would be the residential rates, 26 would be the non-residential rates.

CHAIR HANSEN: So we're going from \$14.50 next year to \$22.50, so that's like a six dollar jump.

MR. KOORN: Eight dollar jump.

CHAIR HANSEN: Eight dollar, okay. Eight dollar. Is there any way that that eight dollars could be – and I'm asking this just for my own information, but to go from \$14 to \$18 to \$22? So that the increase is spread over a two-year period so to speak. Just because what I hear from my Commissioners in Districts 3 and 5 is that when rates jump a lot, whether it's with solid waste or other things, the constituent balks. So if we're raising the rates at a more gradual percentage then maybe it's a little easier on them, but at the same time I don't want to see it go higher than the \$22.

So in general the rates – let's say if they're at the end \$22 and \$7, if they're conscious with their water, they're going to be – their bills are going to be about \$30 which actually seems to be reasonable, because in the city, for the same amount I would pay probably \$60 or \$70.

COMMISSIONER HAMILTON: That's a rate per 1,000 gallons.

CHAIR HANSEN: \$4 per thousand?

MR. KOORN: Correct.

COMMISSIONER HAMILTON: When you went out to 2023 it's \$7.81 per thousand gallons up to the first 4,000 gallons. So their bill's not going to be \$30. More like \$45.

CHAIR HANSEN: Okay. Fine. I missed that. Thank you. Okay, so that's closer to what the City is charging. Correct?

MR. KOORN: Yes, correct. And that's what John was referencing earlier as we were going through those four scenarios, is how do we compare with other

surrounding communities and what did the County's rates look like compared to that and that was one of the pieces of the puzzle that we considered as we established that proposed alternative as part of that. And we could transition from \$4 to \$18 to \$22 as an example. That would just mean that we would be using reserves in the interim until we get up to that level of funding. That was the goal of the \$22.83, was to be able to get up to that funding level in year one and then slowly adjust over that next four-year period.

CHAIR HANSEN: I think Santa Fe City has the highest water rates in the country. It's considered one of the highest rates in the country. And so the County, if we're matching that then we're going to be one of the highest water rates in the country. And that's just reality. We live in a very arid, dry climate and those are some of the things that we have to face when we're dealing with water is that it's precious and water is life. We need it and we have to appreciate it. Somehow that gets equated with money, unfortunately. That's all I have for the moment. Commissioner Moreno.

COMMISSIONER MORENO: Just one follow-up, in my neighborhood and Joe Lowey's neighborhood we have water but we don't have wastewater, because everybody's on septic tanks. Would the rates match – since there's no infrastructure for septic tanks, what kind of treatment – not physical treatment but financial treatment – would that apply anyway?

MR. KOORN: So as we go through the analysis we're looking only at those customers that benefit from the service so when we look at the sewer customers then we're just looking at those that are paying that sewer bill. So anyone on septic would not be part of that sewer rate that we're looking at.

COMMISSIONER MORENO: But the water rate would.

MR. KOORN: If they had water service, correct. They would be paying that water bill. And that's one of the primary reasons for having a water enterprise and a sewer enterprise, so we're not commingling funds. Water rates pay for water costs; sewer rates pay for sewer costs. So we don't have that situation where a person without sewer or is on a tank would be paying for costs that they don't benefit from.

COMMISSIONER MORENO: Okay. Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: I have a comment relative to your comment and then a question that's pretty easy. So the per-gallon charge is incremented over years. It's kind of complex and I don't know whether you'll have some input on this comment of mine, but you have to recoup your rates knowing that people have the option of conserving and reducing their bill that way but that's actually part of the philosophy behind having staggered rates, as you all know. And so you have to account for that when you make this, because you can't be recouping less than what you need to. We've been doing that for a long time. And so my thought, unless you guys can comment on this, is that the argument against incrementing that base monthly charge is because that's actually a charge – it covers things you have to recoup knowing that if you increased your bill by \$8 all of a sudden you can just use a lot less water and try to recoup that on a person-to-person basis, and then we're basically in a position of having to account for that statistically, just based on human behavior and what not and what to anticipate. So that would get my thought about not graduating that first cost. Do you have any inputs on that?

MR. KOORN: Yes, absolutely, and that is a concern. When you increase that fixed charge then does that dampen that conservation charge or how folks use water, or their ability to control their bill, and that's one of the reasons we changed that tier structure or the size was to try and account for that, because we knew we were increasing that fixed charge, trying to capture a greater proportional share of our fixed cost that we incur regardless of selling water. But then having that tier structure maintain a conservation incentive, and as you can see, if you went up to the fifth tier that's a new price or a new tier that customers would pay as part of that. So that could allow them to gain back some of those savings if they were a customer that used, in this case, over 16,000, if they dropped down to 12, then they would be able to save that incremental amount and roughly – I don't want to say break even because it's a bill increase, but they'd be able to reap that increase in that amount.

So that is something we look at and how people react. The elasticity of demand or how they respond to the price of that bill, how much will they cut back as we develop these rates.

COMMISSIONER HAMILTON: Thanks. That makes sense. Here's my question, because I was one of the people that kind of pushed to have this done again, because of the idea of really being in a position of serving water for a lot less than it was costing us to do it. Yes, you could take money out of the general fund but then that's other things you can't do with that money and so it presents us with options. But one of the problems, sort of whenever it was – a year and a half ago or so when the concept was presented was that there was a lot of outcry by a variety of identifiable larger users, right? And so one of the recommendations was that as this was developed we'd interact and talk with those people. I'm assuming you're doing that, but that's the question. Have you gotten feedback from – have you worked with all the user groups so this is accounting for that, or they're onboard, or whatever?

MR. DUPUIS: Madam Chair, Commissioner Hamilton, we have met with them. In most of the conversations with asking them to support the rate increase, but that's charging every single detail, every single question going at length with an example to help illustrate the concerns that we're trying to address. So they understand that it's not just due to someone else's expense that they're being asked to chip in a little more. It's literally due to expenses we are experiencing. This then is the service provided specifically to them and equitability of the customer classes is a challenge but I think the standard process is something very close and to the extent that we went – gave each major customer that breakdown, we got good feedback from them on things we hadn't thought about.

We sat with HDR, tried to understand as best we could and made adjustments because of building from our wholesale water supplier, BDD, it is significantly complicated. It's 80 percent fixed so it's a challenge to get around that cost.

COMMISSIONER HAMILTON: Right. So that's really good to hear because I think that's one of the biggest hurdles, and in principle, it's kind of one of the things I wanted to point out, should it count for a lot of past inequities that were a legacy of doing a deal with this customer and then another deal with this that customer. That's one of our goals was also to rectify those kinds of inequities, which we couldn't do without having a lot of interactions with them. So if you guys did that I think that's a

substantial support of these results.

CHAIR HANSEN: Thank you, Commissioner Hamilton. Thank you. Are we –

MR. KOORN: I'm done if you all have no further questions.

CHAIR HANSEN: Any other further questions? Okay.

MR. KOORN: Thank you.

**X. B. 2. Ordinance No. 2018- \_\_, an Ordinance Amending Ordinance No. 1998-16 (“An Ordinance Establishing Provisions for Extension of Sewer Service; Adopting Operating and Management [Procedures]; Setting Rates; and Establishing Design Standards for the Santa Fe County Wastewater Utility”) to Update Rates and Charges; and Repealing Section 4 of Ordinance No. 2014-11 (a Prior Amendment of Ordinance No. 1998-16) (First Public Hearing)**

CHAIR HANSEN: With this ordinance - are we having a public hearing also?

MR. FREDERICK: Yes, Madam Chair. We're having a public hearing. You're going to have two public hearings – one today and then one at the next session. This is the first one for this pair of ordinances.

CHAIR HANSEN: When do you want me to hold the public hearing?

MR. FREDERICK: Right now, you could open it and then we'll continue it until next time.

CHAIR HANSEN: Okay, so I would like to open this up to public comment and public hearing. Is there anybody from the public who would like to speak to the ordinance on the water rates and the sewer rates? Seeing none, I will close the public hearing.

MR. FREDERICK: Madam Chair, I'd just point out, the hearing will be reopened again at the next hearing. People will have another opportunity and perhaps people are holding their fire and they'll show up at that second meeting.

CHAIR HANSEN: Okay, at our next meeting in June – and the date of the next public hearing will be June – the end of the month?

MS. MILLER: Madam Chair, June 12<sup>th</sup>, the first BCC meeting in June.

CHAIR HANSEN: Okay, I just want to give the public, if they're listening out there, the date when the next public hearing will be, which will be June 12<sup>th</sup>.

MS. MILLER: Yes. Tuesday, June 12<sup>th</sup> after 5:00.

CHAIR HANSEN: After 5:00 pm. Okay. So I'm closing it for tonight and it will be reopened on June 12<sup>th</sup> after 5:00 pm. So with that we'll just go on. Questions from the Commissioners?

COMMISSIONER ANAYA: I just was going to say that I think this, like the solid waste discussion has differing perspectives on investment of County dollars and how, where and why we make investment of County dollars, and I especially appreciate your comments as it related to making sure that whatever increments are discussed that there's parity, that we don't try to go too far too fast. And so whatever Kool Aid you



were drinking in executive session I appreciate those comments.

CHAIR HANSEN: I just had iced tea.

COMMISSIONER ANAYA: I think it's a delicate balance. I was thinking about the magnitude of what we do in the County across the board. To put it in perspective, we're trying to garner new clients to utilize our water system because it's a beneficial use for the consumer, for the citizen, and for the collective community to have a comprehensive system. And it's a scaling question as well as to how do you continue to engage and bring in new customers that offset your overall cost as part of that scaling? How do you continue to encourage and entice people to tie in because in the long term ultimately that's where we're all headed? And how do you do so in a way that balances the financial commitment and obligation that each existing customer has to pay as you're progressing through that growth factor?

And the last thing I would say is this: If we got to the point from a budgetary standpoint where we had to pick and choose whether we invest reserve dollars in water or whether we have to cut other areas in the County of funding that I think are honorable and helpful to constituents, if we got in a pinch, I'd rather continue to offset those fundamental services with some reserve money and not do some of the things that maybe we've done in a broader spectrum in the County, to say water is of that level of importance.

So I'm not as ambitious, if you will, to go from full-fledged – or support by County resources and consumer bills. I'm not as ambitious to say let's do that in a short time frame. Because I think – I don't look as we're not covering the cost. I look at it as we're continuing an investment to offset the rates that then has an ultimate overall goal of a broader system and more customer service. So a little different, and I acknowledge that, but I don't look at it as, John, you don't have enough to pay all the costs. I look at it as we've made an investment with taxpayer dollars on purpose to offset the total costs. And that over time, as we progress and grow the base of the utility that some of the scaling – it's not going to accommodate for all of it, but some of that's going to help to create those offsets.

So I appreciate the dialogue and the information and the research and the report, right? Puts it into context and us to see what it is and then what do we have to consider moving forward. I just have a little different take on the enterprise piece and having the necessity of having to be equal or above equal.

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

COMMISSIONER HAMILTON: Just for the record, Santa Fe City is not in the top ten most expensive water -

CHAIR HANSEN: People keep saying that to me. I'm so happy to hear that.

COMMISSIONER HAMILTON: Just saying.

CHAIR HANSEN: That is such a good thing to hear. That doesn't make me feel quite so bad.

**X. B. 3. Ordinance No. 2018- \_\_, an Ordinance Establishing Santa Fe County Utility Water Service Rates and Charges and Repealing All Prior Water Service Rates and Charges (First Public Hearing)**

CHAIR HANSEN: I see we have another ordinance here that I feel like I need to read into the record although I want to open that up. So I would like to open that up for public comment also. Is there anyone from the public that would like to speak to this ordinance? Okay, seeing none, I will close this until June 12<sup>th</sup>, after 5:00 pm when we will have another public hearing.

I have one other comment about one of the comments you said, Mr. Koorn, was that one of the largest costs for water was electricity?

MR. KOORN: That's one of the BDD costs.

CHAIR HANSEN: So that was what you were saying, is the costs at BDD, the most variable cost is electricity.

MR. KOORN: Correct. Yes. So when you look at the variable side of the equation, of those costs that could change, based on how much water your customers use, electricity is the main driver there, and that's the smaller portion of the overall budget of each utility is that electricity side, because it changes based on how much water is used or how much wastewater is pushed to the plant.

CHAIR HANSEN: So what would be if we could solarize the BDD? Would that help with the offset?

MR. KOORN: That's outside of my area of expertise but I don't know if John can answer.

MR. DUPUIS: There are significant solar installations there.

CHAIR HANSEN: Right. I know that.

MR. DUPUIS: It's a great help in marginalizing that variability.

CHAIR HANSEN: Okay. So more investment in solar at BDD?

MR. DUPUIS: I think to the extent that we have the location and the upfront capital it's a great option.

MS. MILLER: Madam Chair, I actually think that we currently pay for the solar field that there and get credit on our electric for that. It's, I think our portion is about maxed out though because that payment is around \$70,000.

MR. DUPUIS: Correct.

MS. MILLER: And that's about all we can get in credit. Right?

MR. DUPUIS: There is the electricity in other locations that are still part of BDD. That location is maxed out.

MS. MILLER: There might be a little bit –

CHAIR HANSEN: I know that we have invested in solar at BDD and I just want to know, since it's one of the variable costs, if there is a way to reduce that variability by our investment in solar.

MR. DUPUIS: Madam Chair, at BDD they've done a great job in –

CHAIR HANSEN: Right. They have. So I would like to see us minimize

it elsewhere in our utilities so that we're maximizing that so that we can lower the cost.  
Commissioner Anaya.

COMMISSIONER ANAYA: So Madam Chair, just a few questions. I'll put you on the spot just for a little bit, John, on customers. Tell me the total customers – where is the highest concentration of our customers right now?

MR. DUPUIS: I'd have to say the Rancho Viejo area, simply because it has some of the highest density, smallest lots of any area we serve that I'm aware of. But we don't have too many areas – Las Campanas, Aldea, that stretch and Rancho Viejo down to the Quill.

COMMISSIONER ANAYA: And so what's the number of customers that we have total in the system?

MR. DUPUIS: Residential, it's 3,414 and non-residential it's in the thousand range.

COMMISSIONER ANAYA: Okay. And the customers on the Rancho Viejo, and then we have a few right by the Quill, right? Right by the Housing Authority?

MR. DUPUIS: Yes, sir.

COMMISSIONER ANAYA: How many do we have right in close proximity to the Housing Authority, roughly?

MR. DUPUIS: It wouldn't be more than a couple hundred.

COMMISSIONER ANAYA: A couple hundred. What's the break-out between the two – what's the percentage, rough percentage between on the north side – Las Campanas, Aldea, and the south side, Rancho Viejo and Silverado?

MR. DUPUIS: It's about 50-50. There's a usage of about a million and a half gallons a day, and about 700,000 goes to the south sector.

COMMISSIONER ANAYA: And our Aamodt piece, what projection do we have associated with Aamodt, relative to the growth factor or a percentage of our growth in the coming years? Let's say – let's just look at that isolated window that we've been looking at of five years and the estimates that were provided.

MR. DUPUIS: The area is really slow to grow but that could be for numerous reasons that are not utility related. It could change. It's a complicated question but the projections are extremely low

COMMISSIONER ANAYA: So the highest growth potential – so the highest growth potential where infrastructure exists is Rancho Viejo?

MR. DUPUIS: Growth potential – there's a lot of factors besides utility involvement.

COMMISSIONER ANAYA: Where are lines are. Where are our lines accessible to apply to residential construction right now?

MR. DUPUIS: SDA-1, that's where we've focused our resources and the area in the Rancho Viejo area is where we have current projects. [inaudible] as well. Senior Campus, Legacy. There are some others kind of not official but some between us – I say us, the Public Works Building and Las Campanas area.

COMMISSIONER ANAYA: So here's what I'm going to request, and these folks will be the ones that will be the ones analyzing it, but I think we need to do a serious analysis of existing infrastructure, the capacity to deliver water right now, and then a broader, more comprehensive discussion on trunk lines that we have in place and

where there's a need to expand infrastructure to be able to build the customer base. And I'm thinking, right off the top, we know we have water challenges, right? Commissioner Moreno's district on the east side of Highway 14, okay? Is a very challenged area for water, period. There's just not that much water left. And then the challenges associated with La Cieneguilla and La Cienega where we already have some existing trunk lines.

So in the discussion, as we get to whatever rate determination is made by the majority of the Commission, right behind it has to be what's the serious conversation on what the growth areas are, where is immediate opportunity and then what are the potential growth areas where there is opportunity and need associated with it, which gets to some of the sooner issues in the La Cienega area that Commissioner Moreno is talking about. Commissioner Roybal already lives in the northern district associated with contamination dealing with sewer.

And so major issues that need to be coupled with not just well, what does the rate structure look like and how much do we increase, but what are those growth factors, growth areas, and then how is this Commission going to get their hands around that so that we can go to constituencies that are challenged right now and would love to hook up to the system, but we're not in a position or have the mechanisms or planning process in place to even afford that in some place. But in some we are. How do we make those determinations and then as we know they will have to make decisions on, how are we going to make the decisions on the capital necessary for you to be able to do whatever upgrades you need just to be able to open that door for them to hook up.

So a lot on the plate of the Commission and the Commissioners, but it goes hand in glove with any discussion associated with rates themselves and any comparison or desire to get to parity or not other investment. Because there's a lot of other factors associated with it.

CHAIR HANSEN: So, I'm just going to jump on for a minute before you speak, but I think that it's really clear to say besides Rancho Viejo, it is clear to say the Community College District, because there is going to be much more development in other areas besides Rancho Viejo, Oshara Village. That is part of our growth area and that is something that is set out for growth, along with my district, Las Campanas and numerous more houses coming on line in the next five years.

So I think that even though raising the rates slowly, if that's a possibility, I also think with the more homes coming on line the sooner we have the higher rate, then when the houses do come on line that's the rate they're paying and they're not shocked by having a raise. So there's two ways to look at this and I'm just throwing that out there as this dialogue that we're trying to have about a challenging subject and something that we're going to get some push-back on, I'm sure, or maybe we're not.

But it's a real good presentation that HDR has put together and I really appreciate you making this effort, John, because I think this is really important to have it laid out like this. We didn't have this much information before and now having all of this information we can make a much more educated judgment.

MR. DUPUIS: Yes, Madam Chair. I find that discussing it with other developers, existing customers, potential growth areas, merely having the discussion and all the details that are available and the time was taken to understand complications of both sides that there's a lot of headway made and part of the master planning process that

I mentioned earlier was the rate study but it's also the five-, ten-, twenty-year capital improvements plan and we will bring you those partners, if you will, to those improvements. A lot of bang for the buck can be established in aligning our intentions and goals.

CHAIR HANSEN: I think this is a really great presentation that we have here and I really appreciate it. With that, we've had the public hearings we've discussed the presentation, if there's no other comments from any of the other Commissioners, I'm going to go on to Concluding Business.

**XI. CONCLUDING BUSINESS**

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

Upon motion by Commissioner Moreno and second by Commissioner Roybal, and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 6:55 p.m.

Approved by:

*Anna Hansen*  
 Board of County Commissioners  
 Anna Hansen, Chair

ATTEST TO:

*Geraldine Salazar*  
 GERALDINE SALAZAR  
 SANTA FE COUNTY CLERK



Respectfully submitted:

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



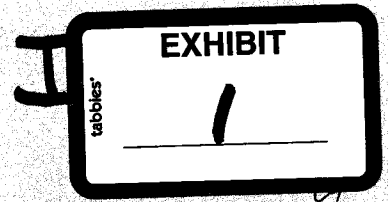
COUNTY OF SANTA FE )  
 STATE OF NEW MEXICO ) ss

BCC MINUTES  
 PAGES: 103

I Hereby Certify That This Instrument Was Filed for  
 Record On The 28TH Day Of June, 2018 at 02:48:47 PM  
 And Was Duly Recorded as Instrument # 1861369  
 Of The Records Of Santa Fe County

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

SEC. CLERK RECORDED 06/28/2018



**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS RESOLUTION  
NO. 2018-\_\_\_\_\_**

---

Resolution Delegating Signature Authority to the County Manager to Complete and Execute All Required Community Development Block Grant Forms, Including any Related Documents, to Receive Reimbursement of Funds for the Re-Roofing of Public Housing Units.

---

**WHEREAS**, pursuant to Santa Fe County (County") Resolution No. 2017-63, the County applied for and was awarded a Community Development Block Grant (CDBG) to refurbish approximately 75 existing County Housing units with new roofs to extend the life of the units and improve energy efficiency (Project); and

**WHEREAS**, the Board of County Commissioners (Board) desires to delegate authority to the County Manager to complete and execute all forms and documents necessary to obtain the awarded CDBG funds to reimburse the County for its expenditures on the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Board that the County Manager is hereby authorized to execute all forms and documents that are necessary or related to accepting and obtaining the CDBG funds awarded for the Project.

**PASSED, APPROVED, AND ADOPTED THIS 29<sup>th</sup> DAY OF MAY, 2018.**


**SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Anna Hansen, Chair

**ATTEST:**

\_\_\_\_\_  
Geraldine Salazar, Santa Fe County Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
R. Bruce Frederick, Santa Fe County Attorney

SFC CLERK RECORDED 06/28/2018



Exhibit 8: Project Priority Summary for Facilities

ADA Transition Plan Project Priority Summary - Facilities					
Project Name	Priority 1 (0-5 years)	Priority 2 (5-10 years)	Priority 3 (10-15 years)	Priority 4 (15+ years)	Priority 5 Reasonable Accommodation
Adult Detention	\$0	\$32,578	\$1,814	\$0	\$0
Agua Fria Fire Station #2 / La Tierra	\$0	\$0	\$26,669	\$0	\$0
Agua Fria Main Station	\$0	\$23,062	\$53,291	\$0	\$0
Camino de Jacobo Boys and Girls Club	\$0	\$30,660	\$81,228	\$0	\$1,495
Chimayo Community Center	\$343,850	\$0	\$0	\$0	\$0
Chimayo Fire Station #1	\$0	\$12,555	\$3,567	\$10,221	\$0
Chimayo Fire Station #2	\$0	\$60,797	\$1,917	\$10,221	\$0
Chimayo Senior Center (Bennie J. Chavez Community Center)	\$34,017	\$16,169	\$5,080	\$0	\$0
Chimayo Substation (@ Bennie J)	\$0	\$0	\$5,474	\$0	\$0
Community Services Building	\$1,530	\$835,598	\$42,144	\$0	\$0
County Administration Facility	\$0	\$0	\$2,183,599	\$0	\$0
Cyclone Center (Stanley Wellness Center)	\$0	\$0	\$31,963	\$44,196	\$3,316
Edgewood Fire Station #1	\$0	\$12,179	\$0	\$0	\$1,906
Edgewood Fire Station #2 / Cedar Grove	\$0	\$84,384	\$0	\$0	\$0
Edgewood Fire Station #3 / San Pedro	\$0	\$0	\$35,189	\$0	\$0
Edgewood Fire Station #4 / Thunder Mountain	\$0	\$0	\$57,498	\$0	\$0
Edgewood Open Space Arena	\$0	\$4,395	\$32,667	\$0	\$0
Edgewood Senior Center	\$124,506	\$66,444	\$0	\$0	\$0
El Dorado Fire Station #1	\$0	\$0	\$185,215	\$0	\$0
El Dorado Fire Station #2	\$0	\$25,982	\$0	\$0	\$0
El Dorado Fire Station #3	\$0	\$25,982	\$0	\$0	\$0
El Dorado Senior Center (K&P Adams)	\$1,992	\$16,115	\$0	\$0	\$0
El Rancho Community Center	\$177,063	\$98,618	\$7,433	\$0	\$0
El Rancho Community Center Basketball Court	\$0	\$19,801	\$72,108	\$0	\$0
Esperanza Administration	\$14,945	\$0	\$1,346	\$0	\$0
Fairgrounds - Animal Shed	\$0	\$663	\$0	\$0	\$0
Fairgrounds - Arena	\$393	\$0	\$0	\$0	\$0
Fairgrounds - Exhibit Hall 1	\$185,291	\$18,795	\$0	\$0	\$0
Fairgrounds - Exhibit Hall 2	\$0	\$192,512	\$0	\$0	\$0
Fairgrounds - Extension Bldg.	\$0	\$176,450	\$281,922	\$0	\$0
Fairgrounds - Site	\$0	\$0	\$7,892	\$490,298	\$0
Fire Prevention	\$0	\$17,982	\$0	\$0	\$0
First Judicial DAs Office	\$0	\$1,201,951	\$463,189	\$0	\$0
Galisteo Fire Station	\$1,558	\$10,911	\$0	\$0	\$0
Glorieta Fire Station	\$2,605	\$10,221	\$0	\$0	\$0
Hondo Fire Station #1	\$0	\$14,433	\$175,590	\$0	\$0
Hondo Fire Station #2	\$0	\$16,521	\$4,036	\$0	\$0
Human Resources	\$131,664	\$10,071	\$9,650	\$5,860	\$0
Jacona Transfer Station	\$0	\$9,904	\$0	\$0	\$11,273
Judge Steven Herrera Judicial Complex	\$3,914	\$14,131	\$0	\$0	\$28,507
Juvenile Development/Detention Facility	\$0	\$18,668	\$301,328	\$328,858	\$689,963

SEC CLERK RECORDED 06/28/2018

Exhibit 8 (continued): Project Priority Summary for Facilities

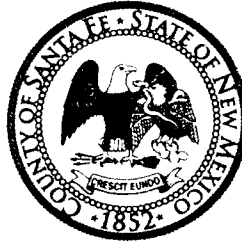
<b>ADA Transition Plan Project Priority Summary - Facilities</b>					
<b>Project Name</b>	<b>Priority 1 (0-5 years)</b>	<b>Priority 2 (5-10 years)</b>	<b>Priority 3 (10-15 years)</b>	<b>Priority 4 (15+ years)</b>	<b>Priority 5 Reasonable Accommodation</b>
La Cienega Community Center & Fire Station #2	\$0	\$202,283	\$12,663	\$0	\$0
La Cienega Fire Station #1 / Rancho Viejo	\$0	\$1,854	\$0	\$3,217	\$0
La Cienega Community Center & Fire Station #2	\$0	\$4,051	\$0	\$0	\$17,598
La Familia Medical Center	\$0	\$31,052	\$0	\$0	\$0
La Puebla Fire Station #1	\$0	\$0	\$12,813	\$0	\$0
La Puebla Fire Station #2	\$1,619	\$0	\$16,823	\$0	\$0
Life Link Clubhouse	\$0	\$11,850	\$28,108	\$0	\$0
Madrid Fire Station #1	\$0	\$0	\$497,514	\$0	\$0
Madrid Restroom Facility	\$0	\$1,940	\$458	\$0	\$0
Marcos Trujillo Teen Center	\$0	\$50,009	\$0	\$0	\$0
Nambe Community Center	\$12,948	\$0	\$214,479	\$0	\$0
Nambe Transfer Station	\$0	\$5,748	\$0	\$0	\$11,273
Nancy Rodriguez Community Ctr	\$0	\$3,996	\$0	\$0	\$0
New Solana Center	\$232,117	\$32,483	\$0	\$0	\$0
Pojoaque Fire Station #1	\$0	\$1,762	\$0	\$0	\$0
Pojoaque Fire Station #2	\$0	\$0	\$64,260	\$0	\$0
Pojoaque HS Tennis Courts	\$0	\$13,454	\$0	\$0	\$0
Pojoaque Tennis Court	\$0	\$4,266	\$0	\$0	\$0
Pojoaque Valley Recreation Complex	\$0	\$60,812	\$0	\$0	\$12,524
Public Safety Complex	\$189,106	\$0	\$9,490	\$0	\$450,621
Public Works	\$526	\$0	\$0	\$0	\$0
Quill Treatment Plant	\$0	\$50,335	\$0	\$0	\$27,793
Rio en Medio Comm/Senior Center	\$25,937	\$0	\$8,480	\$0	\$0
San Marcos Transfer Station	\$0	\$612	\$41,165	\$0	\$22,023
Santa Cruz Boys and Girls Club	\$0	\$68,139	\$7,199	\$0	\$0
Santa Cruz Senior Center	\$0	\$198,508	\$0	\$0	\$7,827
Santa Fe County Housing Authority	\$0	\$8,663	\$32,784	\$0	\$0
Santa Fe County Maintenance Yard	\$0	\$1,462	\$3,946	\$0	\$0
Santa Fe Mountain Center	\$0	\$0	\$1,298	\$0	\$0
Santa Fe Recovery Center - Out Patient Building	\$0	\$16,744	\$17,751	\$0	\$0
Stanley Fire Station #1	\$0	\$102,741	\$28,141	\$0	\$0
Stanley Fire Station #2	\$0	\$4,834	\$94,701	\$0	\$0
Stanley Fire Station #3 - Training Center	\$0	\$5,804	\$108,681	\$0	\$0
Stanley Wellness Center	\$0	\$0	\$37,513	\$0	\$0
State Health	\$0	\$320,678	\$15,924	\$42,870	\$0
Tesuque Fire Station #1	\$4,776	\$37,190	\$0	\$0	\$0
Tesuque Fire Station #2 / Chupadero	\$7,547	\$21,924	\$6,548	\$0	\$0
Tesuque Fire Station #3	\$0	\$6,379	\$20,275	\$0	\$0
Turquoise Trail Fire Station #1	\$0	\$0	\$29,921	\$0	\$0
Turquoise Trail Fire Station #2	\$975	\$0	\$55,872	\$0	\$0
Turquoise Trail Fire Station #3 / Cerrillos	\$148,024	\$0	\$10,013	\$3,556	\$0
Valle Vista Treatment Plant	\$0	\$0	\$0	\$50,381	\$10,180
Vista Grande Public Library	\$0	\$0	\$35,103	\$0	\$0
Youth Shelter & Family Services (2 bldgs)	\$61,680	\$0	\$0	\$0	\$0
<b>Totals</b>	<b>\$1,708,584</b>	<b>\$4,348,106</b>	<b>\$5,483,732</b>	<b>\$989,678</b>	<b>\$1,296,299</b>
				<b>All Priorities</b>	<b>\$13,826,399</b>



**Henry P. Roybal**  
*Commissioner, District 1*

**Anna Hansen**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Anna T. Hamilton**  
*Commissioner, District 4*

**Ed Moreno**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

## MEMORANDUM

SFC CLERK RECORDED 06/28/2018

**Date:** *May 29, 2018*  
**To:** *Santa Fe County Board of County Commissioners*  
**From:** *Stephanie Schardin Clarke, Finance Division Director*  
**Via:** *Katherine Miller, County Manager*  
**Re:** **Resolution No. 2018-\_\_\_\_, A Resolution Adopting the Interim Budget for Fiscal Year 2018-2019 (FY 2019)**

Issue

The Finance Division is requesting approval of the FY2019 Interim Budget.

Background

State statute requires Counties to submit an interim budget to the Department of Finance and Administration, Local Government Division by June 1<sup>st</sup> of each year. The proposed Santa Fe County fiscal year 2019 budget for which we are seeking approval totals \$249 million across 42 separate funds.

Preliminary budget study sessions with the Board of County Commissioners were conducted on April 13<sup>th</sup>, 14<sup>th</sup>, and 20<sup>th</sup>, in conjunction with the Santa Fe County Strategic Planning Sessions. On May 16, 2018, a budget study session with recommendations were presented to the BCC regarding development of the FY 2019 budget which included staff compensation, new FTEs, maximum funding for fixed asset renewal and replacement by fund, and expanded programing. The BCC approved the recommendations presented as the basis for constructing the FY 2019 Interim Budget, noting that further changes to the base may occur resulting from roll over amounts for capital and/or grants would be added. The Finance Division has prepared the FY 2019 Interim Budget based on the following recommendations as approved:

- For all non-union staff and ASFCME, an equivalent of 2% and 2.5% COLA beginning 1/1/2019 and a Compensation package for Fire, AFSCME Corrections and RECC Unions to be negotiated. The total for employee compensation is \$1.27 Million.

- Nine (9) new full-time FTE -\$392K.
- Elected Official Salary Increase based on HB 69 -\$17K
- An additional insurance benefit- \$181K
- Expanded programming -\$700K.
- Other increases to the base budget totaling \$2.3 Million (Health Insurance, New FTE from FY 2018, Liability, Workers Comp and other Insurance, COLA (2018)).
- Preliminary amounts to roll forward for capital projects will be submitted in the final budget.
- Fixed asset, renewal and replacement maximum funding (Including VURB) of \$4.9 million across all funds.

As stated in the FY 2018-2019 budget calendar, at the May 16<sup>th</sup> budget study session, staff is requesting final direction for the fiscal year 2019 interim budget.

**Recommendation**

The Finance Division is requesting approval of the resolution adopting the FY2019 Interim Budget

SFC CLERK RECORDED 06/28/2018

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

**Resolution No. 2018- \_\_\_\_\_**

---

**A RESOLUTION ADOPTING THE INTERIM BUDGET FOR  
FISCAL YEAR 2018-2019 (FY 2019)**

---

**WHEREAS**, the Board of County Commissioners (BCC) of Santa Fe County, the governing body in and for the County of Santa Fe, State of New Mexico, held an official, regular meeting on May 29, 2018, for, among other things, the study and review of the Interim Budget for Fiscal Year 2018-2019 (FY 2019), with the recognition of sources and uses of funds within said budget; and

**WHEREAS**, the meeting on May 29, 2018, was duly noticed in compliance with the Open Meetings Act, NMSA 1978, Chapter 10, Article 15, and County Resolution No. 2017-143; and

**WHEREAS**, the BCC determined that the Interim Budget should be adopted and submitted to the Local Government Division of the New Mexico Department of Finance and Administration for approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the BCC hereby (i) adopts the Interim Budget for Fiscal Year 2018-2019 (FY 2019), beginning on July 1, 2018, and ending on June 30, 2019, and (ii) respectfully requests approval of the adopted Interim Budget by the Local Government Division of the New Mexico Department of Finance and Administration.

**PASSED, APPROVED, AND ADOPTED** this 29<sup>th</sup> day of May 2018.

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

By: \_\_\_\_\_  
Anna Hansen, Chairperson

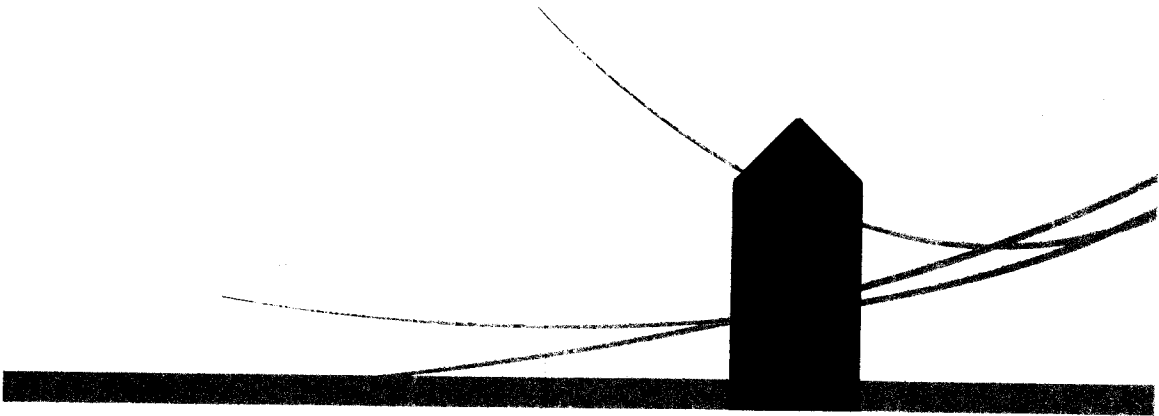
**ATTEST:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
R. Bruce Frederick, County Attorney

SFC CLERK RECORDED 06/28/2018



# Santa Fe County Interim Budget Presentation

May 29, 2018

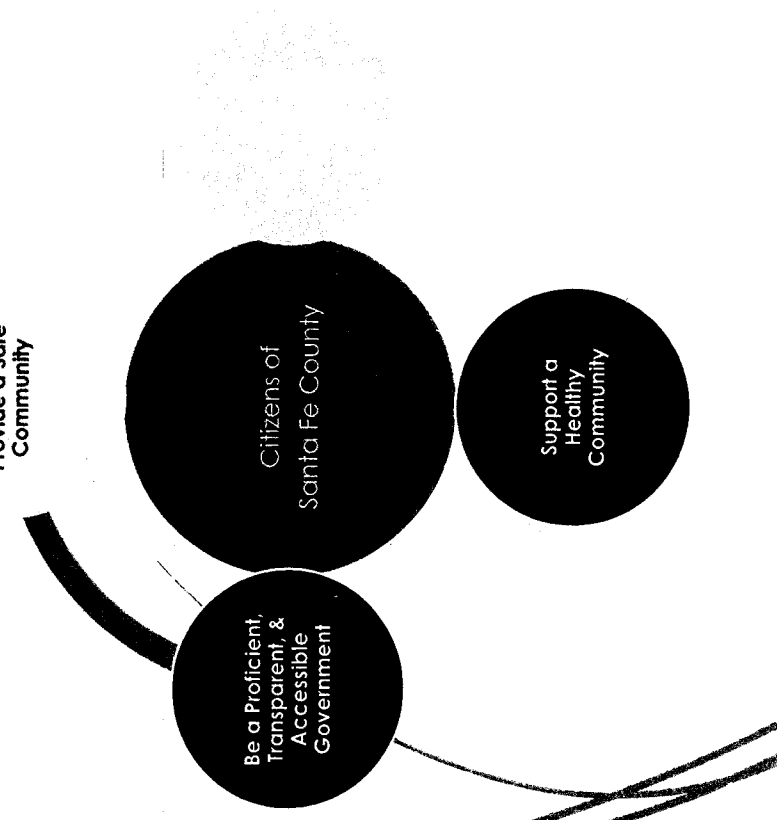
Santa Fe County Commission Chambers

2:00 PM

SFC CLERK RECORDED 06/28/2018

# Santa Fe County Population Goals

Provide a Safe Community



## Resolution 2011-024

Results Based Accountability or Another form of Objective Based Budgeting

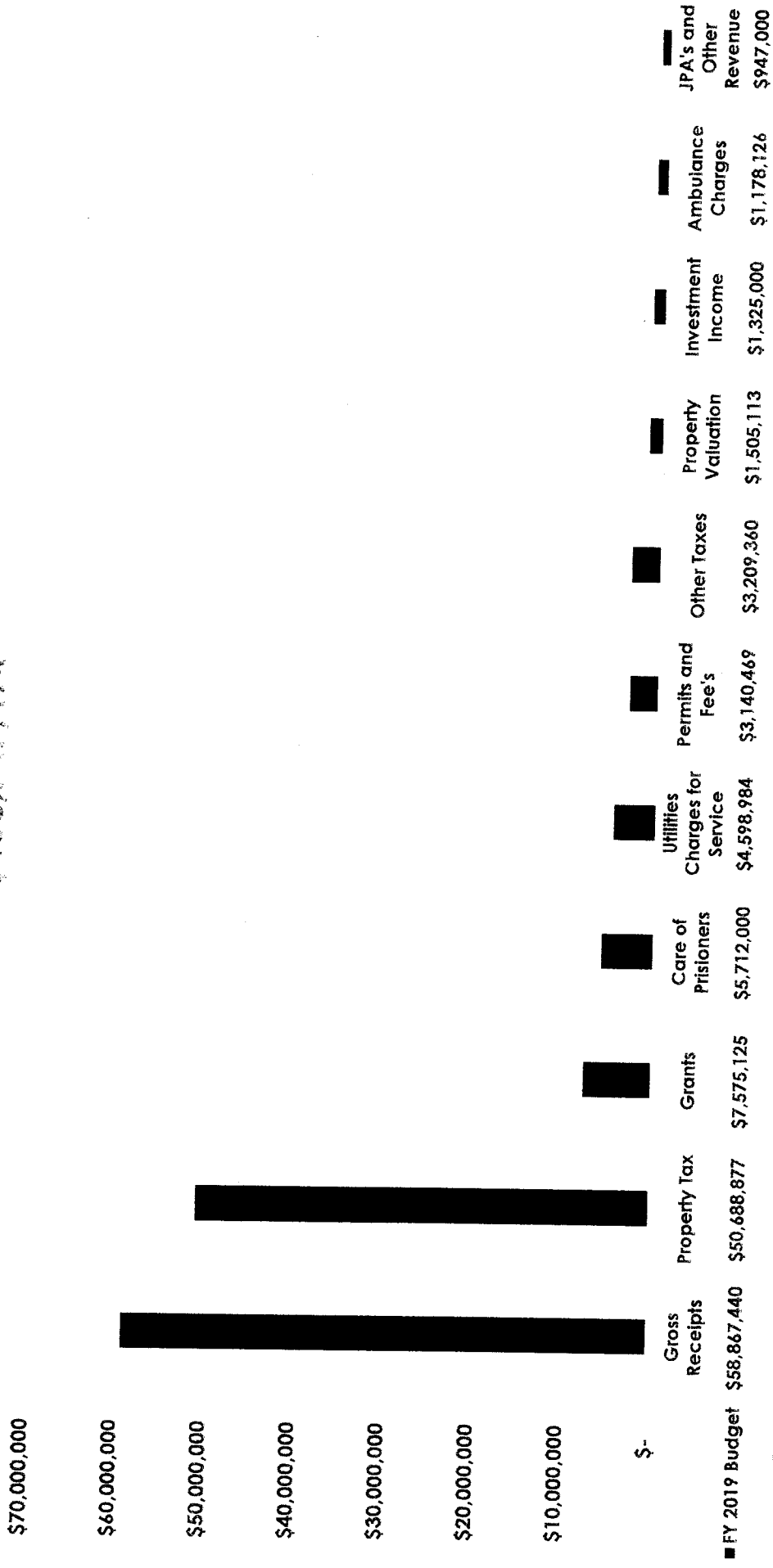
## Resolution 2015-127

Included the resolution 2011-02 and added the population goals for the current and future budget processes

# Budgeted Cash and Transfers

- ▶ Total Budgeted Cash for All Funds
  - ▶ Total **\$31,899,282**
- ▶ Budgeted Cash is used to fund non recurring items such as
  - ▶ Fixed Assets
  - ▶ One time expenditures (contractual, non recurring that appear in the operating budget)
  - ▶ Contingency amounts
  - ▶ Roll over for Projects that have been allocated or appropriated but not procured
- ▶ Total Transfers Between Funds
  - ▶ Total **\$59,886,044**
- ▶ Transfers From General Fund to Departments
  - ▶ \$34,176,564
- ▶ Transfers for Debt Service
  - ▶ \$6,452,906
- ▶ Transfers from/to Special Revenue Funds
  - ▶ 19,256,574

**FISCAL YEAR 2019 ESTIMATED REVENUE**  
**\$138,747,494**



## Fiscal Year 2019 Recurring Expenditures Base Budget Increases

- ▶ Increases to General Liability, Umbrella, Medical Malpractice and Ancillary Insurance Policies \$385K
- ▶ Full Year Cost of Additional 56 FTE's- \$1.8 Million (Half Year \$907K)
- ▶ Growth in Base Budget - \$332K
- ▶ Reduction in Various Grant Funded Areas (Senior Services, DWI)
- ▶ Health Insurance Premium Increase 1% - \$100K
  - ▶ Self Insurance Plan Administration Increase - \$215K
- ▶ 2018 COLA - \$1.5 Million (Half Year \$791K)



# Available Funds for Expansion in FY 2019

Operational Revenue Available	\$	119,133,334
Recurring Expenditures		
Base Budget Requests	\$	(114,385,776)
Health Insurance Increase %	\$	(100,000)
Total FY 2018 FTE Cost (Half Year)	\$	(907,000)
General Liability, Workers Comp. ETC. Insurance Increase	\$	(385,000)
Equivalent of 3% COLA (2018)	\$	(791,000)
Amount Available for Expansion	\$	2,564,558

## Expansion- Employee Salary and Benefits

- ▶ Elected Official Salary Increase -\$17K
- ▶ FTE Requests – Total Annual Increase - \$392K
- ▶ Proposed Insurance Cost for New 70/30 Split Tier (\$50K-\$75K Wage Earners)- \$181K

Salary	\$30,000 or Less	\$30,000.01-\$50,000	\$50,000.01-\$70,000	\$70,000.01 +
Current County Share	80%	75%	63%	63%
Proposed County Share	80%	75%	70%	65%

- ▶ COLA for Non-Union and AFSCME
  - ▶ 2.5% COLA for Annual Salary less than \$50K (Non Union and AFSCME) Full Year \$417K (Half Year \$208K)
  - ▶ 2.0% COLA for Annual Salary more than \$50K (Non Union and AFSCME) Full Year \$399K (Half Year \$200K)
- ▶ Collective Bargaining Union Negotiations TBD \$866,558

## Payment In Lieu of Taxes (PILT)

- ▶ Payments in Lieu of Taxes" (PILT) are Federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands within their boundaries. The law recognizes that federal lands are not subject to property tax, but do require local government services such as fire suppression and roads.
- ▶ Due to being excluded from federal budget, SFC has not budgeted as a recurring revenue in past fiscal years
- ▶ Recommending the funds for the following programs in the Amount of \$700K
  - ▶ Affordable Housing fund -
  - ▶ Economic Development -
  - ▶ Supplement Solid Waste Fees-

FY 2019 INTERIM BUDGET BY FUND

ACCOUNT DESCRIPTION

* GENERAL FUND	87,286,537
* CORRECTIONS FUND	312,150
* REGIONAL TRANSIT FUND	5,300,000
* PROPERTY VALUATION FUND	1,765,113
* ROAD FUND	5,184,654
* HOLD HARMLESS GRT	4,324,796
* EMERGENCY MED SVCS FUND	118,401
* HOLD HARMLESS (2ND 1/8TH)	4,324,796
* FARM & RANGE FUND	8,000
* FIRE PROTECTION FUND	2,397,765
* LAW ENF. PROTECTION FUND	81,600
* ENVIRONMENTAL GRT	696,250
* LODGERS TAX FACILITY FUND	135,210
* LODGERS TAX ADVERTISING	219,000
* CLERK RECORDING FEES FUND	190,643
* CORRECTIONAL GRT	5,058,000
* INDIGENT FUND	5,058,000
* FIRE TAX 1/4% FUND	1,753,671
* INDIGENT SERVICES FUND	5,610,434
* ECONOMIC DEVELOPMENT	1,405,116
* SECTION 8 VOUCHER FUND	2,327,760
* HOUSING ASST./HOME SALES	288,562
* DEVELOPER FEES FUND	548,550
* EMS-HEALTH CARE	1,074,720
* WILDLIFE/MOUNTAINS/TRAILS	47,558
* ALCOHOL PROGRAMS FUND	1,530,135
* DETOX PROGRAMS FUND	300,000
* FIRE OPERATIONS FUND	17,221,369
* EMERGENCY COMM OPERATIONS	3,996,000
* LAW ENFORCEMENT OPS FUND	14,246,522
* CORRECTIONS OPS FUND	25,125,973
* COMMUNITY DEV BLOCK GRNTS	575,000
* HOUSING CAPITAL IMPROV	394,433
* TRANSFER DEVELOP. RIGHTS	38,000
* CAPITAL OUTLAY GRT	10,116,000
* GOB SERIES 2013	152,505
* GEN OBLIG. BOND DEBT SVC	13,071,370
* JAIL REV BOND DEBT SVC	2,252,100
* GRT REVENUE BOND DEBT SVC	6,452,906
* ENTERPRISE - WATER FUND	11,884,777
* ENTERPRISE - HOUSING ADMN	1,057,159
* SELF-INSURANCE FUND	5,746,000
TOTAL	249,677,535

FISCAL YEAR 2019 INTERIM BUDGET BY FUND

TOTAL

\$249,677,535

# CONCLUSION

- ▶ Requesting direction for additional programming funds in the amount of \$700 K
- ▶ Requesting Approval of the FY 2019 Interim Budget to include
  - ▶ Department Budgets
  - ▶ Contingency Amounts
  - ▶ New FTE's
  - ▶ Base Increases and Expansion
  - ▶ Fixed Asset Renewal and Replacement

FY2019 FTE REQUESTS

Department/ Elected Office	Position Requested	Hourly Salary	Annual Salary	Requested Annual Cost plus Benefits	Recommended Annual Cost plus Benefits	Comments
CSD/Senior Services	Senior Transportation Dispatcher	\$13.0000	\$27,040.00	\$37,856.00	\$37,856.00	for entire division
CSD/Senior Services	Senior Center Supervisor	\$20.0000	\$41,600.00	\$58,240.00	\$58,240.00	for El Dorado
CSD/Senior Services	Cook	\$14.0000	\$29,120.00	\$40,768.00	\$0.00	for Hwy 14, not this FY
CSD/Senior Services	Driver/Cook's Assistant	\$13.0000	\$27,040.00	\$37,856.00	\$0.00	for Hwy 14, not this FY
CSD/Senior Services	Driver/Cook's Assistant	\$13.0000	\$27,040.00	\$37,856.00	\$0.00	for Hwy 14, not this FY
CSD/Senior Services	Activity Coordinator	\$16.0000	\$33,280.00	\$46,592.00	\$0.00	for Hwy 14, not this FY
Sheriff's Office	Accountant	\$25.0000	\$52,000.00	\$72,800.00	\$49,504.00	reduce to Accounting Tech. at \$17/hr
Housing	Resident Opportunity Self-Sufficiency Specialist	\$18.0000	\$37,440.00	\$52,416.00	\$0.00	paid for by housing grant
Assessor's Office	Clerical Assistant	\$11.4000	\$11,263.20	\$12,389.52	\$0.00	will come from valuation fund 203
Assessor's Office	Clerical Assistant	\$11.4000	\$11,263.20	\$12,389.52	\$0.00	will come from valuation fund 203
Public Works	Sustainability Specialist	\$26.0000	\$54,080.00	\$75,712.00	\$0.00	not at this time
Public Works	Construction Inspector	\$26.0000	\$54,080.00	\$75,712.00	\$0.00	not at this time
PSD/Fire	Wildland Technician	\$14.4000	\$29,952.00	\$44,928.00	\$40,404.00	recommended at \$12.95/hr
PSD/Fire	Wildland Technician	\$14.4000	\$29,952.00	\$44,928.00	\$40,404.00	recommended at \$12.95/hr
PSD/Fire	Wildland Technician	\$14.4000	\$29,952.00	\$44,928.00	\$40,404.00	recommended at \$12.95/hr
PSD/Fire	Wildland Technician	\$14.4000	\$29,952.00	\$44,928.00	\$40,404.00	recommended at \$12.95/hr
PSD/Fire	Wildland Technician	\$14.4000	\$29,952.00	\$44,928.00	\$40,404.00	recommended at \$12.95/hr
PSD/Fire	Wildland Technician Lead	\$15.5000	\$32,240.00	\$48,360.00	\$43,680.00	recommended at \$14.00/hr
<b>Total Annual Cost Including Benefits</b>				<b>\$580,587</b>	<b>\$391,300</b>	

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

Community Services							
Pojoaque Satellite Office - Equipment	Computer, Hardware, Peripherals	1	640	640	New equipment at the Pojoaque Satellite Office.		
Eldorado Satellite Office - Equipment	IT Computer, Hardware, Peripherals	1	640	640	The purchase of a receipt printer for the Eldorado		
Edgewood Satellite Office - IT Equipment	Computer, Hardware, Peripherals	1	640	640	The purchase of a receipt printer for the Edgewood		
EI Rancho Community Center - Replacement stove	Other Equipment or Machinery	1	600	600	EI Rancho Community Center requires		
Edgewood Senior Center - Replace Aging Kitchen Sink	Other	1	1,700	1,700	Edgewood Senior Center - Replace Aging Kitchen		
Edgewood Senior Center - Multi-Burner/Range	Other	1	7,000	7,000	Edgewood Senior Center - Multi-Burner/Range		
Edgewood Senior Center - Replace Aging Dishwasher	Other	1	3,500	3,500	Edgewood Senior Center - Replace Aging		
Edgewood Senior Center - Replace aging hot	Other	1	6,000	6,000	Edgewood Senior Center - Replace aging hot		
Santa Cruz Senior Center - Replace Aging Range	Other Equipment or Machinery	1	7,000	7,000	Santa Cruz Senior Center - Replace Aging Range		
Water Softener	Other Equipment or Machinery	1	40,000	40,000	Water Softener		
Vehicle Acquisition - 14 Passenger Van	Vehicle	1	54,000	54,000	Vehicle Acquisition - 14 Passenger Van		
Vehicle Acquisition - Ford Escape	Vehicle	4	82,000	82,000	Vehicle Acquisition - Ford Escape		
Senior Services Vehicles	Vehicle	7	247,000	247,000	Proposal calls for the replacement of seven (7) Computer to replace one that is five years old		
Computer replacement	Computer, Hardware, Peripherals	1	0	0	Replacement computers for staff		
Computer Replacement	Computer, Hardware, Peripherals	5	4,000	4,000			
<b>Total Community Services</b>				<b>454,720</b>	<b>203,720</b>		

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Corrections

Bullet Proof Vests	Other	10	11,000	11,000	Replace 10 Bullet Proof Vests
Shotgun Replacement	Other	9	4,950	4,950	Replace Remington Shotguns used in
Large Griddle	Other Equipment or Machinery	1	12,000	12,000	Large Griddle
Gas Range w/ Oven	Other Equipment or Machinery	1	2,300	2,300	ADF Kitchen Range
Dishwasher	Other Equipment or Machinery	1	33,007	33,007	ADF Kitchen Tray/Conveyer
Pepperball Launchers	Other Equipment or Machinery	5	3,400	3,400	Replace Pepperball Launchers
Replace ADF Kitchen Food Warmers	Other Equipment or Machinery	3	16,800	16,800	Replace ADF Kitchen Food Warmers
Brush Cutters	Other Equipment or Machinery	3	1,650	1,650	Replace Brush Cutters
Replace RoboNurses	Other	3	4,500	4,500	Replace Automated Vital Signs Monitors
Replace 480V Panel & Transformer	Maintenance	1	16,000	16,000	Replace 480V Panel & Transformer
Handheld Radio System Replacement	Other	1	200,000	200,000	Replace handheld radios, migrate to digital system
<b>Total Corrections</b>				<b>305,607</b>	<b>105,607</b>



# SANTA FE COUNTY

Fixed Asset Requests and Recommendations for Fiscal Year 2019

## County Assessor

Replacement Computers for Daniel King and Casey Cubicle add-ons	2	10,000	10,000 New GIS capable computers
Furniture/Fixtures	6	7,500	7,500 New Cubicles
Digital Aerial Oblique Imagery- 2nd Project, 1st	1	278,000	278,000 Digital Photography
<b>Total County Assessor</b>		<b>295,500</b>	<b>295,500</b>

810Z/8Z/00 SFC CLERK RECORDED 06/28/2018

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### County Manager Administration ( CMO, Finance, IT, HR)

Canon DR-6010C Scanner	Computer, Hardware, Peripherals	3	9,900	9,900	The Finance Office is requesting a total of 3
Cisco wireless access points	Computer, Hardware, Peripherals	12	12,000	12,000	Cisco wireless access points - Aironet 1142N
Smart UPS (Uninterruptible Power Supply) RT 1500	Computer, Hardware, Peripherals	10	10,000	10,000	Smart UPS (Uninterruptible Power
PC Cascade	Computer, Hardware, Peripherals	100	60,000	60,000	PC Cascade (PC Only)
Replacement PC Packages for various SFC Depts	Computer, Hardware, Peripherals	6	4,800	4,800	Replacement PC Packages for various SFC
Monitor Cascade	Computer, Hardware, Peripherals	50	10,000	10,000	Replace current outdated monitors throughout
NetApp Disks	Computer, Hardware, Peripherals	6	9,000	9,000	Adding additional storage for shared drives,
Cisco Server (DMZ Backup)	Computer, Hardware, Peripherals	1	5,000	5,000	Need to purchase a server to backup data in
Badge Printer	Computer, Hardware, Peripherals	1	2,700	2,700	ID Badge Printer
Office Furniture	Furniture/Fixtures	1	5,283	5,283	Replacement of cubicle furniture in Human
Replacement of Human Resources Computers	Computer, Hardware, Peripherals	2	1,000	1,000	Replacement of Human Resources Computers.
Canon DR-6010C Scanners	Computer, Hardware, Peripherals	3	9,174	9,174	The Human Resources Division is requesting
HR E-Personnel Filing System	Software Purchases	1	50,000	50,000	HR Electronic Personnel Filing System
Financial Statement/Budget Book	Software Purchases	1	30,000	30,000	Software to complete Budget Book/CAFR
<b>Tota County Manager</b>			<b>218,857</b>	<b>209,874</b>	

# SANTA FE COUNTY

Fixed Asset Requests and Recommendations for Fiscal Year 2019

## County Treasurer

Vehicle Replacement for 2003 Chevrolet Blazer	1	20,358	20,358	Vehicle replacement request for 2003 Chevrolet Blazer
<b>Total County Treasurer</b>		<b>20,358</b>	<b>20,358</b>	

810Z/8Z/00 SFC CLERK RECORDED 06/28/2018

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Fire Department

Aerial fire pumper	Heavy Equipment	1.00	690,000	690,000	Aerial fire pumper
Replace Engine 2	Heavy Equipment	1.00	350,000	350,000	Replace Engine 2
Evacu Mattress	Other	1.00	850	850	850 Evacu Mattress
Sked medical device	Other	1.00	614	614	614 Sked medical device
Flat screen TV for Emergency management Winch for replacement on EM Vehicle G-97465	Other	1.00	1,797	1,797	1,797 Flat screen TV for Emergency management
Boat engine for Zodiac 50hps	Other Equipment or Machinery	1.00	1,628	1,628	1,628 Winch for replacement on EM Vehicle G-97465
Boat trailer for Zodiac	Other Equipment or Machinery	1.00	9,363	9,363	9,363 Boat engine for Zodiac 50hps
Paratech mounting system	Other Equipment or Machinery	1.00	2,599	2,599	2,599 Boat trailer for Zodiac
Rescue saw 14" Cutquick	Other Equipment or Machinery	1.00	5,436	5,436	5,436 Paratech mounting system
Conex container	Other	1.00	900	900	900 Rescue saw 14" cutquick
Rescue Randy	Other	1.00	2,600	2,600	2,600 Conex container
1000 gallon dump tank	Other	2.00	1,825	1,825	1,825 Rescue Randy
Rescue saw 20"	Other	2.00	1,062	1,062	1,062 1000 gallon dump tank
Toughbooks for regional fire apparatus Desktops	Computer, Hardware, Peripherals	1.00	1,400	1,400	1,400 Rescue saw 20"
Furniture Desk	Computer, Hardware, Peripherals	5.00	2,000	2,000	2,000 Toughbooks for regional fire apparatus
	Furniture/Fixtures	6.00	850	850	850 Desktops
		1.00	1,150	1,150	1,150 New desk for fire admin

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Fire Department

Desktops	Computer, Hardware, Peripherals	6	5,100	5,100	Desktops
Furniture Desk	Furniture/Fixtures	1	1,150	1,150	New desk for fire admin
Gurneys for med units	Other	2	30,000	30,000	Gurneys for med units
Chest compression auto-pulse system	Other	5	80,850	80,850	Chest compression auto-pulse system
Masimo Rad 57 CO gas monitors	Other	2	9,500	9,500	Masimo Rad 57 CO gas monitors
Lifepak 1500 defibrillators	Other	2	66,400	66,400	Lifepak 1500 defibrillators
Thermal Imaging cameras		4	34,300	34,300	Thermal Imaging cameras
Replacement appliances for regional fire stations	Other	1	10,000	10,000	Replacement appliances for regional fire stations
Reveal Pro Thermal Imaging Camera handheld	Other	2	1,400	1,400	Reveal Pro Thermal Imaging Camera
SCBA replacement for regional staff	Other Equipment or Machinery	30	246,210	246,210	SCBA replacement for regional staff
Surface Pro computers	Computer, Hardware, Peripherals	5	6,620	6,620	Surface Pro computers
Chain Saws		3	2,600	2,600	Replace Chain saws for wildland division due to
<b>Total Fire</b>			<b>1,568,204</b>	<b>1,568,204</b>	

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Growth Management

New Vehicle for Code Enforcement	1	26,467	26,467	New Vehicle for Code Enforcement
Asset Renewal - Emergency Computer, Hardware, Peripherals Laptop	1	8,500	8,500	8,500 High End Laptop for Emergency Response
Asset Renewal - High End GIS Desktops (PCs)	3	19,800	19,800	0 High End GIS Desktops (PCs)
New DMZ GIS/IT Architecture to support Feature Extraction Data Development	1	110,000	110,000	110,000 GIS Servers, Microsoft SQL License, and Feature data extraction from 2014 Ortho/LIDAR
Monitoring Tablets	3	7,341	7,341	7,341 Tablets and tablet accessories required to
<b>Total Growth Management</b>		<b>192,108</b>	<b>192,108</b>	<b>172,308</b>

### Housing

Computers & Monitors	2	1,500	1,500	1,500 Desktop computers for part-time 50 plus
<b>Total Housing</b>		<b>1,500</b>	<b>1,500</b>	<b>1,500</b>

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Public Works

Vehicle replacement 844-1	Vehicle	1	40,949	40,949	Replace unit 844-1 2007 Chevrolet 2500 4x4 with 72in Brushcat attachments
New Equipment	Heavy Equipment	1	7,460	7,460	
New Equipment	Heavy Equipment	1	2,662	2,662	Tool Cat Attachment
New Equipment	Heavy Equipment	1	9,435	9,435	Snow Blade
Vehicle Replacement Unit # 844-2	Vehicle	2	32,000	32,000	844-2 is a 2009 Ford f150 with 99,699 miles
Vehicle Replacement Unit # 804	Vehicle	2	36,000	36,000	Unit 804 is a 2007 Chevrolet 2500 Ext 4x4
Cartegraph Upgrade	Software Purchases	1	65,000	65,000	Cartegraph Upgrade (must be funded with
Unit 552 ford F150 Replacement of old /worn unit 533 ford F250	Vehicle	1	40,934	40,934	Replacement of high mileage pickup for use
Replacement of old / worn	Vehicle	1	47,282	47,282	Replacement of crew transport pickup
Replacement of unit 511-1 F350	Vehicle	1	47,282	47,282	Replacement
Eldorado live bottom trailer	Heavy Equipment	1	81,197	81,197	Live bottom trailer for the Eldorado convenience
Back hoe replacements ( 2 ) for Solid Waste	Heavy Equipment	2	184,895	184,895	Replacement of 1 back hoe units 629 Jacona

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Public Works

Cartograph Software Upgrade	Software Purchases	1	65,000	65,000	Cartograph Upgrade (Request number 1362 & 1362 & 1362)
Plate Compactor	Heavy Equipment	1	3,124	3,124	3,124 Plate Compactor
Diamond Coring Tool	Heavy Equipment	1	7,807	7,807	7,807 Diamond Coring Tool
Walk behind concrete saw	Heavy Equipment	1	2,200	2,200	2,200 Concrete Walk behind concrete saw
VAC Trailer	Heavy Equipment	1	97,141	97,141	97,141 VAC Trailer
Field Truck Replacement - Unit 911	Vehicle	1	39,000	39,000	39,000 Replace one fleet vehicle based on highest mileage
Time Clocks	Computer, Hardware, Peripherals	2	10,000	10,000	0 Time Clocks
New Desktop and Monitor for FTE, if approved	Computer, Hardware, Peripherals	1	1,300	1,300	1,300 Desktop computer and 2 monitors
dump truck/ snow removal unit 656	Heavy Equipment	1	221,112	221,112	0 Replacement of Tandem dump truck/snow removal
unit 650 ford water truck	Heavy Equipment	1	156,155	156,155	0 water truck for use throughout all of Santa fe
replacement of old Computer & Monitor	Computer, Hardware, Peripherals	1	800	800	0 Construction Inspector
Water Meters	Other Equipment or Machinery	500	145,367	145,367	145,367 Replacement old inaccurate water meters
<b>Total Public Works</b>			<b>1,344,101</b>	<b>956,034</b>	



# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### RECC

Audio Recorder	Computer, Hardware, Peripherals	1	65,000	65,000	replacement of the
Replacement of Administrative Staff Laptops	Computer, Hardware, Peripherals	2	2,000	2,000	dispatch radio and Replace laptops for
Vesta telephone CPU's	Computer, Hardware, Peripherals	14	13,800	13,800	administrative staff Vesta telephone system
dispatch chair replacement	Furniture/Fixtures	14	7,500	7,500	computer replacement 24/7/365 dispatch chairs
Copy/Fax Scanner	Computer, Hardware, Peripherals	1	4,000	4,000	need to be replaced on an Replacement of the fax/copier/scanner
<b>Total RECC</b>			<b>92,300</b>	<b>92,300</b>	

# SANTA FE COUNTY

## Fixed Asset Requests and Recommendations for Fiscal Year 2019

### Sheriff

Administration Furniture	Furniture/Fixtures	1	2,452	2,452	Furniture Replacement
Administration Furniture	Furniture/Fixtures	1	2,452	2,452	Furniture Replacement
Administration Furniture	Furniture/Fixtures	1	3,584	3,584	Furniture Replacement
CSS Room Remodel	Furniture/Fixtures	1	7,930	7,930	CSS Workstations
Briefing Room Remodel	Furniture/Fixtures	1	14,159	14,159	Briefing Room Workstations
Rescue Response Vehicles	Heavy Equipment	1	304,573	304,573	Lenco BearCat Armored Vehicle
Animal Control Units	Vehicle	2	96,400	96,400	Animal Control Vehicles
Patrol Vehicles	Vehicle	30	1,702,620	1,702,620	Patrol Vehicles (20)
Patrol Vehicles	Vehicle	5	274,800	274,800	Patrol Vehicles - CID
Patrol -Vehicles	Vehicle	1	40,000	40,000	Patrol Vehicles - UIM
Desktop Cascade	Computer, Hardware, Peripherals	8	8,000	8,000	Desktop Cascade Replacement
Taser Purchase	Other Equipment or Machinery	25	26,500	26,500	Taser Purchase
Patrol Motorcycle Unit	Vehicle	2	32,000	32,000	Patrol Motorcycle
Security Printer	Computer, Hardware, Peripherals	1	13,826	13,826	Security Printer
<b>Total Sheriff</b>			<b>2,529,296</b>	<b>1,240,104</b>	
<b>Total All Pages</b>			<b>7,022,551</b>	<b>4,865,509</b>	



NEW MEXICO  
ENVIRONMENT DEPARTMENT



Solid Waste Bureau

1190 Saint Francis Drive, Room N-2150  
P.O. Box 5469

Santa Fe, New Mexico 87502-5469

Telephone: (505) 827-0197 Facsimile: (505) 827-2902

[www.env.nm.gov/swb/](http://www.env.nm.gov/swb/)

SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lt. Governor

BUTCH TONGATE  
Cabinet Secretary

J. C. BORREGO  
Deputy Secretary

Exhibit A

Record Number: ENTS 12682

Certified Mail – Return Receipt Requested No. 7008 0500 0001 1247 8175

December 14, 2017

Michael Kelley, Director  
Santa Fe County Public Works  
P.O. Box 276  
Santa Fe, New Mexico 87504

Re: Reclaimed Asphalt Millings – Stockpiled at South End of St. Francis Drive, Santa Fe, New Mexico

Dear Mr. Kelley:

The Solid Waste Bureau (“SWB”), New Mexico Environment Department (“NMED”), has investigated a complaint referred from the U.S. Environmental Protection Agency (“EPA”) regarding health and environmental concerns from the reuse and application of reclaimed asphalt millings on roadways in the Eldorado community. The SWB’s Enforcement Coordinator, Teri Monaghan, initially spoke to you on October 13, 2017 regarding this complaint. At that time, you and Mr. Robert Martinez discussed the method of application on several roadways within the Eldorado community. As discussed, you were also aware of the complaints from certain Eldorado residents and reported that the Eldorado Community Improvement Association had approved use of the reclaimed asphalt millings on several roadways in the area. The SWB advocates for the reuse and recycling of materials that can be diverted from our landfills. However, based on our review of the complaint and having observed the materials placed on the roadway, it is important that we convey our concerns regarding the stockpiling and the reuse and application of the reclaimed asphalt millings.

The amount of solid waste, including pieces of broken plastic shards, pliable road fabric, tire shreds, scrap metal pieces, and large chunks of asphalt found mixed in with the millings, and observed in both the stockpile located on south St. Francis Drive near Interstate-25 and what was placed on Juego Road, could potentially disqualify the materials as recyclable. The solid waste mixed with the millings is also described in the resident’s complaint. Any solid waste must be removed from the millings that are to be reused and applied to roadways. Additionally, in order for the reclaimed asphalt millings to be considered “clean fill,” the material must not be contaminated or comingled with solid waste or the millings would need to be disposed as solid

SFC CLERK RECORDED 06/28/2018

Michael Kelley  
Page 2 of 3  
December 14, 2017

waste. The New Mexico Solid Waste Rules ("SWR"), 20.9.2-20.9.10 NMAC, define "clean fill" under 20.9.2.7.C(4) NMAC as, "broken concrete, brick, rock, stone, glass, reclaimed asphalt pavement, or soil that is uncontaminated, meaning the fill has not been mixed with any waste other than the foregoing and has not been subjected to any known spill or release of chemical contaminants, including petroleum product, nor treated to remediate such contamination; reinforcement materials which are an integral part, such as rebar, may be included as clean fill; clean fill must be free of other solid waste, to include land clearing debris, construction and demolition debris, municipal solid waste, radioactive waste, hazardous waste or special waste."

Another concern is the length of time that the piled asphalt millings have been stored at the St. Francis Drive location, several years at best, and perhaps decades. As such, this may be construed as "abandonment" and would therefore need to be disposed immediately. The SWR, 20.9.2.7.D(5) NMAC, states that "[d]ispose or disposal means causing, allowing, or maintaining the abandonment, discharge, deposit, placement, injection, dumping, spilling, or leaking of any solid waste into or on any land or water."


There may be options for reuse of the asphalt millings as clean fill, or other beneficial use, at the permitted solid waste facilities or borrow pits in the Santa Fe area that could be researched, before disposing of the millings at a landfill as final option.

The health concerns and hazards associated with the asphalt millings already placed on the roadways in the Eldorado community, and identified in the Eldorado resident's complaint, may also need to be further assessed by your office. Such concerns include dust emissions from vehicles travelling the roadways, and damage to vehicles from large chunks of asphalt getting caught or flung up into the undercarriages.

The NMED is seeking your voluntary cooperation in the immediate attention of these concerns. Please respond in writing within ten (10) days of receipt of this notice as to what action you have taken, or plan to take, to address these concerns. Send your response to me: NMED Solid Waste Bureau Chief, 1190 Saint Francis Drive, P.O. Box 5469, Room N 2150, Santa Fe New Mexico 87502-5469.

It would be appreciated if we could schedule a meeting to further discuss this matter. If you have questions please call me or contact me to set a meeting date at (505) 222-827-2775. Thank you in advance for your assistance in resolving this issue.

Sincerely,

  
Auralie Ashley-Marx  
Solid Waste Bureau Chief

Enclosure – October 13, 2017 Photographs of Solid Waste Mixed with Millings

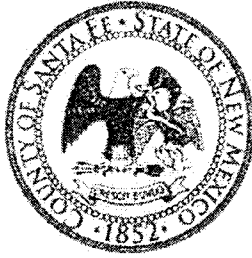
AAM: tdm

SFC CLERK RECORDED 06/28/2018

Henry P. Roybal  
Commissioner, District 1

Anna Hansen  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Anna T. Hamilton  
Commissioner, District 4

Ed Moreno  
Commissioner, District 5

Katherine Miller  
County Manager

December 22, 2017

## Exhibit B

Auralie Ashley-Marx  
NMED-Solid Waste Bureau Chief  
1190 St. Francis Dr.  
P.O. Box 5469  
Room N 2150  
Santa Fe, New Mexico 87502-5469

**Re: Reclaimed Asphalt Millings**

Dear Ms. Ashley-Marx:

This letter is in response to your letter dated December 14, 2017 and will hopefully refute the inaccurate information that has been presented to you regarding the recycled asphalt pavement (RAP).

The stockpile of RAP on south St. Francis Drive near Interstate -25 was placed there by the New Mexico State Highway and Transportation Department (NMDOT) and is the property of the state of New Mexico. The County has no control over where and how long the NMDOT stockpiles the RAP; therefore the county is not culpable for the possible abandonment of this material as stated in your letter. The NMDOT donated a specified amount of this RAP material to Santa Fe County for the purpose of placing it on existing County roads (see attached letter). The NMDOT offered the donation of this RAP, for road improvements, to all counties within the state during the New Mexico Association of Counties conference that was held this past June in Taos, New Mexico.

The RAP is not comingled with solid waste, but contains remnants of the previous road surface. This includes items like rubber crack sealant that was placed during the life of the road prior to the milling. The yellow and white fragments, depicted in the attached photo of your letter, are larger pieces of RAP with the paint and/or thermoplastic pavement markings of the pre-existing road surface. This material is being screened prior to being transported. The County crew has been instructed to pick up and remove any remnants of the previous road surface found in the RAP once placed on the roadway. The photos attached in your letter shows the RAP prior to being compacted and prior to the removal of any of the previous road surface.

Pursuant to NMDOT's agreement with the Federal Highway Administration dated September 25, 2015, the NMDOT confirmed to the Federal Highway Administration that the project initiated by

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

SFC CLERK RECORDED 06/28/2018

Santa Fe County to apply RAP to the road surfaces in El Dorado qualified for a Programmatic Categorical Exclusion (see attached letter). This letter states that "No further coordination is required for environmental approval". To further address any perceived issues related to application of the RAP, Santa Fe County will continue to coordinate with the El Dorado Community Roads Committee and offer to apply a FOG Seal to the roads in El Dorado that have received the RAP. If agree upon, the FOG Seal will be applied next summer when warm weather will allow for the application.

I am more than willing to meet you in El Dorado and view the roads in question, so you can observe them personally. I have included a few photographs of a representative sample of material that we have installed (see attached photographs). Please feel free to contact me to coordinate a site visit if you so desire. Thank you.

Sincerely,



Michael Kelley, PE  
Director of Public Works  
Santa Fe County  
505-992-3023

Attachments:

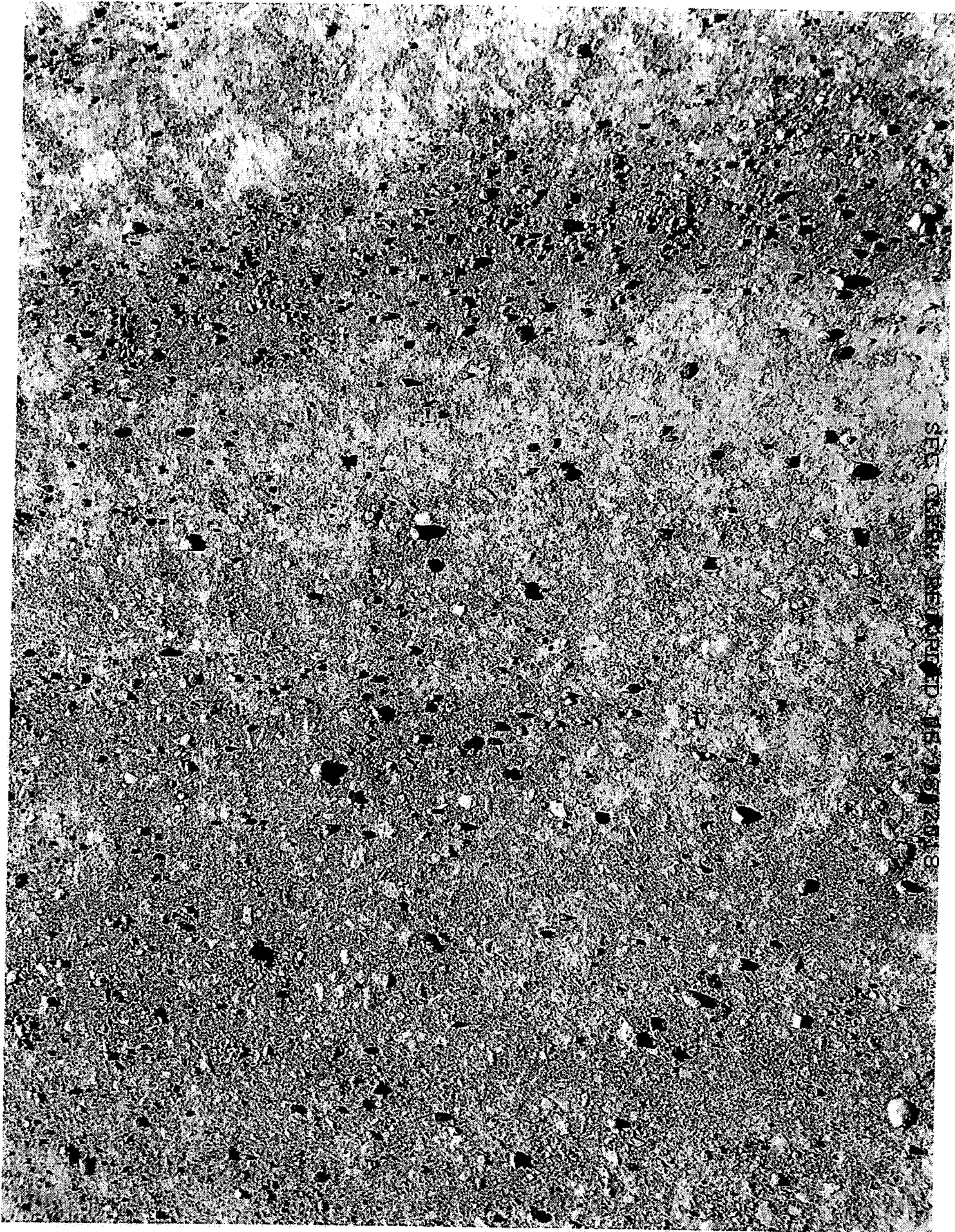
- 1) NMDOT Letter
- 2) Pictures

Chusco Road

SFC CLERK RECORDED 06/28/2018

SPEED  
LIMIT  
25





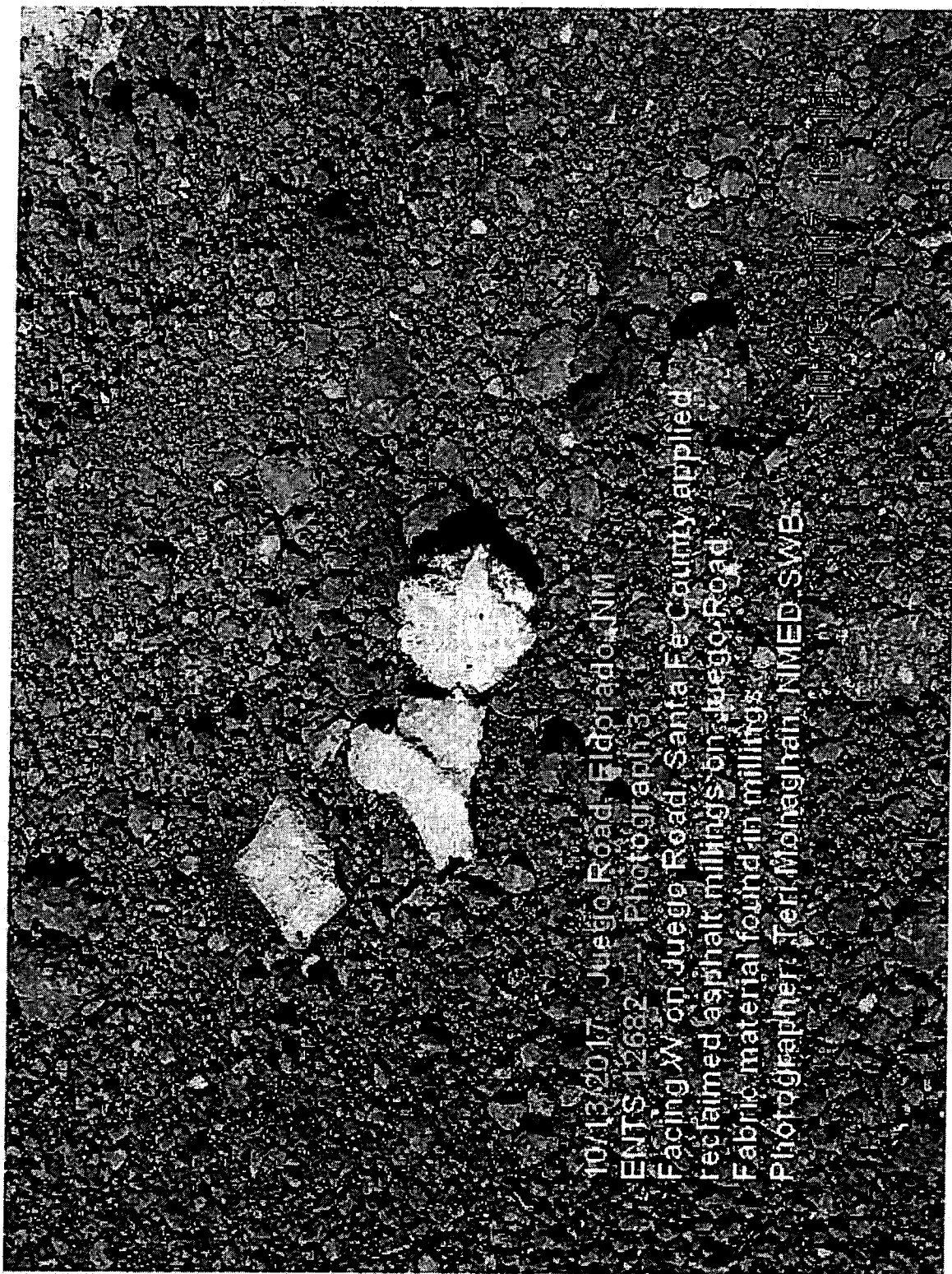
SEE OVERLAP AND ID. 18-15-12018





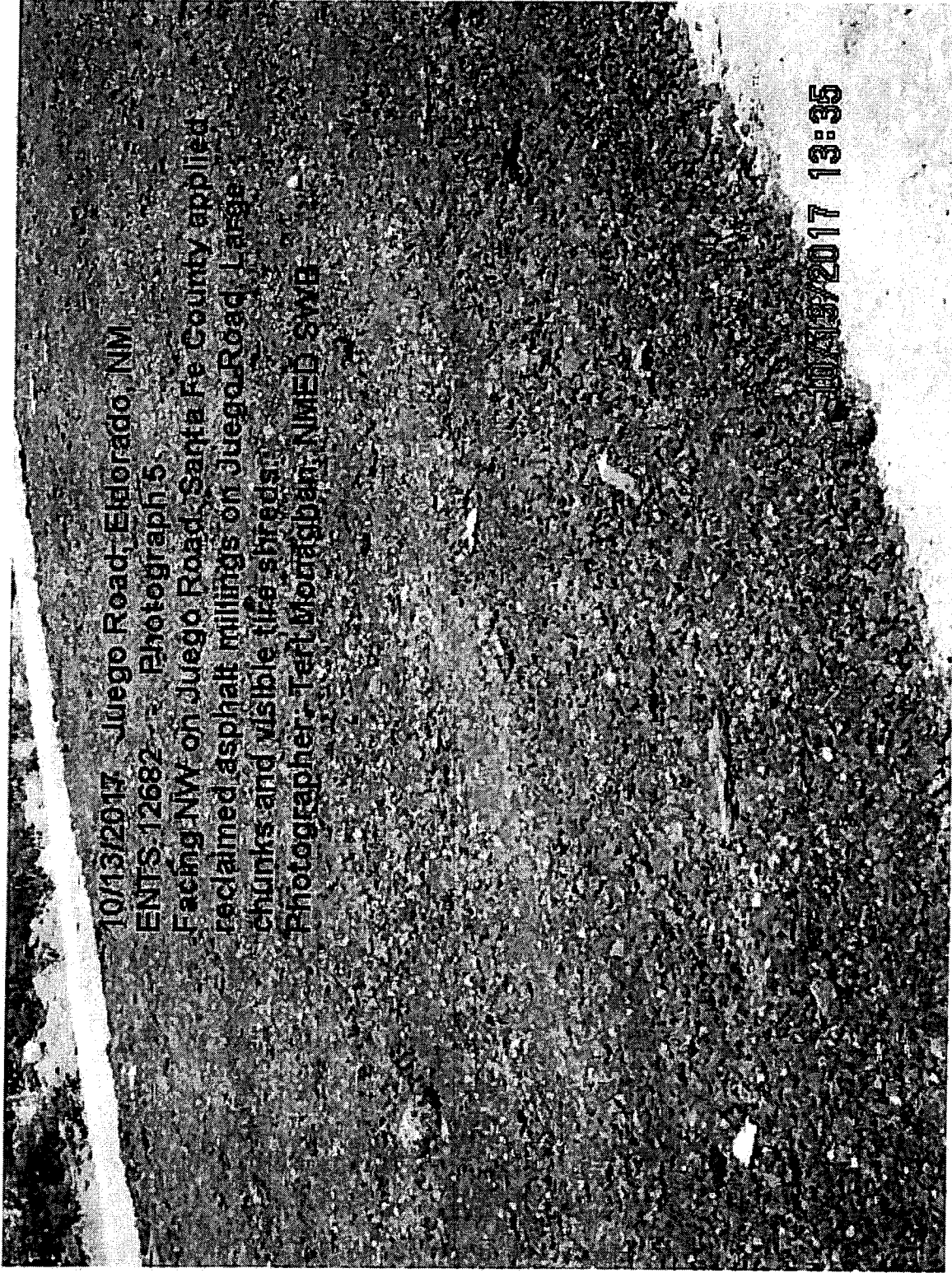
SEE OTHER RECORDS (06/25/2018)

# Exhibit C



10/13/2017, Juego Road, Eldorado, NM  
ENTS 12682 - Photograph 3  
Facing W on Juego Road, Santa Fe County, applied  
reclaimed asphalt millings on Juego Road.  
Fabric material found in millings.  
Photographer: Teri Mohaghati, NIMED, SWB

# Exhibit D



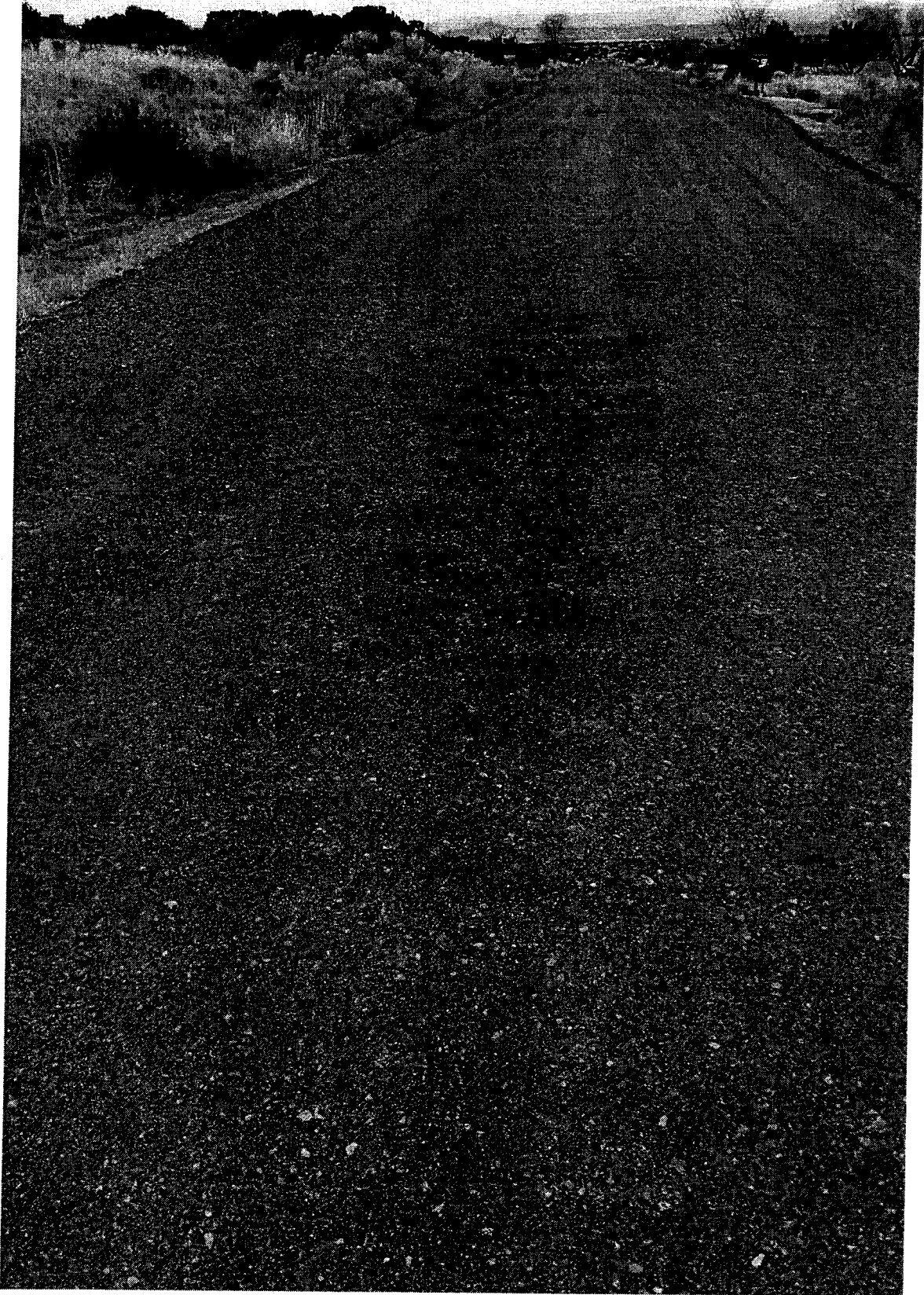
10/13/2017 Juego Road, El Prado, NM  
ENTR 12682 - Photograph 5  
Facing NW on Juego Road, Santa Fe County applied  
reclaimed asphalt millings on Juego Road. Large  
chunks and visible tire streaks.  
Photographer: Tafi Monaghan, NIMED SWB

10/13/2017 13:35

# Exhibit E



Add'l Photos



SFC CLERK RECORDED 06/28/2018

# USA TODAY

04.05.18



USA TODAY SPORTS

## Winning the ? Why not?

man: A Woods win might  
t sports comeback ever

## Coach banned for misconduct

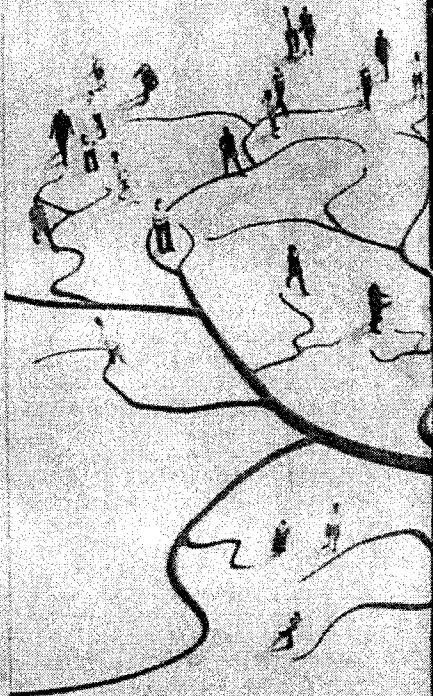
accuse taekwondo  
coach of abusing them

## Arctic air Midwest, East

low temperatures  
key of the calendar

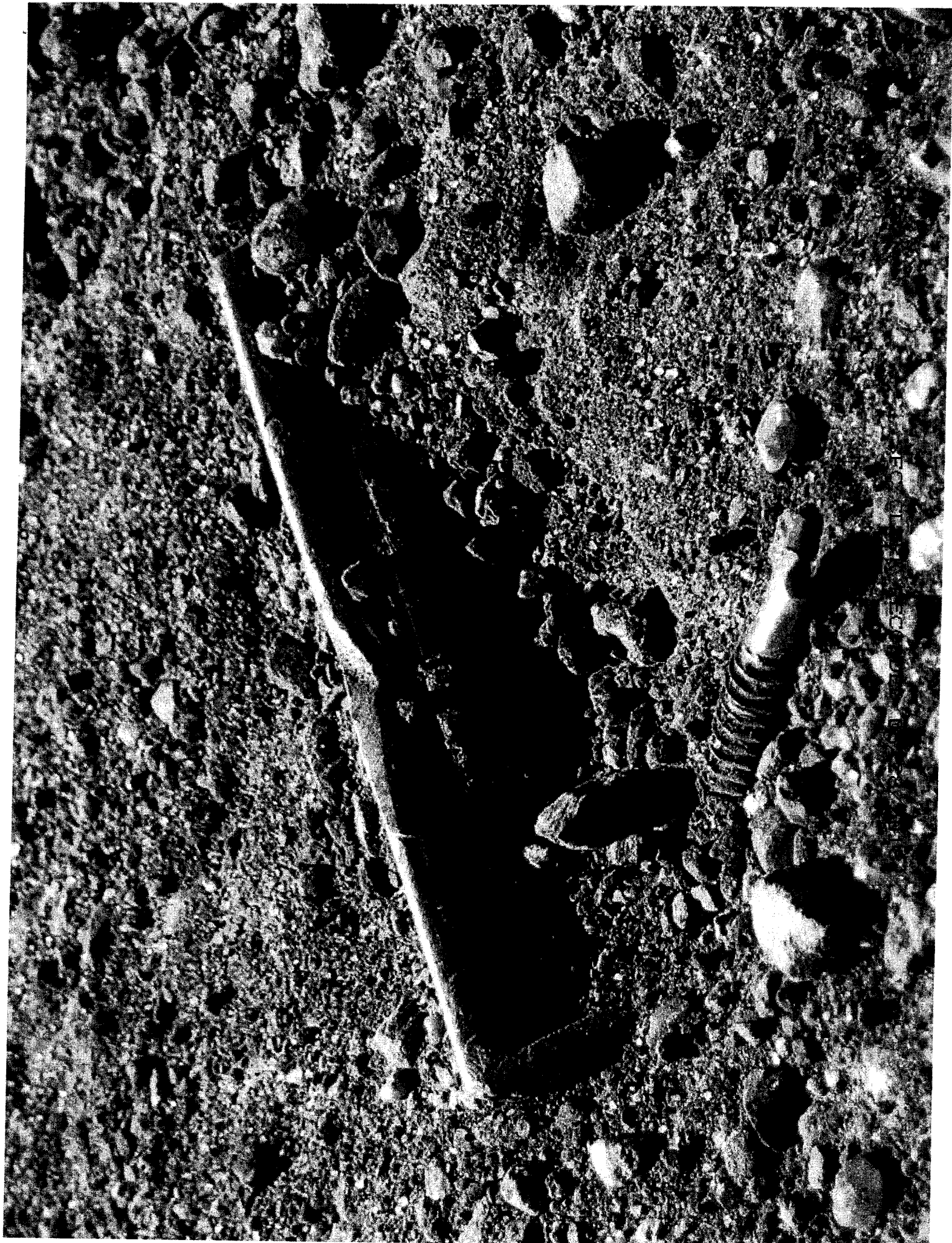
## Google now thinks it in data share

ad said 50 million users  
Cambridge Analytica case

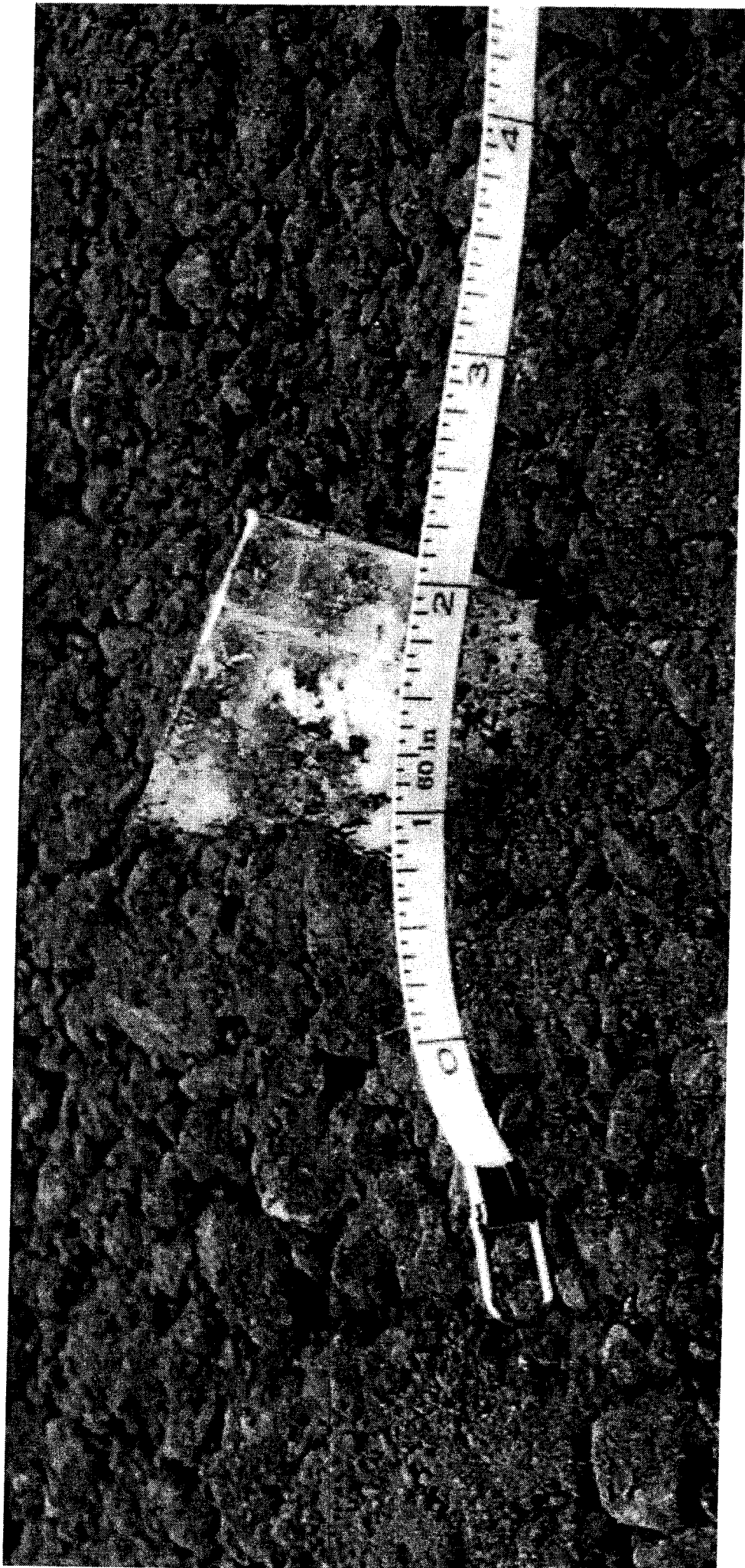


USA TODAY NETWORK IN

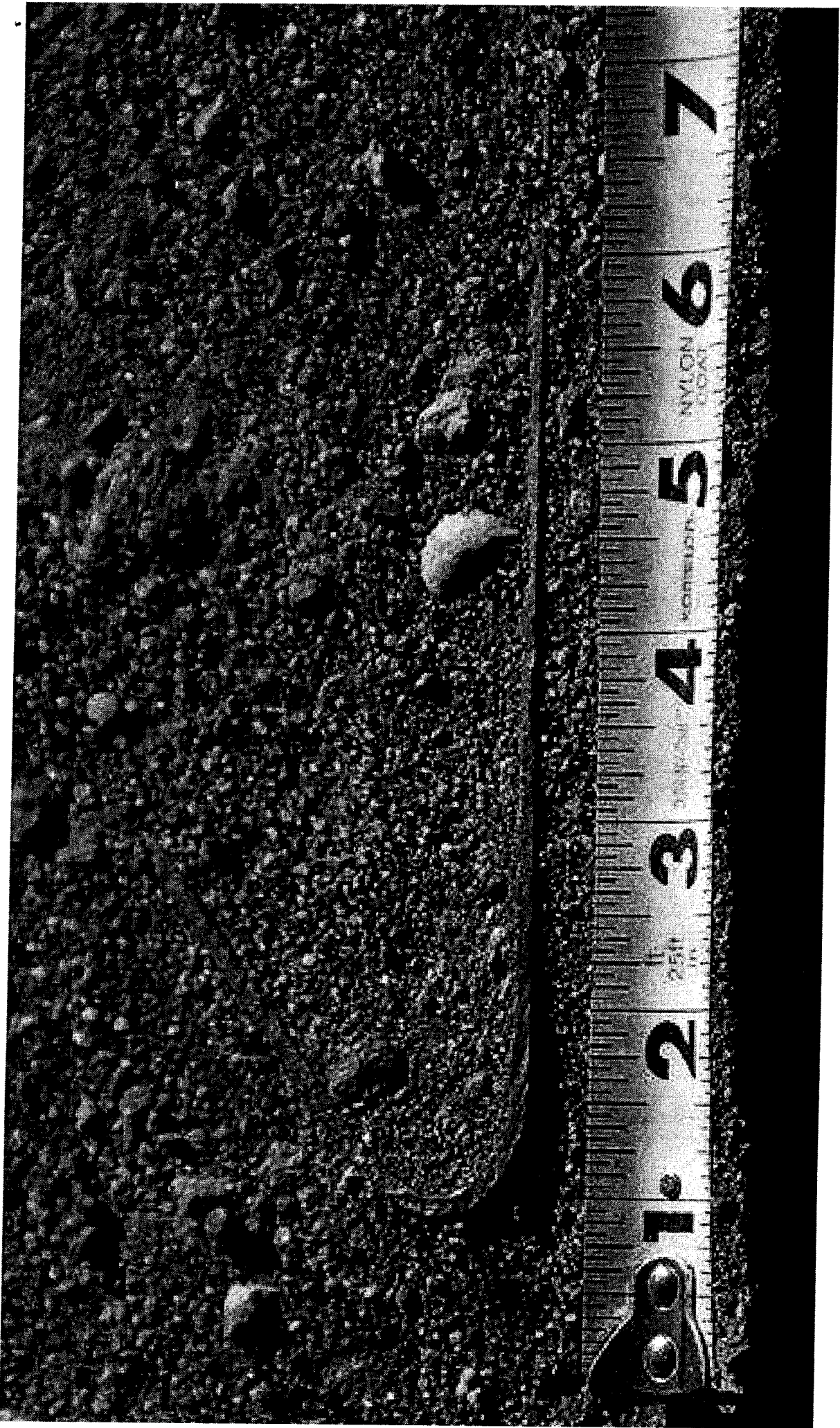
# OPERA UNDE THE R



SFC CLERK RECORDED 06/28/2018







SFC CLERK RECORDED 06/28/2018



## Santa Fe County RAP Question and Fact Sheet

**Question:** What is RAP?

**Answer:** RAP is an acronym for Reclaimed Asphalt Pavement. According to the Federal Highway Administration (FHWA), RAP is the term given to removed and/or reprocessed pavement materials containing asphalt and aggregates. These materials are generated when asphalt pavements are removed for reconstruction, resurfacing, or to obtain access to buried utilities. The primary method for removal is by the mechanical milling (or grinding) of existing asphalt road surfaces.

**Question:** Is asphalt the most recycled material in the USA?

**Response:** **Yes.** According to the Federal Highway Administration 73 million tons of reclaimed asphalt pavement is reused every year. This is nearly twice as much as paper, glass, aluminum and plastics combined.

**Question:** What constituents are found in RAP? What's in it?

**Response:** According to the FHWA, mineral aggregates constitute the overwhelming majority (93 to 97 percent by weight) of RAP. Only a minor percentage (3 to 7 percent) of RAP consists of hardened asphalt cement. Consequently, the overall chemical composition of RAP is essentially similar to that of the naturally occurring aggregate that is its principal constituent. FHWA states that asphalt cement is made up of mainly high molecular weight aliphatic hydrocarbon compounds, but also small concentrations of other materials such as sulfur, nitrogen, and polycyclic hydrocarbons (aromatic and/or naphthenic) of **very low chemical reactivity**. Asphalt cement is a combination of asphaltenes and maltenes (resins and oils). Asphaltenes are more viscous than either resins or oils and play a major role in determining asphalt viscosity. Oxidation of aged asphalt causes the oils to convert to resins and the resins to convert to asphaltenes, resulting in age hardening and a higher viscosity binder.

**Question:** What is the source of the RAP being used in El Dorado?

**Response:** The RAP being placed on the roads in El Dorado was donated to Santa Fe County by FHWA/NMDOT. Santa Fe County Staff confirmed with NMDOT that the RAP that was donated to Santa Fe County came from local NMDOT facilities. The New Mexico Department of Transportation invited all Counties within the State of New Mexico to utilize stockpiles of RAP that the State had accumulated, as a result, Santa Fe County applied to NMDOT for the use of RAP. Pursuant to NMDOT's agreement with the Federal Highway Administration dated September 25, 2015, the NMDOT confirmed to the Federal Highway Administration that the project initiated by Santa Fe County to apply RAP to the road surfaces in El

SFC CLERK RECORDED 06/28/2018

Dorado qualified for a Programmatic Categorical Exclusion. The source of the RAP is likely millings from St. Francis (285) and I-25 in Santa Fe.

**Question:** What is a Categorical Exclusion?

**Response:** 23 CFR § 771.117 FHWA categorical exclusions.  
(a) Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area; do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; or do not otherwise, either individually or cumulatively, have any significant environmental impacts. (U.S. Government Publishing Office)

40 CFR 1508.4 states the following:

40 CFR § 1508.4 Categorical exclusion.  
Categorical exclusion means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations ( § 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. An agency may decide in its procedures or otherwise, to prepare environmental assessments for the reasons stated in § 1508.9 even though it is not required to do so. Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.

**Question:** I am concerned that RAP will harm the aquifer. Is RAP harmful to the environment?

**Response:** No. This project qualified for a Categorical Exclusion as previously defined in this fact sheet. By the definition of a Categorical Exclusion, the project will not individually or cumulatively have any significant environmental impacts.

In addition, the body of evidence does not support the concern that RAP is harmful to the environment. According to the Federal Highway Administration Report # FHWA-RD-97-148, "the available body of technical data indicate that RAP is a nonleachable material". Santa Fe County's position is that placing RAP on roads in Santa Fe County does not pose a risk to the environment. Studies have been performed by various agencies and the conclusion is that RAP does not pose a risk to the environment. The Virginia Department of Transportation and State University System of Florida have conducted studies and deduced the following:

The Virginia Department of Transportation stated that "Research has been conducted on the feasibility and potential environmental impact of using milled asphalt as fill material for bridge approaches and similar applications. Even when used in applications above mean high water (an unsaturated condition), concern has been expressed that leachate resulting from flood or rainfall could be contaminated by such recycled asphalt and thus have negative environmental consequences." "Results of numerous field studies and standardized tests, including the Toxicity Characteristic Leachate Procedure (TCLP) test, suggest that typical RAP can be used as "clean fill" without undue negative environmental consequences."

State University System of Florida produced the following on the Leaching Characteristics of Asphalt Road Waste:

"While it is generally recognized that RAP does not present a great risk to human health or the environment, a better characterization of the amount and type of chemicals that leach in the environment helps provide a better means to correctly manage this material. This project was conducted to address some of the environmental concerns expressed by regulators and others related to the leaching of pollutants from asphalt road waste, primarily RAP."

"A series of leaching tests were performed at both batch-scale and in leaching columns. Samples tested did not pose an undue risk (in regard to leaching of the pollutants tested). In all of the batch tests, measurements of volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), and selected heavy metals (Ba, Ca, Cr, Cu, Pb, Ni, and Zn) all were below detection limits and were below applicable regulatory groundwater guidance concentrations. This indicated that the samples tested did not pose an undue risk (in regard to leaching of the pollutants tested) under current waste policy in Florida."

**Question:** Does the RAP contain solid waste material?

**Response:** No. RAP does not contain solid waste material. Remnants of the previous road surface may be found in the RAP material. This material is not solid waste. This includes items like rubber crack sealant and thermoplastic pavement markings that were placed on the previous road surface during the life of the road prior to milling. In an effort to further reduce amounts of the previous road material, Santa Fe County has reduced the size of the screen that is being used to screen material from the RAP.

**Question:** Material Safety Data Sheet (MSDS) for RAP details the potential health hazards associated with RAP. Is the dust from the road hazardous to human health?

**Response:** No. Material Safety Data Sheet (MSDS) mentions Respirable Crystalline Silica dust as a potential hazard. The United States Department of Labor's website defines Respirable Crystalline Silica as the following: "Respirable Crystalline

Silica – very small particles at least 100 times smaller than ordinary sand you might find on beaches and playgrounds – is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, block, and mortar. Activities such as abrasive blasting with sand; sawing brick or concrete; sanding or drilling into concrete walls; grinding mortar; manufacturing brick, concrete blocks, stone countertops, or ceramic products; and cutting or crushing stone result in worker exposures to respirable crystalline silica dust.”

This constituent is not present as result of the asphalt binder but is created from the mechanical disruption of the rock aggregate that makes up 93% to 97% of cured asphalt by weight. This constituent is only an issue of concern for the workers that are operating the milling machine or those that are in close proximity to the milling operation. The application of the RAP material to the roads in El Dorado does not involve grinding, cutting, drilling, crushing, or reheating of the material; therefore, this process is not generating respirable crystalline silica dust. In addition, Santa Fe County is aware that the EPA recognizes that recycled asphalt pavement can be used as an effective control for significantly reducing general fugitive dust emissions from unpaved roads and areas. (Koch et. at., 2011)

**Question:** Is Santa Fe County required to follow the New Mexico Department of Transportation Standards?

**Response:** No. Santa Fe County is not required to follow NMDOT construction specifications and standards. Because the RAP is owned by the FHWA and NMDOT, Santa Fe County submitted a project scope of work to NMDOT as part of the request to use the RAP material. In a letter dated March 15, 2017, from NMDOT to FHWA the NMDOT states the following: “The New Mexico Department of Transportation (NMDOT) staff has reviewed the following project. The project meets the conditions stipulated in the agreement approved September 25, 2015, for completing the requirements of 23 CFR § 771 and it qualifies for the NMDOT and Federal Highway Administration Programmatic Categorical Exclusion.”

**Question:** Does the use of 100% RAP violate NMDOT and the Federal Highway Transportation Administration (FHWA) standards?

**Response:** No. The use of 100% RAP does not violate NMDOT or FHWA standards. NMDOT does not have a specification for using RAP as a driving surface because NMDOT does not maintain un-surfaced roads. However, NMDOT does limit the use of RAP in its Hot Mix Asphalt designs to 35% and 50% in its Base Course. The FHWA requires states to utilize their own specifications so different states can have varying amounts of RAP in accordance with their own specification.

**Question:** Has the RAP material been tested for compliance with environmental standards before application.

**Response:** No. Additional testing was not required as Santa Fe County's request for the RAP qualified for a Programmatic Categorical Exclusion. See the definition of Categorical Exclusion above. Pursuant to NMDOT's agreement with the Federal Highway Administration dated September 25, 2015, the NMDOT confirmed to the Federal Highway Administration that the project initiated by Santa Fe County to apply RAP to the road surfaces in El Dorado qualified for a Programmatic Categorical Exclusion. This letter states that "No further coordination is required for environmental approval".

**Question:** Has Santa Fe County used RAP on any other roads with Santa Fe County?

**Response:** Yes. The following is a list of roads that Santa Fe County has applied RAP to in the past:

- Carlson Subdivision – 1992 I-25 Frontage Road
- Remuda Ridge Subdivision – 1992 I-25 Frontage Road
- Village of Cerrillos – 1992 Cerrillos
- CR 54 – 1992 La Cienega
- CR 52 – 1993 La Cienega
- Calle Victoriano – 2009 Stanley
- Arroyo Alamo East – 2010 La Puebla
- Bartons Loop – 2010 Arroyo Seco
- Lumbre del Sol – 2010 Arroyo Seco
- Camino arroyo Seco – 2010 Arroyo Seco
- Old dump road – 2010 Arroyo Seco
- Camino los Ranchos – 2010 Chimayo
- Camino de los Vigils – 2010 Chimayo
- Jericho Lane - 4/2017 Old SF Trail
- Fire Station Road -5/2017 Glorietta
- Cross Ranch Road – 4/2018 Stanley
- Camino las Cabreras- 5/2018 Galisteo
- Peaceful Drive – 5/2018 (in progress) Edgewood

**Question:** Did Santa Fe County coordinate the RAP Project with the El Dorado Roads Committee?

**Response:** Yes. The following is a timeline that documents the coordination efforts between Santa Fe County and ECIA Roads Committee:

- 3/30/17 County reached out to ECIA regarding the use of RAP on the roads in Eldorado.
- 4/7/17 Ms. Felicia Probert, ECIA Roads Chairperson, emails county with their road recommendations.

- 5/17/17 Mr. Robert Martinez emails Ms. Probert finalized list with their recommendations added.
- 6/8/17 Mr. Martinez attends ECIA roads meeting to discuss the use of RAP.
- 6/14/17 Ms. Probert emails Mr. Martinez that ECIA Board supports the continued use of RAP
- 12/7/17 Commissioner Moreno conducts town hall meeting.

**Question:** Is asphalt recycling good for the environment?

**Response:** Yes. Asphalt Recycling benefits the environment in many ways. In particular, it reduces quarrying, mining and oil consumption. Every year, approximately 75 million tons of asphalt is recycled. Asphalt recycling reduces our consumption of scarce natural resources (aggregate and asphalt) and simultaneously keeps 75 million tons of material out of US landfills. Recycling asphalt also dramatically reduces the consumption of resources such as fuel, machinery, transportation and labor when compared with producing virgin asphalt materials. (Source: Asphaltrecycling.com)