

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 11, 2017

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

SANTA FE COUNTY

REGULAR MEETING

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July 11, 2017

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 p.m. by Vice 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 Henry Roybal, Chair [late arrival]
- Commissioner Anna Hansen, Vice Chair
- Commissioner Robert A. Anaya
- Commissioner Anna Hamilton
- Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Daniel Fresquez, the State Pledge by Pat Ortiz and the Moment of Reflection by Elsa Ornelas-Segura of the Administrative Services Department.

Commissioner Anaya asked for a moment of silence for Joe Grill and former Housing Commissioner, Francis "Frankie" Ong.

I. F. Approval of Agenda

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 Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Mr. Chair, we have on page 2 of your agenda, under Consent Agenda, items II. A. 2 and II. B. 3, both of those items

were on the agenda but the first one had a corrected caption and the second one, II. B. 3, was in a different area of the agenda. Also under Action Items, III. B. 2, that resolution for general obligation refunding and improving bonds was added. And Action Item III. C. 2, Miscellaneous, an MOU between the Housing Authority, the Association of Realtors and the Housing Trust, that item was added. And then item III. C. 3, a water service agreement was also added.

The items under Matters from the County Attorney, items VI. A 1, 2, 3 and 4, and then also VI. B. 2 was added. Item 1 was already there and that had a caption correction.

Those are the amendments to the agenda. They were posted on July 7th at 2:52 pm.

COMMISSIONER HANSEN: Thank you. With that, is there a motion for approval.

COMMISSIONER HAMILTON: Madam Chair, I move that the agenda be approved as amended.

COMMISSIONER HANSEN: And do I have a second?

COMMISSIONER MORENO: Second.

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

I. G. Approval of Minutes

1. Approval of June 13, 2017, Special Board of County Commission Meeting Minutes

Commissioner Hamilton moved to approve the minutes as submitted and Commissioner Moreno seconded. The motion passed by unanimous [4-0] voice vote. [Commissioner Roybal was not present for this action.]

2. Approval of June 13, 2017, Regular Board of County Commission Meeting Minutes

Commissioner Hansen offered a correction to page 41 which was incorporated into the minutes.

Commissioner Moreno moved to approve the minutes as amended and Commissioner Hamilton seconded. The motion passed by unanimous [4-0] voice vote. [Commissioner Roybal was not present for this action.]

II. CONSENT AGENDA

B. Resolutions

- 1. Resolution No. 2017-74, a Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute (Finance Division/Don Moya)**
- 2. Resolution No. 2017-75, a Resolution Authorizing the County Attorney to Bring Condemnation Actions, if Necessary, to**

Acquire Property Interests for the Mt. Chalchihuitl Open Space (Public Works Department/Mark Hogan)

C. Miscellaneous

- 1. Approval of State of New Mexico Commissioner of Public Lands Right-of-Way Agreement in the Amount of \$21,079 for the TL6S Transmission Line Project (Public Works Department/Terry Lease)**
- 2. Request Approval of Amendment No. 5 to Firestik Studio Agreement No. 2014-0237-HHS/PL to Extend the Term and Increase Compensation in the Amount of \$80,000 Inclusive of New Mexico Gross Receipts Tax for a Total Contract Sum of \$583,000 to Design and Implement DWI Public Awareness Campaigns and Authorize the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor)**
- 3. Request Approval of Amendment No. 3 to Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Sheriff's Association, A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCP SO (Human Resources Division/Bernadette Salazar)**

COMMISSIONER HANSEN: What is the pleasure of the Board?

COMMISSIONER ANAYA: Madam Chair.

COMMISSIONER HANSEN: Yes.

COMMISSIONER ANAYA: I just have a question, if I could, on amendment #5 to Firestik Studio agreement, if someone's here.

COMMISSIONER HANSEN: Under Consent Agenda?

COMMISSIONER ANAYA: Yes, under Consent. Item 2 under Miscellaneous. If you could just – it's a large contract. I'm familiar with the contract, but I wanted to see – it's Miscellaneous #2 for Firestik Studio agreement. If you could just give a summary, Lupe, I'd appreciate it.

LUPE SANCHEZ (DWI Coordinator): Madam Chair, Commissioner Anaya, this is the contract that we have in place that create all our public awareness of the program. So this is the fourth year of the contract. They've created all our artwork, the media campaigns, all those types of things.

COMMISSIONER ANAYA: What kinds of things are they doing out in the community, if you could, Lupe, just to let everybody know what's happening relative to the agreement?

MR. SANCHEZ: Sure. Madam Chair, Commissioner Anaya, they've created the bus wraps that you've seen rolling around town. A lot of radio advertisement, inserts in the papers. We've advertised up in Rio Arriba County in the Sun News there because what we're finding is we have a lot of people coming down from Rio Arriba that are picking up DWIs here. So we're trying to educate them on the forfeiture law and those types of things. We've also had a mass production of coasters, cocktail coasters, cocktail napkins, those types of things that get distributed to our local restaurants and bars throughout the city, and those are passed out during strategic times such as the

Fourth of July, Christmas holidays, those types of things.

COMMISSIONER ANAYA: Thank you, Madam Chair, Lupe. How long is this agreement for and is this – are we concluding on amendments or are we going to have more amendments?

MR. SANCHEZ: This is the last year of the contract. It will conclude at the end of March of this year, at which time we'll issue a new RFP and see about moving forward with public awareness.

COMMISSIONER ANAYA: Madam Chair, Lupe, the DWI Council and yourself and others have been satisfied with the work that's been done thus far associated with the campaign and this contractor?

MR. SANCHEZ: Madam Chair, Commissioner Anaya, that's correct. They've done a good job for us. In my opinion they've gone above and beyond of what they've provided for us. So we've been real satisfied with what they've produced so far.

COMMISSIONER ANAYA: Awesome. Thank you, Lupe. Thank you, Madam Chair. I don't have any other questions.

COMMISSIONER HANSEN: Are there any other questions on the Consent Agenda before we move to approve? Could I have a motion?

COMMISSIONER HAMILTON: I would move to approve the Consent Agenda.

COMMISSIONER HANSEN: A second?

COMMISSIONER MORENO: Second.

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

III. ACTION ITEMS

B. Resolutions

1. **Resolution No. 2017-76, a Resolution Scheduling a New Water Delivery Pursuant to Resolution No. 2006-57 for the Second Six Months of 2017 and Approving a New Water Allocation Pursuant to Section 5.7.3.3 of the Sustainable Land Development Code (SLDC) [Exhibit 1: Revised Staff Memo]**

JERRY SCHOEPPNER (Public Works): Thank you. Good afternoon, Madam Chair, members of the Commission. I'm here today to request approval of the resolution scheduling a water delivery for the second half of 2017 and approval of a new water allocation pursuant to the SLDC 5.7.3.3. I do have with me a revised memo. The memo that you have in your packet has an error in it. It has St. Francis South listed three times as a rehab center, the multi-family and St. Francis itself. So that's been consolidated, and the resolution does not change but the memo does change and I do have copies of you need them.

TONY FLORES (Deputy County Manager): Madam Chair, those are on your dais already as a revised memo.

MR. SCHOEPPNER: So the current requests are two new requests for

water service for the second six months of 2017, water delivery totaling 8.06 acre-feet per year for the Legacy project, which consists of an 84-bed senior assistance facility, and an allocation of water totaling 45.67 acre-feet per year for the Vegas Verdes or St. Francis South project, which consists of 75 units at a senior assisted facility, which also has leasable office space and a warehouse.

Ten projects have previously been approved under Resolution 2016-80 and that was back in July of last year and it totaled 188.15 acre-feet per year. However, water from the St. Francis South facility, for the multi-family and for the rehab center was included in that and that's been backed out and adjusted for what's known know as the St. Francis/Vegas Verdes project. So with that I'll stand for any questions that you may have.

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

COMMISSIONER HAMILTON: I second.

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

III. B. 2. Resolution No. 2017-77, Notice of Sale Resolution for General Obligation Refunding and Improvement Bonds, Series 2017
[Exhibit 2: Revised Staff Memo and Supporting Material]

DON MOYA (Finance Director): Thank you, Madam Chair, members of the Commission, Manager Miller. What you have before you today for approval is a notice of sale resolution and this is the first issuance of the \$35 million that was approved by the voters in November of 2016. It was approved in five separate categories: road improvements, water/wastewater projects, public safety facilities, open space, trails and parks, and community health facilities.

What we are proposing or asking you to approve is a sale of \$22,015,000 for those specific areas, those five specific areas, and in addition, we would also like to take advantage of some market conditions right now and refinance the 2009 Series and use \$6,760,000 for an advanced refunding, which will save about 3.5 percent at present value. The threshold is about three percent so it would be worth our while to refinance the 2009 Series. The total amount of the sale will be \$28,775,000. This will not change the tax rate and the sale is scheduled for August 8th with the ratings presentation coming up later this month.

I have with me today as sort of expert witnesses, if you will, Eric Harrigan from RBC and Mr. Peter Franklin from Modrell, our bond counsel, and we stand for questions. Mr. Harrigan has also provided some information in your packet. I believe it came in this morning. It looks like this and he will just take a few minutes and talk a little bit about some market conditions, the ever mercurial changing market conditions and sort of let you know what we're in for. Thank you.

COMMISSIONER HANSEN: Thank you. Welcome.

ERIC HARRIGAN: Thank you, Madam Chair, members of the Commission, Eric Harrigan with RBC Capital Markets. As Mr. Moya mentioned we have bond ratings scheduled for late July, July 26th with Standard and Poors. The County's

bonds are rated AA+ by Standard and Poors. We don't anticipate that changing. The County has been very good stewards of its money and has managed its finances well, so we do not anticipate that changing. The bonds will be sold subject to approval today on August 8th. We'll take bids in the morning similar to what the County has done in the past for its general obligation bonds and gross receipts tax bonds. And in that process bids are open to investment banking firms all over the country. They will bid on those bonds and during that process, while they can't actually see what other investment banks are bidding, they do have the ability to improve their bid to try to win the business and the County in the past has experienced quite a bit of activity during that bidding process to the benefit of the County. After those bids that morning we'll bring the final sale results to the Commission for final approval.

As Mr. Moya also mentioned, including in the financing of the new money bonds that were approved by voters there's also a refunding of existing 2009 County general obligation debt. Now, in the event that market conditions were to worsen and we can't generate the minimum threshold expectation, we simply wouldn't refund those bonds; we would just continue to leave those outstanding. That will be determined as we get closer to the actual pricing date.

From just a general market condition standpoint after the election in November we saw a significant run-up of interest rates kind of peaking in January and since that point interest rates have come down and sort of bottomed, if you will, in May. They've started to tick back up for a couple of reasons. One, the US economy continues to perform quite well. If you may have seen last week the jobs number came in and they added about 222,000 which was higher than expectations. However, wages, which is something also that the Federal Reserve pays attention to, was pretty flat. The Federal Reserve did raise interest rates in June. They will meet again on July 26th. We do not anticipate that they will raise interest rates at that point in time. So we feel comfortable that August 8th is a good time to go into the market to sell those bonds. And with that I'd be happy to answer any questions that you might have.

COMMISSIONER HANSEN: Any questions?

COMMISSIONER ANAYA: Madam Chair.

COMMISSIONER HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Eric, I appreciate in your remarks that you as well noted as Mr. Moya did that this particular sale deals with some refunding but advances the first phase, if you will, of the bonds approved by the voters and sets in motion the process by which the bonds will be sold, so that we can acquire the resources necessary to invest in the capital projects that the voters endorsed. So I appreciate that. I'm excited that we're getting to this point so that we can advance and move those projects along and so I would move approval of the resolution and hope for a second.

MR. HARRIGAN: One think that I also would just like to clarify, that the projected debt service tax rate, after the issuance of these bonds as was communicated to voters in November is \$2.12, for this upcoming tax issuance sale. One thing I did want to just – Peter Franklin did want to say a couple of words. I will turn it over to him with the Modrell law firm.

[Commissioner Roybal joined the meeting.]

PETER FRANKLIN: Good afternoon, Madam Chair, new Commissioners. I'm Peter Franklin with Modrell Sperling. I've served as the County's bond counsel since about 2003, I believe. The one thing I wanted to make sure you're aware of is that probably – I'm going to say early next week we will be distributing a form of disclosure documents for the BCC's review. It's basically a draft prospectus for the bonds which describes details about the County which would be material to investors. Basically, we'd like to make sure that you have a chance to review that document, ask any questions, raise any concerns you might have about it. It's a big, thick document. We're not going to ask that you review literally every word in it. We'll call out some specific sections that we think the County ought to be aware of and just give you the opportunity to make sure that you're comfortable with it. So with that, thank you very much.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just had a quick question. Is that sort of a standard document that we'll be getting to review? And is that to provide information to prospective bidders for this upcoming sale?

MR. FRANKLIN: That's exactly right. I should have said both those things. Thank you.

CHAIR ROYBAL: Any other questions from the Board? I believe Commissioner Hansen said we did have a motion.

COMMISSIONER HANSEN: Commissioner Anaya made a motion.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: Okay, we have a motion by Commissioner Anaya and a second by Commissioner Hamilton. Any other discussion? Seeing none.

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

III. C. Miscellaneous

1. Request Approval of a County Utility Line Extension and Service Agreement between Vegas Verde, LLC and Santa Fe County [Exhibit 3: Revised Staff Memo]

SANDR ELY (Utilities Department): Good afternoon, Chairman, members of the Commission. I am here to request approval of the County utility line extension service agreement between Vegas Verdes, LLC and Santa Fe County for the St. Francis South development. This agreement would enable the design and construction of the water and wastewater line extensions, provide water service and wastewater discharge for that project. That project includes office and warehouse space and a 75-unit senior assisted living facility and a skilled nursing facility.

The total amount of the water budget, including the 20 percent add-on as required by Resolution 2006-57 is 54.8 acre-feet. This agreement would be contingent upon the Board's approval of the final plat, for phases 1 and 2 of St. Francis South which will be considered this afternoon. I'm available for questions if you have them.

CHAIR ROYBAL: Okay, do we have any questions from the Board? Okay, seeing none –

COMMISSIONER ANAYA: Move for approval, Mr. Chair.

CHAIR ROYBAL: So we have a motion from Commissioner Anaya. Do I hear a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: And a second from Commissioner Moreno. So we have a motion and a second and there's not any more discussion.

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

III. C. 2. Request Approval of a Memorandum of Understanding Between the Santa Fe County Housing Authority, the Santa Fe Association of Realtors, Inc. and the Santa Fe Community Housing Trust [Exhibit 4: Staff Memo]

JOSEPH MONTOYA (Housing Director): Good afternoon, Chairman Roybal and members of the Commission. Thank you very much. This is just a formal signing of a memorandum of understanding that you approved at the May 30th meeting of the Housing Board. So we wanted just to take this opportunity to make sure that the world knew how well the County of Santa Fe, the Santa Fe Community Housing Trust, and the Santa Fe Board of Realtors are working together to be able to assist those in most need.

In this particular instance there's a lot of leadership. I wanted to really point out the Board of Realtors may want to be able to speak on this issue and the Santa Fe Community Housing Trust, on the assistance of our veterans. So this is a specific program that we're working collaboratively on to assist our veterans, those in most need of assistance. And it will concentrate just on a few people to be able to see at the end of the day whether or not we can provide affordable housing opportunities in the area of homeownership.

So with that I'd like to ask if any of the other members want to speak to you formally, and then we can have a formal signing at the table.

CHAIR ROYBAL: Okay, do we have anybody else who would like to speak?

MELISSA PIPPIN CARSON: Hi. Commissioners, thank you. My name is Melissa Pippin Carson. I'm the president of the Santa Fe Board of Realtors and we're very excited to work with the Santa Fe County Housing Trust and the Housing Authority to help our veterans who have served locally in Santa Fe. We believe in homeownership and we look forward to this opportunity. Thank you.

CHAIR ROYBAL: Thank you.

SHARRON WELSH: I'm Sharron Welsh from the Santa Fe Community Housing Trust, and I'm very pleased to be part of this partnership. And I've seen a tremendous increase in the interest by returning veterans. For instance, right now we have a 23-unit subdivision we're building. I think 12 were sold and four are to veterans, three of whom are disabled. So that's out of 12 that are sold. So this is a valuable program and I think the heightened awareness in the community and the activity by veterans organizations is very good for helping our returning veterans. Thank you.

CHAIR ROYBAL: Thank you, Ms. Welsh. Commissioner Anaya.

COMMISSIONER ANAYA: Good seeing you, Ms. Welsh. It's been a while. Great work. Appreciate the comments of the Board of Realtors. Not only has the Community Housing Trust been a valuable asset in the way of providing affordable housing for many, many years to many, many citizens and it's very much appreciated but in addition to the collaboration for veterans on this particular project the Board of Realtors has been one of our primary economic engines in this county and this region for many, many years in the way of economic development daily, jobs and opportunities for families to have homes across every income spectrum. So I want to thank the Community Housing Trust but I want to thank the Board of Realtors, the Association of Realtors, not only for this project but all that the realtors do day in and day out to assist and help keep our economy progressing. So thank you so much.

One thing that I would put to the Board of Realtors that I would like some feedback on specifically relates to our new Sustainable Land Use Code. We understand and know that as we progress through the new code that we're going to have positive aspects associated with it. We also know we're going to have hiccups. And so I would like to ask the Board of Realtors to help us in providing feedback and evaluation of what they feel is working and what they feel may not be working so that we can work collaboratively across not only yourselves but other organizations across the county to make sure that not only do we have a functional, sustainable code but one that's practical and usable and that helps to promote continued economic development as well as providing sustainability.

So I ask that of all of you and very much appreciate the collective efforts of the Trust and others for their work. I also recognize that in addition to yourselves there's a lot of staff behind the scenes that to into doing a lot of work. And so I very much appreciate that work that goes on behind the scenes as well. And thank you, Joseph, as well for your efforts. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya. Commissioner Hansen.

COMMISSIONER HANSEN: Also, I want to say thank you to Sharron. It's great to see you. I haven't seen you for a long time. And I think this is a great project. I echo what Commissioner Anaya said to the realtors. We appreciate your feedback on the Sustainable Land Development and any information that you can give us is really valuable. So I just want to also extend that opportunity to you and thank you very much for working on this MOU together and making this move forward because it's an important project.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Did we have any other comments from the Board? I also want to say thank you, Joseph, for all your hard work and to our Realtor's board and Ms. Welsh for your comments. We're proud to be here today to witness this event. So thank you guys and with that being said, do we need to have a motion on this? Yes? Okay, so we'll go ahead and what's the pleasure of the Board?

COMMISSIONER ANAYA: Move for approval.

COMMISSIONER HAMILTON: Second.

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

have something to add?

MR. FLORES: Mr. Chair, after the vote if we can bring the Commission down and have the formal signing here with the three partners, that's what the table is set up for.

CHAIR ROYBAL: Okay. So I have a motion and a second and no other discussion.

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

[A formal signing ceremony took place and photographs were taken.]

III. C. 3. Request Approval of In-Lieu of Fee Agreement Regarding Water Service Between Santa Fe County and PPSL Legacy at Santa Fe, LLC [Exhibit 5: Revised Staff Memo]

MS. ELY: Chairman, Commissioners, I am seeking approval of an in-lieu fee agreement for water service for Legacy at Santa Fe. This agreement would enable PPSL Legacy at Santa Fe to pay a fee in lieu of providing 9.67 acre-feet of water to the County for the senior center that is currently under construction out on 599. Under the agreement, PPSL would pay the County a total fee of \$106,370 based on a price of \$11,000 per acre-foot in 13 installments. Please let me know if you have any questions about the agreement.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: You feel that this is enough water for this development?

MS. ELY: Chairman Roybal, Commissioner Hansen, yes. We reviewed the water budget and believe that it is adequate for this type of project.

COMMISSIONER HANSEN: And I do understand that there is 20 percent additional in there to cover. If for some reason they go over their water budget, what will we do?

MS. ELY: The County ordinance enables the County to do a couple of things. One, to ask them to reduce and two, to ask them to transfer additional water rights to the County to cover the additional use.

COMMISSIONER HANSEN: Okay.

MS. ELY: So we do have a few mechanisms to address those situations.

COMMISSIONER HANSEN: Okay. So I would like to move to approve.

COMMISSIONER ANAYA: Second.

CHAIR ROYBAL: Okay, we have a motion and a second. Under discussion, Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to ask quickly the setting of the per acre-foot fee. Is that a current average? Where does that come from?

MS. ELY: The County Utility has been reviewing the current price. It probably is a little low and I believe we will be coming forward to you with a request to increase that acre-foot price in the future. This is what's currently allowed under County ordinance.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Okay. Any other discussion? We have a motion and a second.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Do we have anybody from the public that would like to address the Commission tonight? Okay, seeing nobody, we'll go ahead and close Public Concern.

V. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates [Exhibit 6: Employee Picnic Announcement; Exhibit 7: National Heritage Area Opening Announcement]

MS. MILLER: Mr. Chair, Commissioners, just a few things. On Friday morning at 10:00 am, this Friday, July 14th in the Aspen Courtroom, second floor of the Federal District Court, which is the Santiago y Campos United States Courthouse, 106 South Federal Place in Santa Fe. The Judge, Judge Johnson intends to sign and enter the final judgment and decree of the water rights of the Nambe, Pojoaque, Tesuque stream system. So I do know that some of the federal individuals from BIA and water rights as well as BOR and the pueblos do intend to be there and we have been invited to attend.

Also on Friday the 14th, the Santa Fe County Employee Appreciation picnic will be held from noon to four at Romero Park in the historic village of Agua Fria.

Then on Saturday, August 5th, the Rio Grande National Heritage Center will be holding a grand opening and rededication. It will take place at the Northern Rio Grande National Heritage Center, which is located at 848 State Road 68 in Alcalde. That was formerly the Oñate Visitors Center and the Rio Arriba County has donated that facility to the Rio Grande National Heritage, so it will be the new National Heritage Center. They are planning a full day of activities, including music, dance, art, education and food celebrating the Northern Rio Grande National Heritage Area, which covers Taos, Santa Fe, and Rio Arriba counties.

And then finally Thornton Ranch site visit. As part of the County's ongoing efforts to collaborate and consult with the tribes and pueblos on Thornton Ranch open space property, on Wednesday, July 12th, from 8:00 to 5:00, staff will be hosting tribe and pueblos to provide an overview and site visit of the property. And that will be out in Galisteo and then over to the Thornton Ranch property.

So I just wanted to let you know about those and if you have any questions for me.

CHAIR ROYBAL: Do we have any questions for Manager Miller? Thank you for that update, Manager.

VII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Presentation of Final Report for the Arts, Culture, Cultural Tourism Committee (ACCT)

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair, Commissioners. I'll go ahead and take this presentation, since Chris is presenting a grant down in Albuquerque. The Board of County Commissioners passed a resolution in 2014 which created the Arts, Culture, Cultural Tourism Committee. This committee has been formed to explore different means of supporting artists and cultural communities around Santa Fe County from the County level.

The resolution called for a seven-member committee to be formed for a period of two years and in 2016 an additional two-year period was given with an end date of 2018. However, the ACCT were able to accomplish their goal early. They were set with tasks. The charge of the committee was to examine three categories subject to arts, culture and cultural tourism, and listed specific tasks to be carried out in each category. They include identifying all existing and potential funding sources, including lodgers tax, grants, one percent for the arts programs, the quality of life gross receipts tax and bonding.

Second task, to explore areas of potential collaboration and partnership with local governments, communities and other related organizations. And thirdly, develop policy options, action items and specific project proposals for the BCC, including roles that the County might play in fostering these new economic activities.

The committee devised various mechanisms to address each of these tasks including subcommittees, which examined inventory, branding and marketing, partnerships and collaboration, issuance of survey of county artists, and working with the Northern Rio Grande Heritage Area in an effort to provide enhanced visibility to county artists and the creation of a inventory of existing arts-related businesses and non-profits.

The committee had four main recommendations and they are that Santa Fe County could consider a one percent for the arts program modeled after the Los Alamos County ordinance. This suggests designing a program that will establish an account that is funded from the requirement of capital projects above a certain dollar amount which will contribute a percentage to purchase art to be placed in public places around the county. This percentage could be set at different rates for different types of projects, for example one percent for construction, five percent for road projects.

The second recommendation is for the County to consider a program for display cases in the County Administration Office Building, and also the new building in the old judicial complex. This program would have personnel maintaining the cases, select the artwork to be displayed and possibly collecting a fee for the purpose of maintenance.

Number three, consider developing an interactive map layer, like the trails app that help guide people to arts and cultural features within the county, and number four, consider reissuing and adequately supporting a survey to the arts, culture and cultural tourism entities of the count to help identify better mechanisms of support and to create

an active inventory of artists and their disciplines.

Staff hasn't analyzed these recommendations yet. After this staff will identify how these programs may be implemented. We would come back to the Board to present later this year for further recommendations, direction and possible implementation. Today this is just a presentation; no action is required. The full report is in your packet and we would like to thank the ACCT members for their hard work and we will be producing certificates of appreciation. And I believe we have a couple of our ACCT members here if they would like to add anything.

CHAIR ROYBAL: Okay. Thank you for your presentation. Is there any questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I'd just like to thank you for all the hard work that you put into this. It's great to see you, Ramona, and I agree with you. I thought what Los Alamos County had done was a really comprehensive package and I read all your recommendations and I think they're really a good direction for the County to start moving in. And I think it's a really exciting project to be involved in and I'm looking forward to formalizing it. So I just wanted to say thank you very much for all your hard work.

CHAIR ROYBAL: I'd like to go ahead and echo those comments. Thanks a lot for all your hard work. Great presentation, Penny. Do we have any other comments from the Board? No? Thank you very much.

VI. MATTERS FROM THE COUNTY ATTORNEY

- A. **Executive Session. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, and Deliberations in Connection with an Administrative Adjudicatory Proceeding, as Allowed by Section 10-15-1(H)(3) NMSA 1978, Including the Following:**
1. ***State of New Mexico, ex rel. State Engineer v. R. Lee Aamodt et al., US District Court, District of New Mexico, No. Civ. 66-06639 WJ/WPL***
 2. **Rights-of-Ways for County Roads**
 3. **CASE # 10-5364 St. Francis South Preliminary Plat Approval for Phase 1-4 and Final Plat Approval for Phase 1 & 2**
 4. **Potential Enforcement Actions for Violations of the Santa Fe County Sustainable Land Development Code and Other County Ordinances**

GREG SHAFFER (County Attorney): Mr. Chair, Commissioners, the basis for the closed or executive session and the specific items to be discussed are as follows: threatened or pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1(H)(7) NMSA 1978, discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, and deliberations in connection with an administrative

adjudicatory proceeding, as allowed by Section 10-15-1(H)(3) NMSA 1978, including the following: *State of New Mexico, ex rel. State Engineer v. R. Lee Aamodt et al.*, US District Court, District of New Mexico, No. Civil 66-06639 WJ/WPL; rights-of-way for County roads; Case # 10-5364, St. Francis South Preliminary Plat Approval for Phase 1-4 and Final Plat Approval for Phase 1 & 2; potential enforcement actions for violations of the Santa Fe County Sustainable Land Development Code and other County ordinances, and the motion to go into executive session should just incorporate those items and the statutory basis for the closed session.

COMMISSIONER HANSEN: So moved.

CHAIR ROYBAL: We have a motion.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: And a second by Commissioner Moreno. Can we get a roll call?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (3, 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

[The Commission met in closed session from 3:02 to 5:56.]

CHAIR ROYBAL: Good evening everybody. Thank you for being here tonight. We're going to go ahead and I'll entertain a motion to come out of executive session.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: I move we come out of executive session.

Only those items reflected on the agenda for executive session were discussed. The members present were the Commissioners, the County Attorney, Deputy County Attorney, Deputy County Manager.

CHAIR ROYBAL: Thank you, Commissioner Anaya.

COMMISSIONER HAMILTON: Second.

MR. SHAFFER: Mr. Chair, if I could ask that the motion and the second statements attendant to it be amended to note that Commissioner Hamilton was not present for the deliberations relative to Case #10-5364.

CHAIR ROYBAL: Okay. Does your motion include that, Commissioner Anaya?

COMMISSIONER ANAYA: It does.

CHAIR ROYBAL: And your second, Commissioner Hamilton?

