# **SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING**

November 26, 2013

Kathy Holian, Chair - District 4 Danny Mayfield, Vice Chair - District 1 Robert Anaya - District 3 Miguel Chavez - District 2 Liz Stefanics - District 5



COUNTY OF SANTA FE STATE OF NEW MEXICO BCC MINUTES PAGES: 71

I Hereby Certify That This Instrument Was Filed for Record On The 15TH Day Of January, 2014 at 01:43:51 PM And Was Duly Recorded as Instrument # 1727728 Of The Records Of Santa Fe County

My Hand And Seal Of Office

## SANTA FE COUNTY

# **REGULAR MEETING**

# **BOARD OF COUNTY COMMISSIONERS**

# November 26, 2013

# 1. Opening Business

## a. Call to Order

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:10 p.m. by Chair Kathy Holian, 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:**

**Members Excused:** 

[None]

Commissioner, Kathy Holian, Chair

Commissioner Danny Mayfield, Vice Chair

Commissioner Robert Anaya [5:30 departure]

Commissioner Miguel Chavez

Commissioner Liz Stefanics

# c. Pledge of Allegiance

The Pledge of Allegiance was led by Sharon Vigil Ramirez.

## d. State Pledge

The State Pledge was led by Melissa Anaya.

#### e. Moment of Reflection

The Moment of Reflection was led by Ashley Barela of the Finance Department.

where?

# 1. f. Approval of Agenda

CHAIR HOLIAN: I see that our County Manager is not here but I have one suggestion that I would like to make and that is that move Matters from the County Attorney to after the other action items, because there is an action item, namely the renewal of the public liability insurance policy. Are there any other suggested changes to the agenda?

COMMISSIONER STEFANICS: So, Madam Chair, number 6 would become

CHAIR HOLIAN: It would go to -

COMMISSIONER STEFANICS: At the end of three?

CHAIR HOLIAN: Yes. Before Matters of Public Concern. And I will note that another item was that was added to our agenda was item 6.a.4, Contract negotiations under the procurement code.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Is Eric going to be going to executive session?

CHAIR HOLIAN: Yes. Yes. So we will start with the executive session then we will proceed to the other matters from the County Attorney.

COMMISSIONER MAYFIELD: Thank you.

COMMISSIONER STEFANICS: I would move the amended agenda with the new amendment.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There is a motion and a second for approval of the amended agenda.

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

COMMISSIONER STEFANICS: Madam Chair, could I ask for some clarification?

CHAIR HOLIAN: Yes.

COMMISSIONER STEFANICS: I know that Senator Daniel Ivey-Soto made some recommendations as to our agenda and I thought that one of the things that he had said was that when we might introduce a resolution that would not be the discussion point; that it would be the discussion point at the second time. And then, I don't know if we passed a resolution that effect. Did we adopt his recommendations or not?

CHAIR HOLIAN: Katherine.

KATHERINE MILLER (County Manager): Madam Chair, Commissioners, the way that the agenda is set up is not anywhere in a resolution. It just says we will include these items within our agenda. The order in which we take them is not in any resolution, so it didn't really require in order to move the items around, it didn't require another resolution. On the item of whether we introduce or don't introduce, that requirement of a resolution being in two meetings is no longer there. That was the resolution that was Commissioner Chavez' and the one about the public comment was Commissioner Mayfield'. We did adopt a replacement resolution for those that basically said if you have a resolution for action – so you don't have to

introduce it first, you can just put it on for action, that we will take public comment at that time when it's up for action. And then if you want to introduce them for more than one time just to have discussion about it we would put it under discussion first and then when you're ready for action we'll put it as an action item and take public comment at that time.

COMMISSIONER STEFANICS: So, Madam Chair, I just wanted to clarify. I have an introduction and so does Growth Management, and I'm wondering, is there – and this is for the public to know – is there discussion or not on the introductions?

CHAIR HOLIAN: Commissioner Stefanics, my understanding is it's in a way up to the chair as to whether to allow public comment for resolutions and other items that are up for discussion. Am I correct in that, Katherine?

MS. MILLER: Madam Chair, Commissioners, yes, except I would say there is a caveat on the Tesuque Community Plan item because we have an ordinance that actually says we have two public comment periods for those resolutions. They're adopted by resolution but the overriding ordinance that creates the community plans actually says we will have two public comments. So that particular one does take public comment regardless.

COMMISSIONER STEFANICS: So, Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Now that this has been clarified my resolution on climate change, it could have just gone one time.

MS. MILLER: Madam Chair, Commissioner Stefanics, yes. And I did ask Julia which you preferred.

COMMISSIONER STEFANICS: Okay. Is there a way today just to move it to action or not? Since it was not noticed for action.

CHAIR HOLIAN: Steve?

COMMISSIONER STEFANICS: Everyone has a copy of it in their books. It's a message to Congress.

CHAIR HOLIAN: Commissioner Stefanics, also I was planning on taking public comment on that, because –

COMMISSIONER STEFANICS: Right but if we could take action – CHAIR HOLIAN: I'm perfectly happy to do that but I don't know if legally it's

possible.

STEVE ROSS (County Attorney): Well, Madam Chair, Commissioner Stefanics, I don't think it would hurt to consider it an action item even though it says introduction of, mostly for practical reasons because I don't think anyone's going to care.

COMMISSIONER STEFANICS: Well, okay. So I have members of the public here who can alert their members that this will be an action item for later. Thank you very much.

CHAIR HOLIAN: Steve, do we need to amend the agenda again to consider it as an action item?

MR. ROSS: That's probably a good idea.

CHAIR HOLIAN: Do I have a motion?

COMMISSIONER STEFANICS: Madam Chair, I would move that item 5.a.2 be moved under item 3, I guess it would be 3.a.3. If we're following the format.

CHAIR HOLIAN: Okay. 3.a.3. Commissioner Stefanics, let me ask you this

though. Are the people who are coming here to speak on this resolution going to be here at that time?

COMMISSIONER STEFANICS: Someone is here now and they are having shifts. And rather than have shirts till the end of the day they can deal with it as it comes up.

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Chavez. And did I get a second on that? COMMISSIONER MAYFIELD: Second.

COMMISSIONER CHAVEZ: I did receive a few phone calls from people that are interested in this item and they did say that they would be here this afternoon so I know they're ready to speak on it.

CHAIR HOLIAN: Okay, there's a motion and a second to move item 5.a.2 to be heard after item 3.a.2. So it would become 3.a.3.

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

# 1. g. Approval of Minutes

# i. Approval of October 15, 2013 Special Meeting Minutes

CHAIR HOLIAN: Are there any changes? Staff or Commissioners? Is there a

COMMISSIONER STEFANICS: Madam Chair, I'll move for approval of the October 15, 2013 special meeting minutes.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: There's a motion and a second.

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

# 1. g. ii. Approval of October 29, 2013 BCC Meeting Minutes

CHAIR HOLIAN: Any changes? Is there a motion?

COMMISSIONER CHAVEZ: Move for approval

COMMISSIONER MAYFIELD: Second.

CHAIR HOLIAN: There's a motion and two seconds.

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

# 1. g. iii. Approval of November 5, 2013 Special Meeting Minutes

CHAIR HOLIAN: Are there any changes, Commissioners or staff? Is there a

motion?

motion?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: There's a motion and a second.

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

## 1. h. Introduction of New Employees

MS. MILLER: Madam Chair, in your packets under HR report are all the new hires for the month of October 2013, but I did want to introduce a few new hires that are here today. I think – Marcus MacDonald is our new accountant in Housing. I think you met him earlier this morning but I wanted to introduce him again. Also we have in Public Safety, in Corrections, we have a new medical doctor, Tim Taylor. So we now have a doctor on staff, and we have in Community Services a nutrition coordinator, Elizabeth Lujan. And then also transportation coordinator Leo Kahn in Community Services in Senior Services. Is he here? He's driving. Today's a busy day.

CHAIR HOLIAN: And Claudia Borchert.

MS. MILLER: Claudia. Her name isn't on here on this list because she's actually a November hire but Claudia Borchert is our new Utilities Director. So those are all new employees that are here today.

CHAIR HOLIAN: Thank you, Katherine and welcome to Claudia and Marcus MacDonald and Dr. Taylor and Elizabeth Lujan and Leo Kahn, and to all the other new hires who are in our list here.

#### 2. CONSENT CALENDAR

CHAIR HOLIAN: First, I will note that there are several resolutions related to our budget on the Consent Calendar. Is there anyone here from the public who would like to comment on those resolutions? Okay, seeing none, do any of the Commissioners have any questions or comments on any of the Consent Calendar items that would take five minutes or less to discuss? Going once, going twice – is there a motion for approval of the Consent Calendar?

COMMISSIONER CHAVEZ: Madam Chair, I'll make a motion to approve the Consent Calendar as listed.

COMMISSIONER STEFANICS: I'll second.

CHAIR HOLIAN: There's a motion and a second to approve the Consent Calendar items.

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

#### 2. a. Budget Resolutions

i. Resolution No. 2013-122, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Three (3) Grants Awarded Through the New Mexico

- Department of Transportation for Highway Safety Projects/\$48,400.00 (Finance/Teresa Martinez)
- ii. Resolution No. 2013-123, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244)/Hazmat Grant to Budget Cash Carryover in the Amount of \$22,114 (Finance/Teresa Martinez)
- iii. Resolution No. 2013-124, a Resolution Requesting a Budget
  Decrease to the Fire Operations Fund (244)/2011 Homeland
  Security Grant to Realign the FY-2014 Budget with the Available
  Grant Balance/-\$21,430 (Finance/Teresa Martinez)
- iv. Resolution No. 2013-125, a Resolution Requesting a Budget
  Decrease to the Fire Operations Fund (244)/SAFER Grant to
  Realign the FY-2014 Budget with the Available Grant Balance /\$33,827 (Finance/Teresa Martinez)
- v. Resolution No. 2013-126, a Resolution Requesting a Budget Decrease to the Fire Operations Fund (244)/CFRP Forest Restoration Grant to Realign the FY-2014 Budget with the Available Grant Balance/-\$28,152 (Finance/Teresa Martinez)

## b. District Funds

i. Request Authorization of the Use of District 5 Capital Funds, Per Capital Outlay Policy, Allocating \$6,000 for a Roundabout Study on Richards Avenue at College Drive West in the Santa Fe Community College District in Santa Fe County (Finance/Teresa Martinez)

#### c. Resolutions

i. Resolution No. 2013-127, a Resolution Authorizing Legal Holidays and the 2014 Santa Fe County Employee Calendar (Human Resources/Bernadette Salazar)

### 3. ACTION ITEMS

#### a. Resolutions

 Resolution No. 2013-128, a Resolution Amending Resolution No. 2013-62 by Adding a Code Enforcement Officer to the List of Those Authorized to Issue Citations for Violations of County Ordinances

WAYNE DALTON (Building & Development Services Supervisor): Thank you, Madam Chair, Commissioners. On June 25, 2013 Resolution No. 2013-62 was adopted, which authorized certain Growth Management staff and the enforcement officer for the Solid Waste Division to issue citations for violations of County ordinances. On October 21, 2013 the Building & Development Services Department hired a new code enforcement officer to issue citations of community ordinances. This proposed amended resolution includes the newly hired code enforcement officer. Thank you.

CHAIR HOLIAN: Yes, Commissioner Anaya. COMMISSIONER ANAYA: Move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There's a motion and a second for approval of Resolution No. 2013-128. Is there any further discussion?

COMMISSIONER MAYFIELD: Madam Chair. CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Dalton, I don't know if you can answer these questions, but so how many code enforcement officers now do we have?

MR. DALTON: Madam Chair, Commissioner Mayfield, we now have four code enforcement officers.

COMMISSIONER MAYFIELD: Four, and that's with this one created?
MR. DALTON: Madam Chair, Commissioner Mayfield, that is correct. Four total.

COMMISSIONER MAYFIELD: So we had this position before it was authorized?

MR. DALTON: Madam Chair, Commissioner Mayfield, in this fiscal year budget the Board did allow us an extra code enforcement officer.

COMMISSIONER MAYFIELD: Thanks. And then, Mr. Dalton, I don't know if you can answer this or if the Manager can or Mr. Ross, I know we spoke also about maybe some hazardous pay for our code enforcement officers. Do you know what the status of that was?

MS. MILLER: Madam Chair, Commissioner Mayfield, I know that there's several things that we've talked about relative to the code enforcement officers and I believe that HR and the director have been working on those items, some of the uniform issues, videos, pay. I think that Penny could speak to the most recent discussions.

PENNY ELLIS-GREEN (Growth Management Director): Madam Chair, Commissioner Mayfield, I have been working with HR and they're currently doing a salary analysis for the code enforcement officers.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Penny Ellis-Green, HR has been working on that or they've done a salary analysis for a lot of the positions but I know this one in particular there were some issues. I know that some of our enforcement officers were shot at at one time. I know arguably there was a lawsuit that some of our enforcement officers were involved in. There was a tort filed or a lawsuit filed and that's why I just asked about that hazardous pay, to see what that status is.

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, they are looking at the hazard pay and whether or not it would be applicable and also doing salary analysis.

COMMISSIONER MAYFIELD: And that's being compared throughout the state? Throughout states?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, I believe they compare it to two or three different entities throughout the state. So probably the City, similar sized counties, maybe several cities in the states.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Ellis-Green, do you know when that analysis will be done?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, I believe they have done the analysis and are due to meet with HR to discuss the implications on what that means.

COMMISSIONER MAYFIELD: Thank you. That's all.

CHAIR HOLIAN: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I just want to make a comment if I could. I think this resolution is timely. I think it's important. It's critical that we help our staff especially in the area of code enforcement and I know that when it comes to illegal dumping it's something that – that's one thing that has been very hard to manage and it's really hard for staff to issue citations sometimes because the illegal dumping has gone on for a number of years and so that makes it even harder. We're talking about – let me see. I think we have about 1,900 square miles countywide, so we'll have now five code enforcement officers to handle that area – only four? So that's a big area for only four to cover and I would hope that we could increase that in the future because those issues are not going to go away. We have an area that's being annexed and a portion that's outside of that area. That's going to need some special attention, I think. Code enforcement on both sides. Both local governments are going to have to work together in that area along West Alameda to be sure that we can deal with those issues there. I was willing to support this resolution for those reasons and I think it's in many cases our staff is overworked and it's a large area to cover. So anyway, those are my comments. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Commissioner. Any further comments? This is a resolution that is on our resolution for action. I would like to ask – there's also a number of other resolutions that are here for action that have to do with public notice for meetings. There are a number of budget resolutions and there are also some purchasing actions. Is there anyone here from the public who would like to address the Board about any of the action item resolutions on our agenda?

COMMISSIONER STEFANICS: The carbon.

CHAIR HOLIAN: The carbon. Okay. Well, we will take those comments at that time, since it will be more relevant then. Okay. We have a motion and a second for approval of Resolution No. 20133-128.

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

3. a. ii. Resolution No. 2013-129,a Resolution to Provide Reasonable
Public Notice for Meetings of the Board of County Commissioners
and for Boards and Committees Appointed or Acting Under the
Authority of the Board of County Commissioners

COMMISSIONER ANAYA: Madam Chair, we had a lengthy discussion on this item at the last meeting. With that I'd move for approval.

COMMISSIONER STEFANICS: I'll second.

CHAIR HOLIAN: There's a motion and a second. Is there any further discussion? Yes, Katherine.

MS. MILLER: Madam Chair, Commissioner Anaya and I had a conversation though about possibly a month without a meeting. I don't know if you wanted to take that up, because they are listed in here.

COMMISSIONER ANAYA: Okay. So Madam Chair, Commissioners, I had a conversation with one of our colleagues on the Bernalillo County Commission about the meetings that they have and the number of meetings that they have throughout the year, and they have one month where they have no meetings. And in that month it provides staff the opportunity to get caught up with all of the pressing matters of the County and it kind of – it's just gives them a realignment timeframe that helps them out. And so I had a conversation with the Manager and she felt that this could be a productive thing to help staff and help us as a Commission. So it allowed them to regroup and it allowed them to get some business done. The thing we didn't discuss was the actual month. Bernalillo County does July, for reasons associated with the budget but in the discussion I had with Ms. Miller there might be a month that makes more sense to do. I thin we had thought about December, potentially. I just think it really makes sense to do that and then the logic that the Commissioner used, Commissioner Johnson in explaining why they did it just seemed to make a lot of sense, given the magnitude of work and things that go on. So did you want to elaborate a little more on that?

MS. MILLER: Madam Chair, Commissioner Anaya, yes, actually I thought that was a nice idea and I thought we probably could benefit from something like that, obviously. We listed out in the appendix all the meetings that we currently have scheduled and my only concern for us, the month of July, we actually do some final approvals of things that get our final budget to the state. So I said I would think July might be a little bit difficult for us, but I thought if it were one of the summer months, many August and if we wanted a winter month, since we already don't do the end of December that maybe December would be that meeting. But it's entirely up to the Commission. We can go either way. And we can always cancel it if you just decide that you want to do that, but I just – because we had had that conversation I thought I'd bring it up.

CHAIR HOLIAN: Maybe we could do it one month in the summer and one month in the winter.

MS. MILLER: Madam Chair, it's entirely up to the Board. I can tell you from coming from the state, the legislature only meets once a year and you have to get all your stuff done in that time and so we have lots of opportunities to bring things forward to the Commission throughout the year, so I don't think, as long as we're prepared for it and we plan for it we can make that work, of not having a month or something where we didn't have a meeting.

CHAIR HOLIAN: Well, that certainly would focus our minds.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I don't – if it was one or two months it doesn't matter to me. I would think that those people with children might have an opinion about what would be good with holidays, school holidays, work, all that. So I would defer to them.

CHAIR HOLIAN: I think we should bring this back for discussion and possibly action when we're setting out the schedule for the coming year.

MS. MILLER: Okay. Madam Chair, Commissioners, what we could do is if you want to approve this resolution, we'll bring back then an amendment to the appendix after we have a chance to kind of talk over with directors what might be a good time.

CHAIR HOLIAN: Okay. We have a motion and a second for approval of Resolution No. 2013-129.

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

5. a. ii. Resolution No. 2013-130, a Resolution Confirming That: Climate Change is a Real and Growing Threat to the Well-Being of Present and Future Inhabitants of Santa Fe County; the Pollution Caused By Humans Burning Fossil Fuels is a Primary Cause of Climate Change; and in Order to Protect Our Citizens and Natural Assets Santa Fe County Supports a Federal Revenue-Neutral Fee on Carbon Production at Its Source, with the Fees Being Returned to Americans as a Dividend

COMMISSIONER STEFANICS: Thank you, Madam Chair and this was brought to me by a group that is working all over the state to try to have this passed different places – city councils, county governments, and I'd like to read the Now, therefore be it resolved section.

Now, therefore be it resolved that the Board of County Commissioners of Santa Fe County strongly urges the US Congress to pass legislation that levies an annually increase revenue neutral fee on the carbon and fossil fuels at the point of production and importation sufficient to a) encourage individuals and corporations to produce and use less fossil fuels; b) make the transition from fossil fuels less onerous to consumers and to the economy by returning to Americans on an equitable basis all of the revenues gained from the fee; c) reduce US CO2 equivalent emissions to 10 percent of 1990 levels by 2050; d) encourage similar actions by other nations trading with the United States by suitable carbon content based fees for imports and rebates for exports to nations that have not taken such actions.

I would move the resolution and after a second I do know we have –

CHAIR HOLIAN: Second.

COMMISSIONER STEFANICS: I do know we have someone from the public who would like to speak.

CHAIR HOLIAN: Before I open it up to discussion on the part of the Commission I would like to invite whoever is here from the public who would like to address the Board about this resolution to please come forward. And please state your name for the record.

STEVEN SCHMIDT: My name is Steven Schmidt. I'm a member of Citizens Climate Lobby. I wasn't supposed to speak here. Someone else was supposed to be here but I'm volunteering. So we've been working for a couple years now trying to move citizens movement, lobbying Congress. I was in DC last year meeting with our reps and various

Senators and Reps around the country trying to get a carbon tax on all fossil fuels coming into this country or developed in this country so we can make things more equitable with alternative energies because right now, the carbon-based energy systems are not paying for the results of those issues like global warm, the acidification of the oceans, and the economic disasters that go with that, with over-fishing, etc., etc.

So we've just been trying to get something a little more equitable based on a carbon tax which would be refunded to taxpayers. That's basically what this resolution is trying to push for a movement throughout the country. And it was passed by the City and we'd like to get the County to pass it too.

CHAIR HOLIAN: Thank you, Mr. Schmidt. Any discussion? Commissioner Chavez.

COMMISSIONER CHAVEZ: Just one question, Commissioner Stefanics. How will this be communicated to our congressional delegation? I don't see any language in here that says that this resolution will be forwarded or anything like that.

COMMISSIONER STEFANICS: Thank you for the question, Commissioner and Madam Chair. Once we pass the resolution that's directed to a body we do usually include a letter and the formal resolution with all the signatures and forward it.

COMMISSIONER CHAVEZ: Okay. Thank you, Madam Chair.

CHAIR HOLIAN: Any further discussion?

COMMISSIONER CHAVEZ: Well, actually, I did just want to make a comment and I think that many of us know that the County, through our Lead by Example and recycling and some of the projects that we've done with solar, I think we're trying to do our part and so sending this message to Congress I think is a good message and maybe we'll all move forward in the same direction. So thank you for bringing this forward.

CHAIR HOLIAN: I too want to thank you, Commissioner Stefanics, for bringing this forward. I think that it's becoming more and more apparent the effects of climate change that are affecting the world right now. Hurricane Katrina, Hurricane Sandy, and the typhoon that happened in the Philippines are just a couple, a few notable examples and I read somewhere that the wind speeds that were recorded in that typhoon were the highest ever actually recorded on planet earth. Now, that doesn't mean to say that we haven't had higher wind speeds but those are the highest that have ever been recorded and they've been recording storms now for quite a while.

I remember when I first started becoming aware of the whole climate change issue, way back when I was in college and I remember that there were a lot of models that were being done and there was a lot of criticism of those models, but all of the models predicted on thing in common and that was that our weather would become more severe and more unpredictable, and they were all right about that. That is actually coming to pass. And just here in the recent past in our own area, we see the kind of massive fires that we're getting here like the Las Conchas fire. I heard that it was burning – when it first started to burn, the Las Conchas fire, there was something like 20 acres a second that were being consumed. It's hard to even imagine what that would be like, but it was just sweeping through the forest.

Unfortunately, we've known about climate change now for a number of years and there's been a lot of talk about it, there's been a lot of negotiations. There's been a lot of promises, but the sad truth is that more carbon than ever is being put into the atmosphere.

There was more carbon put into the atmosphere in 2012 than there was in 2011 and so on and so forth and I'm sure that 2013 is going to be a new record too. We are not cutting the carbon down. And we're getting to a real tipping point, a real dangerous situation that I'm not sure a lot of people are aware of and that's what's happening with the methane in the Arctic Oceans. Methane is an even more powerful greenhouse gas than carbon. It's about 25 times more powerful than carbon dioxide. Right now, the Arctic Oceans have a lot of methane gas trapped in them and with the heating that's going on on the planet right now it's starting to be released. And the amount of methane in the arctic environment is now at a new all-time high. They can actually go back millennia and do ice cores and look at how much methane was in the environment and we're really reaching a tipping point. If the methane in the Arctic Oceans – if it warms up enough that the methane in the Arctic Oceans is released we're in trouble. I don't know how else to put it.

But I think that implementing a carbon fee will possibly cost consumers a little bit more although it will hopefully motivate people to do more energy efficiency in order to actually use less energy. And I know that I've been worried about this topic for a long, long time now, 20, 30 years I've been thinking about this. And one thing that I have noticed is that the only thing that really changes people's behavior in a substantive way is to give them price signals. If people pay more for something they will use less of it, if they have to pay more. So in my opinion, this is the only way to go to actually motivate people to start using less fossil fuels. And if we do nothing, just from what we've seen with the fires and the typhoons and the hurricanes, if we do nothing it's going to cost a lot more in the future. So, again, I am very appreciative of you bringing this forward, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you for that.

CHAIR HOLIAN: So I think we have a motion and two seconds for approval of Resolution No. 2013-130.

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action and subsequently voiced a no vote, making the outcome 4-1 in favor. See below.]

# 3. b. Budget Resolutions

i. Resolution No. 2013-131, a Resolution Requesting a Budget Increase to the Capital Outlay GRT Fund (313) to Budget Cash Carryover for the La Cienega Fire Station #2/Community Center Project, Ken and Patty Adams Senior Center, Nambe Park, and the Pojoaque Sports Field in Commission Districts 1, 3, & 5/\$1,540,500. (Finance/Teresa Martinez)

TERESA MARTINEZ (Finance Director): Madam Chair, the resolution you have before you is a little bit of reallocation of funds to different projects and is in recognition of funds for the Pojoaque Sports Field and Nambe Park for a total of \$1.5 million, and I will stand for questions.

CHAIR HOLIAN: Any questions?

COMMISSIONER STEFANICS: Madam Chair, I would move for approval when appropriate.

COMMISSIONER MAYFIELD: Second, Madam Chair. CHAIR HOLIAN: There is a motion for approval of Resolution No. 2013-

The motion passed by unanimous [4-0] voice vote. See page below.] [Commissioner Anaya was not present for this action and subsequently registered his aye vote, making the vote unanimous

3. a. ii. Resolution No. 2013-132, a Resolution Requesting a Budget Increase to the Fire Impact Fees Fund (216)/La Cienega Station 2 to Budget Impact Fees in the Amount of \$70,000

MS. MARTINEZ: Madam Chair, as stated, this is the impact fee budget of \$70,000 for the construction and remodeling of the La Cienega Station #2. I'll stand for questions.

CHAIR HOLIAN: Any questions? Is there a motion? COMMISSIONER CHAVEZ: Move for approval. COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: There is a motion for approval of Resolution No. 2013-

132.

131.

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

[The Commission recessed from 1:50 to 2:07.]

CHAIR HOLIAN: I would like to call this meeting of the Santa Fe Board of County Commissioners back to order. It is 2:07 pm. Commissioner Anaya.

CHAIR HOLIAN: I would like to call this meeting of the Santa Fe Board of County Commissioners back to order. It is 2:07 pm. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'd like to go back on a couple items and make some comments and reflect a vote on the record. I want to go back to item 3.b. i, the capital outlay that the Commission passed. I would vote in favor of that motion and thank staff, Chief Sperling, Ms. Miller, Ms. Martinez and all the staff that worked on that resolution. That helps everyone. It helps the Fire Department, it helps the residents of La Cienega and the surrounding area and I think accomplishes everyone's goals. So I appreciate your efforts, Chief and the efforts of Ms. Miller and staff and the community. The community was here last week, at the last meeting and former Commissioner Grill was here at the meeting this morning and expressed some concerns or some appreciation to the County for finding resources to try and make this work. So no one's more appreciative than I am of that work and those efforts and in the interests of everybody involved for a Fire Department issue, safety, as well as community interest for the library in the community. So I would reflect yes

on that vote.

I have a brief question for Commissioner Stefanics and a comment and I'm going to reflect my vote on her resolution. I greatly respect the intent of the resolution. I do have some concerns associated with the fee and I just have a question so that I can reflect my vote. In the resolution, Commissioner Stefanics, it says a revenue-neutral fee, and I guess if you could help me understand that, because when I read the resolution, what ultimately happens with any fee or tax on basically anything is it gets passed on to the consumer. So I'm just curious as to what is the – help me understand the language that says revenue-neutral.

COMMISSIONER STEFANICS: In this situation a revenue-neutral might be a return on investment, like if someone were to use energy efficiency and not spend as much money on the energy it would be a return, or if they would get a rebate it would be a return. So it's intended not to penalize a company but it is intended to assist the consumer.

COMMISSIONER ANAYA: Madam Chair, I fully appreciate and respect the intent. I unfortunately am going to reflect a no vote on that item for the simple purpose that when fees are attached and taxes are attached they get passed on to the consumer, and typically the people that can afford those taxes the least are the ones that get hit the hardest. And so I fully understand where you're headed and support trying to use as much renewable energy as we can but I think it's tough when the people with the least amount of money end up having to pay more over time. So it's a tough quagmire but on those grounds I would reflect a no vote but appreciate the efforts of Commissioner Stefanics.

CHAIR HOLIAN: Thank you, Commissioner. I believe that Commissioner Mayfield does want to comment on this next resolution that we're discussing now.

3. b. iii. Resolution No. 2013-133, a Resolution Requesting a Budget Increase to the GOB Series 2013 Fund (351) to Budget Cash Carryover for Design and Construction of Road Projects in Commission District 1/\$1,000,000

MS. MARTINEZ: Madam Chair, Commissioners, this is a budget of cash proceeds, basically. These are bond proceeds that we received in the prior fiscal year and we're budgeting cash for multiple roads. There's five roads: County Road 89 and 89-C, 84-D 105, 109, and 89-D and the resulting funding is for improvements, paving improvements, construct paving improvements and bike lanes for a total of \$1 million.

CHAIR HOLIAN: Thank you. Are there any questions for Teresa? Commissioner Mayfield, I believe you had some comments or questions?

COMMISSIONER MAYFIELD: Madam Chair, Ms. Martinez, thank you. Yes, and I'm going to ask if we can have the Public Works Department come up. I really appreciate these projects moving forward. Mr. Martinez, Mr. Leigland, we were just back there talking. On the million dollars though, Ms. Martinez, if you can answer this really quick. This was done from the GRT money that was set aside initially.

MS. MARTINEZ: Madam Chair, Commissioner Mayfield, this is actually GOB money. It was actually Series 2013.

COMMISSIONER MAYFIELD: Okay. So, on 105, though, Mr. Martinez excuse me, Madam Chair. Where exactly and what was that work that was needed on 105?

ROBERT MARTINEZ (Public Works/Roads): Madam Chair, Commissioner Mayfield, just north of the intersection of 285 and 503, it's the next traffic signal to the north. COMMISSIONER MAYFIELD: Okay.

MR. MARTINEZ: It's that road that goes to the east and then comes back down to the south and goes towards 503.

COMMISSIONER MAYFIELD: And they were experiencing significant flooding out there?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, there's drainage issues, plus the request was to pave the road.

COMMISSIONER MAYFIELD: Okay. And on that road, Mr. Martinez, that went out also for – I guess for public petition to have that road?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, these roads were some of the ones that I believe you and Adam toured and also these roads have been on the list.

COMMISSIONER MAYFIELD: Madam Chair, and I appreciate all the work. I just wanted to make sure it went through the petition process for all the residents on that paving. But Madam Chair, obviously the roadwork is needed. And then on 89-D, I know it is for bike lanes. I know it's well warranted because that's just a little intersection that's between two highway pieces, correct?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, that is correct. COMMISSIONER MAYFIELD: Somehow kept. But just respecting our biking community, but it's also for pedestrian use also, correct?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, that is correct, and I had – I think you saw the email request for the NMDOT to take that over and install the bike lanes but they weren't [inaudible]

COMMISSIONER MAYFIELD: We did, and just if you could give a little history on that road, Mr. Martinez, please. That runs adjacent to 84/285. It's frontage road. Pretty much the Highway Department is responsible for all the frontage road but there's about .9 mile that the County owns?

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, I think it's closer to .5 mile. When 84/285 was reconstructed, portions of the frontage road within the NMDOT right-of-way, there's one section I believe fell out of the right-of-way so they changed [inaudible]

COMMISSIONER MAYFIELD: And Madam Chair, Mr. Martinez, and everything else would be next to it so this is an uncontiguous piece if that's the right term to use. That does not have that biking lane, walking lane, everything else next to it. It does have that shoulder.

MR. MARTINEZ: Madam Chair, Commissioner Mayfield, that is correct. COMMISSIONER MAYFIELD: Thank you, Madam Chair. Mr. Martinez, thank you for all those clarifications. With that, Madam Chair, I'd move for approval.

COMMISSIONER ANAYA: Second, Madam Chair. Comments.

CHAIR HOLIAN: Yes, all.

COMMISSIONER ANAYA: I would second that motion and my comments would be it's exciting for Commissioner Mayfield moving forward on those road projects

that were designated by the Commission and passed by the voters for road improvements. I would add for Mr. Martinez and the staff there is a meeting on road obligation bond project in the district in close proximity to Commissioner Stefanics' district as well on General Goodwin Road. There was a meeting that was held. There was a lot of people that were involved that expressed their frustrations. They were in a very difficult situation and I expressed that I would bring that up at the meeting because this is a bond project. I wanted to just briefly bring it up now and express that this Commission worked hard on helping support what you were doing. It was difficult times and that maybe the Commissioner, Commissioner Stefanics in that area was very vocal in support of trying to help out wherever you could. But I want to thank you, Mr. Martinez for your efforts and then publicly say on the record that I'm going to do everything I can to, as I told them, to try and locate some additional savings that we might have on other capital projects to augment that project budget.

But because that was such a tumultuous project on the bond project, could you just briefly provide a one-minute snapshot, Robert, of what we're doing on that project? This was a project that engaged emergency services and I think we had to spend \$300,000 of funds just to get it stabilized and that we still have much work to do and we're well on our way to getting through that.

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is correct. Approximately \$300,000 was utilized to bring this road to passable standards after the September 19/20 storm that was equivalent to a 500-year event. As a matter of fact to this day there are still telephone lines that are above ground draped across a fence line waiting for the utility company to come and rebury those lines. But we are trying to address the drainage concerns that we have on that road. Originally, the design called for carrying the drainage all the way from State Road 14 down the roadway to the Galisteo Creek, about a mile or so, a mile and a half from the intersection of 14. But most recently we decided that we would try to pursue an easement from the NMDOT so we can install some drainage structures under the railroad tracks and get rid of that water in certain locations as opposed to carrying it down the entire length of the road.

COMMISSIONER ANAYA: Thank you, Madam Chair, Mr. Martinez. A massive project, a lot of frustration, but I think we're on a game plan that's maintenance oriented where maintenance is the issue and then project development as we move forward that we're going to incorporate some of the key individuals that are going to represent the area. So I said I would say it on record, going back to Commissioner Mayfield's item, I congratulate him on those projects and moving forward to looking at those GOB projects as well. Thank you.

CHAIR HOLIAN: We have a motion and a second for approval of Resolution No. 2013-133.

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

## 3. c. Purchasing Actions

i. Request Approval of Agreement No. 2014-0069-CORR/IC with Pueblo Electric, Inc. for Electrical Services for External and Internal Lights at ADF and YDP in the Amount of \$335,875

# **Exclusive of GRT and Request Signature Authority for County Manager to Execute the Purchase Order**

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair, Commissioners. I'm here before you to ask your consideration for approval of purchasing issued an invitation for bid of upgrades of exterior and interior lighting at the corrections facilities. And the amount of the contract is \$335,875. We had a number, six contractors that bid on the project. We reviewed all of them and found the lowest responsive bidder to be Pueblo Electric and with that I'll stand for questions.

CHAIR HOLIAN: Any questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Okay. There is a motion. Any further discussion? I just want to say I'm glad to see that you're installing LED lights. That will help with the utility bills.

MR. TAYLOR: Yes, Madam Chair.

CHAIR HOLIAN: We had a motion and a second for approval of the agreement.

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

3. c. ii. Request Approval of Agreement No. 2014-0123-CORR/IC with Industrial Commercial Coatings, LLC for the Application of Polyurea to the Showers Areas at the Adult Detention Facility in the Amount of \$287,066 Exclusive of GRT and Request Signature Authority for County Manager to Execute the Purchase Order

MR. TAYLOR: Thank you, Madam Chair. Madam Chair, Purchasing went out for invitation for bid to repair the showers of the adult and the youth detention center. They've reached their lifecycle. I stand for questions, Madam Chair.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Taylor, it looks like only one company bid on this – Industrial Commercial Coatings, LLC. And so I'm just wondering, it looks like it's a tear-out and a recoating.

MR. TAYLOR: That's correct, Madam Chair and Commissioner Stefanics. They are going to remove the old material in the showers and install the polyurea. There are certain [inaudible]

COMMISSIONER STEFANICS: Is it a spray?

MR. TAYLOR: It is sprayed on [inaudible] Madam Chair, Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. Mr. Taylor, you said the area where some of the staff and some of the inmates actually did some sweat equity to actually strip the old shower stalls?

MR. TAYLOR: I believe there's going to be. Is that correct, Director? There were discussions, Madam Chair and Commissioner. I wasn't aware of the final outcome of that but there was discussion around having staff and the inmates do some of the work.

CHAIR HOLIAN: Mr. Sedillo.

PABLO SEDILLO (Public Safety Director): Madam Chair, Commissioner Chavez, that's absolutely correct. They have initiated that a few months ago, prepping the areas for the spray.

COMMISSIONER CHAVEZ: So that's the work that you guys were doing when we went and did our annual inventory of the facility.

MR. SEDILLO: Madam Chair, Commissioner Chavez, that's correct.

COMMISSIONER CHAVEZ: Good work. And I was impressed that staff and the inmates were – sweat equity is a good way to go. It stretches our dollar a little bit further. I think in the case of the facilities that manage, both the adult and the youth detention facility, it seemed that you had buy-in from everyone involved to take care of the place, take ownership of the place, it's not the best place to be, but you had people that were willing to improve their surroundings and I thought that was really good and a good approach. So I just wanted to mention that how.

MR. SEDILLO: Thank you.

CHAIR HOLIAN: Any further discussion? We have a motion and a second for approval of the agreement with Industrial Commercial Coatings, LLC.

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

3. c. iii. Request Approval of Agreement No. 2014-0099-PW/PL with
Century Club Construction, LLC for the Infrastructure
Construction of the Stanley Wellness Center in the Amount of
\$305,000 Exclusive of GRT and Request Signature Authority for
County Manager to Execute the Purchase Order

MR. TAYLOR: Thank you, Madam Chair, Commissioners. We went out for an IFB, invitation for bid in September. This is for the Stanley Wellness Center, the infrastructure we're replacing. There's mobilization of course. There's a number of wells infrastructure for the facility. The bids came in with five firms, Century Club being the one most responsive and with that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Thank you, Bill. Are there any questions? Commissioner Anaya.

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

CHAIR HOLIAN: Is there a second? COMMISSIONER MAYFIELD: Second.

CHAIR HOLIAN: There is a motion. Any further discussion? I have some questions and this is about the project itself, and so I'm not sure who should – Mark, maybe you're the one who should answer this. This seems like a rather big – major project for the County and we really haven't discussed it or at least in my memory we haven't really discussed what it's going to do and how much it's going to cost, and so on. And so first of all, I guess my first question is what are the planned activities at this center. It sounds like an exercise center, but what sort of things will occur there?

MARK HOGAN (Public Facilities): Thank you, Madam Chair. I think Commissioner Anaya can probably answer that question best of anybody, but we have been planning for a number of activities around 44-H club. It would be a good facility for roping, riding events. The longer-term plan for the property is to construct an enclosed arena to have some of those events where there's also a number of outside corrals. There's already a modular in place for a meeting room and this infrastructure is going to support that with electricity, water, wastewater, septic.

CHAIR HOLIAN: So how big is it going to be? How many acres?

MR. HOGAN: It's an 11-acre parcel.

CHAIR HOLIAN: And the facility itself?

MR. HOGAN: The square footage of the facility, I would hesitate to answer off the top of my head, but we're looking at – we just have been modifying the size of it to make sure it can accommodate all the activities that are planned.

CHAIR HOLIAN: And how much is the estimated cost?

MR. HOGAN: Madam Chair, Commissioners, right now we have, originally \$1.2 million budgeted for that. We've spent that down. We've got through this contract, the design and other work, we think it will use every bit of that \$1.2 million by the time we're done. We've already put up fencing and done other site improvements as well.

CHAIR HOLIAN: And have we already set aside the money? Is it coming from our capital outlay GRT or –

MR. HOGAN: Madam Chair, Commissioners, [inaudible] that was budgeted for the project.

CHAIR HOLIAN: And the other question I have is how much staff will be required to –

MR. HOGAN: Madam Chair, we haven't put really together the financial impact report and that would include the staffing portion. We're moving forward with that. We're in the planning stages for the portions of the project that would take more staffing and cooperation with the community in terms of managing it.

CHAIR HOLIAN: So I imagine that you haven't really figured out what the O&M costs are going to be either at this point.

MR. HOGAN: Madam Chair, that's correct. We don't have an O&M cost at this point.

CHAIR HOLIAN: Okay. And was there any contact with the community to talk to the people about what they wanted to see there?

MR. HOGAN: Madam Chair, yes there was. I attended one myself. That was

probably three to four weeks ago, maybe five or six at this point and I know there's been previous ones. This project actually started off before this Commissioner Anaya, his brother Mike was one of the ones that started this some time back.

CHAIR HOLIAN: Okay. Thank you, Mark. Commissioner Chavez and then Commissioner Anaya.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. Well, I guess this is one example of a former Commission expecting a future Commission to accept a project, and we're going to inherit projects like that; I don't think it's all bad. But I do have a concern, Commissioner Anaya, about the ongoing operation and maintenance of all of our facilities, not only this one. So when staff works that out and works out that pro forma I think we need to know how much it's going to cost. Because I think the cost in operation and maintenance will surpass the cost of the building itself in a relatively short period of time, so that recurring money, those dollars are more critical. So for the programs for operation and maintenance, ongoing, I think those are the numbers that are just as critical or more critical than the numbers that we're looking at now.

So moving forward, I'm going to be paying a lot of attention to that as I think we all should. I don't want to say no to the project now but I think that we would need to be very cautious about how we move forward with all of these projects. Thank you, Madam Chair.

CHAIR HOLIAN: Okay. Commissioner Anaya. Commissioner Stefanics. COMMISSIONER STEFANICS: No, I wasn't really intending on saying anything, since Commissioner Chavez brought up something, Madam Chair, I have a question. Ms. Miller do we have any facilities that we have built that are sitting empty without operation?

MS. MILLER: Madam Chair, Commissioners, yes, we have two that I know of off the top of my head. One is in Chimayo, the Headstart facility. One of the issues we have with some of the buildings is we have leased, say, federal land and then built a building on it and that was I think originally like a community center, and then it became the Headstart program and they've leased from us but in September they terminated their lease with us because they're stopping that program at that site and combining it at another site that they have.

And then the teen center that was in, I think Arroyo Seco, we only have an office built out in there. It was built under CDBG for Hands Across Cultures, and then they lost quite a bit of their funding so that is a facility that's empty. We have done RFPs to try to get tenants but we have not had any responses on those. Those are the two that I know of off the top of my head. I think all of our other facilities, if we don't use them with a lot of programs right now – we're vacating the Edgewood Center but we just leased part of it to the city and we're talking about what we would do with the Edgewood Fire Station, what we would do with the rest of it, so that's one. That's just within the last month or two. And then I think all our other facilities that might be without a program in them, we actually either use them for offices or storage or something like that. Those are the three that come to mind off the top of my head.

COMMISSIONER STEFANICS: Thank you. So Madam Chair and Mark, so we would own the land, we would own the facility and we would develop the facility ourselves.

MR. HOGAN: Madam Chair, Commissioner Stefanics, that is correct.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR HOLIAN: Any further comment or questions?

COMMISSIONER ANAYA: I have comments after the vote, Madam Chair.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: I want to follow up on Commissioner Stefanics' question to Katherine. So when did we build the Chimayo Headstart Center?

MS. MILLER: Madam Chair, Commissioner Mayfield, I don't know when we built it. We've had it for a while and I believe it was originally used as a community center but then for the last several years we've rented it out to Headstart, to Presbyterian for Headstart.

COMMISSIONER MAYFIELD: Madam Chair, it makes that building four years old? Twenty years old?

MS. MILLER: Madam Chair, Commissioner Mayfield, I don't know. I'd have to go look that up. I don't know when it was originally built.

COMMISSIONER MAYFIELD: And the County built it? Was it donated to us?

MS. MILLER: Madam Chair, Commissioner Mayfield, I don't have the information on that specifically with me but I will get that to you. I just know that it has been leased for several years to Headstart and that they just recently terminated their lease with us.

COMMISSIONER MAYFIELD: And Madam Chair, Ms. Miller, have we done anything to try to have that building reoccupied by anybody?

MS. MILLER: Madam Chair, Commissioner Mayfield, we have not actively done an RFP on that one and primarily because we have been working on the Bennie J. Chavez Center trying to actually clear up the ownership issue on that building and we wanted to make sure we had a backup if for any reason we were unable to stay in the Bennie J. Center. We wanted to make sure we had a backup to that. But I'm actually hopefully we'll be able to come up to something on the Bennie J. Center and then look at whether we can lease out the Headstart facility. It's not as big as the Bennie J., so that's one of the problems. It's a better built building than the Bennie J. Chavez Center.

So it's kind of a catch-22 as to what to do. If we did move the senior programs and everything out of Bennie J. to that one we'd actually have to add on and modify it, so it's not really suited for that as it stands.

COMMISSIONER MAYFIELD: Thank you.

CHAIR HOLIAN: Katherine, I have a question. If the cost of this particular facility goes significantly above \$1.2 million, will this item come in front of the Board again?

MS. MILLER: Madam Chair, Commissioners, the contract that's in front of you right now is for the actual infrastructure to the site. We still have to design the actual indoor facility and that would come back to you for a bid and we're also looking at structuring that so that we have additive alternates so that we can stay within budget and if we need to have additional funding you could actually select the things and we could potentially budget additional money for that at that time. But that we could get a facility in place, with the infrastructure within budget that we currently have.

CHAIR HOLIAN: Thank you, Katherine. We have a motion and a second for

approval of the agreement with Century Club Construction, LLC.

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

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just a few comments relative to the project. On this bench, almost from the first meeting that I've had we've had numerous discussions about the project on the record, not only discussions in BCC meetings but budget study sessions. To address Commissioner Chavez, you comment. I agree. All projects need to have evaluation of O&M. I take full ownership of this project. Commissioner Anaya, former Representative Rhonda King and many others have been working on the project for some time. Legislative dollars in the amount of \$600,000 I think, Mr. Garcia was lost on the project. There's a lot of community involvement associated with the project, 4-H programs.

Relative to additional resources, if there's additional resources that I have available as a Commissioner in District 3 I would absolutely consider adding resources if need be to the project to help see it to completion. So I just want to say that on the record. The other thing I would say is, Ms. Miller, could you say on the record for the public to hear as well as the Commission, the monies that we have on this project for the modular were prior to even the quick start project and there are some things that I think the best thing I could say is that if we didn't plan for it accordingly we couldn't get it done. But this project was even on the list before the quick start approvals. Is that accurate?

MS. MILLER: Madam Chair, Commissioner Anaya, I think, as you said, this project, at least as far as we acquired the land I think years ago. Something like ten acres. And you're correct that there was some state legislative appropriations to start to develop that property and then it was lost. So it sat idle I believe for several years as a result of that. The first piece that came in was probably two – fiscal year 12. We had some capital outlay GRT available and we put about – I think it was around \$100,000 or something like that per district because prior to that you had not had anything in your districts and we did a couple of things in each person's district.

Commissioner Anaya requested that be to acquire the portable for that site. So we did start working on acquiring that portable probably a couple years ago.

COMMISSIONER ANAYA: And just – that was voted on by the Board of County Commissioners. I didn't make a unilateral decision in any way associated with that.

MS. MILLER: Madam Chair, Commissioner, I think we just did it as a general allocation of the funds and I can't remember exactly the steps on that part of it, but it was done – I can say this – whatever was done it was done the same with all districts at that time. And then we did last year, starting in May of 2012, we started working on the capital budget on GO bonds and on – well, actually GO bonds was even before that. But on the GRT. And it was in there we had some, I believe in the quick start and the rest of it was in the overall capital budget. And the GRT that was approved July 31<sup>st</sup> of last year.

COMMISSIONER ANAYA: And that GRT and the discussions therein, there were discussions associated not just with District 3 but all of my fellow colleagues on the bench had projects that they recommended under GRT, additions to libraries and senior centers, the Highway 14 Senior Center – Commissioner Stefanics and I have both initiated

some capital funds associated with that project. And I might add, on those capital projects, we didn't do a full-blown fiscal analysis on any of those associated with those capital commitments, like the senior center, for example, on Highway 14 is one that is not just going to serve District 3 but will serve the whole county, but District 3 and District 5 in particular.

MS. MILLER: Madam Chair, Commissioner Anaya, we – I think in that round of capital funding was when we really did start to look at we should be doing FIRs. But we had not developed that process. That's been something that actually came out of that whole round of capital outlay that we looked at in 2012, fiscal year 2012/2013. So that is something that we're now starting to do as we come forward but at that particular time, no. And I would say too that one of the issues with that is some of the projects were more from the grass roots than others. So – and it's not district-specific to that. I think there's a few of our projects in our capital outlay budget that still have what I'll call maybe programming initiatives that need to be finished out where we say, okay, and as we move forward with this project here's the programming that goes with it.

COMMISSIONER ANAYA: Right. And Madam Chair, Commissioners and Ms. Miller and the public listening in, we absolutely have to have good vigor and review of all projects. I think Commissioner Chavez is correct in operations and maintenance and those associated aspects, but there's also commitments that we made as Commissioners and as a Commission associated with priorities that include roads and community projects. And I'm going to speak for myself. I'm going to work really hard to carry through with those commitments because communities and people worked hard and have expectations of those. But we do, in the process of not only future projects but existing projects, as Commissioner Chavez has brought up many times, need to always evaluate what are those ongoing costs and how do we best deal with those costs and make sure that we have the resources to do that. So thank you, Madam Chair and thank you, Ms. Miller for addressing those questions.

3. c. iv. Request Approval to Award Two (2) Contracts for No. 2014-0015-PW/PL on-Call Remediation Services for Hazardous Conditions at County Facilities, Each in the Amount of \$250,000 for a Total of \$500,000 Exclusive of GRT and One (1) Contract for Environmental Assessment of Hazardous Conditions in the Amount of \$50,000

MR. TAYLOR: Thank you, Madam Chair, Commissioners. Purchasing saw a need at the County with remediation of hazardous material and we made a decision to do an RFP for on-call services. What you have here are two contracts for contractors who actually do remediation and removal of hazardous materials at facilities, and the other one is the testing, to just do testing, assessment of those facilities when required. So we asked for all of those services in the proposal. And out of the proposals that we received it was determined that there were two firms for remediation and one that would do the assessment. With that I'll stand for questions.

CHAIR HOLIAN: Thank you, Bill. Commissioner Anaya. COMMISSIONER ANAYA: Madam Chair, we've had discussions on

efficiencies and trying to get ahead of the curve; this does that, and I appreciate the efforts in that manner so I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There is a motion. Is there any further discussion? Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair, I think that to add to Commissioner Anaya's comments, this will help staff – this will ensure that all of our staff eventually will be in a safe working environment. That's what jumps out at me the most. And I say that because we're dealing with buildings that are – we're very good at repurposing buildings and those buildings have a lot of history, but they also have a lot of components that are not compatible with our environment. They're not safe and so this will address many of those issues – lead paint, asbestos, whatever – is in our facilities, we can now assess those and do the remediation in a timely manner. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. We have a motion and a second for approval of three contracts that have to do with remediating hazardous conditions.

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

CHAIR HOLIAN: I just want to say I note there are a few people from the Tesuque area here and I know that you're here for our discussion about the plan. I just wanted to alert you though that we did have an amendment on our agenda so after the action items, and we're moving rather quickly through them, we are then going to go to Matters from the County Attorney, because there are a couple of action items on that. So it will take a bit longer before we get to the Tesuque plan. I just wanted to alert you about that.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Ross, how long are we going to need in executive?

MR. ROSS: Madam Chair, Commissioner Mayfield, 30 minutes. COMMISSIONER MAYFIELD: Thank you.

# 3. c. v. Request Approval of Price Agreement No. 2014-0032-PW/MS Lease of Heavy Equipment with Golden Equipment Company

MR. TAYLOR: Thank you, Madam Chair, Commissioners. This is a price agreement for services for heavy equipment for the maintenance division and there were three firms that proposed on it. One from Colorado, two from Albuquerque, and Golden was selected as the most responsive lowest bidder. And with that, Madam Chair, I stand for any questions.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Taylor, I may have overlooked this, but in this case could you explain why leasing would be better than a purchase?

MR. TAYLOR: The request, Madam Chair, Commissioner, the request came

in; it's what we've done in the past and the request came in from the agency to lease and I think that Mr. Martinez would probably have a better response for you.

COMMISSIONER CHAVEZ: I apologize. I'm a little new so I have to ask.

MR. MARTINEZ: Madam Chair, Commissioner Chavez, years ago we determined that it was more cost-effective to lease equipment. We were purchasing, as an example, motor-graders, back in 1998 and we kept those graders for about seven years and then we ended up selling them. And we recovered about 40 percent of our investment back on those graders. So basically, the graders were costing us, after it was all said and done, about 60 percent of the purchase price. These lease agreements are roughly about 60 percent of what it would cost to purchase these graders so we felt it was best to lease these pieces of equipment as opposed to spending money, dollars of capital money on pieces of equipment.

COMMISSIONER CHAVEZ: Okay, and so I would imagine, Mr. Martinez, that in the lease of this equipment that maintenance is part of that lease agreement?

MR. MARTINEZ: Madam Chair, Commissioner Chavez, the County provides the routine maintenance such as oil changes, greasing. As a matter of fact we're required to send records to the vendor so they can determine if we are maintaining these pieces of equipment on a regular basis. But large repairs during the first year will be by the contractor.

COMMISSIONER CHAVEZ: Okay. Thank you. Thank you, staff. Thank you, Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Taylor, Mr. Martinez, I believe we do the same thing on the joint board that we're on, the SWMA board for the same reasons stated. We lease a lot of our equipment just being more cost effective. But have you all – I don't know, just for cost effectiveness, talked with the City also and maybe if we can get a bigger bang for our buck if we've joined up with them, if it's similar equipment that we're looking at. Not for today. I know this is something in front of us but maybe for the future.

MS. MARTINEZ: Madam Chair and Commissioner Mayfield, we've been looking at that, to join in not only Santa Fe County but other counties when we go out for solicitation to make it a cooperative type of price agreement. So we're going to look into that the next time we get around on that.

COMMISSIONER MAYFIELD: Thank you, Mr. Taylor. Move for approval, Madam Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There is a motion for approval of the price agreement with Golden Equipment Company.

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

3. c. vi. Request Approval of Amendment No. 2 to SFC Lease Agreement No. 2010-0174-CSD/MS with S&G Land & Cattle Company for Agricultural Farm Lease in the Amount of \$76,375

MR. TAYLOR: Thank you, Madam Chair, Commissioners. This is the Top of the World lease renewal. This will take it through 2014. This is the smaller portion of cropland in that location. The lease changed from \$90,000 to \$76,375. With that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Any questions?

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Any further discussion? There is a motion for approval of Amendment No. 2 to the lease agreement with S&G Cattle Company.

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

3. c. vii. Request Approval of Amendment No. 1 to SFC Lease Agreement No. 2012-0104-CSD/MS with S&G Land & Cattle Company for Agricultural Farm Lease in the Amount of \$4,500

MR. TAYLOR: Thank you, Commissioner. This is a lease agreement to extend the lease of the larger portion of 1,466 acres, 23 acres of public road easement of 1,423 acres of native grassland for pasture. With that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Any questions?

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Any further discussion? There is a motion for approval of Amendment No. 1 to the lease agreement with S&G Cattle Company for an agricultural farm lease.

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

- 6. Matters from the County Attorney
  - a. Executive Session
    - iii. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights
      - 1. Acquisition of Pojoaque Ball Fields Property
    - iv. Contract Negotiations Under the Procurement Code

CHAIR HOLIAN: Steve, do we need an executive session?

MR. ROSS: Madam Chair, we need an executive session to discuss purchase, acquisition of real property or water rights, the acquisition of the Pojoaque Ball Fields property and contract negotiations of the procurement code, and we can be fairly quick.

CHAIR HOLIAN: Steve do you have an estimate for how long? Half an hour? MR. ROSS: Thirty minutes. Yes.

CHAIR HOLIAN: Thank you. We need a motion to go into executive session. COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we go into executive session for the purposes of discussing pending or threatened litigation, limited personnel matters, discussions of the purchase, acquisition or disposal of real property or water rights, acquisition of the Pojoaque Ball Field property and contract negotiations under the procurement code.

COMMISSIONER ANAYA: Second.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (8 and 6) to discuss the matters delineated above passed upon unanimous roll call vote with Commissioners Anaya, Chavez, Mayfield, Stefanics and Holian all voting in the affirmative.

[The Commission met in executive session from 2:55 to 3:50.]

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I move we come out of executive session where the only items we discussed were those listed on the agenda. Present were the Commissioners, the County Attorney, the County Manager and the Deputy County Attorney.

COMMISSIONER ANAYA: Second

CHAIR HOLIAN: There is a motion to come out of executive session.

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

## 6. b. Annual Renewal of the Public Liability Insurance Policy

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I move to table item 6.b, annual renewal of the public liability and insurance policy.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: There is a motion to table item 6.b, annual renewal of the public liability and insurance policy.

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

CHAIR HOLIAN: The item is tabled until the next meeting.

## 4. Matters of Public Concern

CHAIR HOLIAN: Is there anyone here from the public who would like to address the Board about an item that is not on our agenda? Seeing none, we will go on.

# 5. Discussion/Information Items

- a. Discussion Items
  - i. An Introduction to a Resolution to Adopt the Tesuque Community Plan 2013 as an Amendment to the Santa Fe County Sustainable Growth Management Plan

SARAH IJADI (Senior Planner): Good afternoon, Madam Chair, Commissioners. I'm going to introduce Lynn Pickard, co-chair of the Tesuque Valley Community Association who will introduce today's presentation of the Tesuque Community Plan. Thank you.

CHAIR HOLIAN: Ms. Pickard. And first of all, I actually just want to start off by apologizing to all of you from Tesuque. I know you were at our last meeting and the meeting went on for a rather long time and so you left before we could actually hear this item and discuss it and again, sometimes our meetings do go on for a while so I just want to apologize to you and I'm glad you're here today. Thank you.

LYNN PICKARD: Thank you very much, Madam Chair and members of the County Commission. As Sarah said, my name is Lynn Pickard and I'm one of the co-chairs of the Tesuque Valley Community Association which is an organization of about 40 to 50 duespaying or working members and probably about 200 other members who are on our email notification list and who take part in our events, such as the community barbecue that some of you attend, or informational presentations on topics such as planning, fire prevention, water issues and so forth. I am going to introduce the people who will be presenting the 2013 community plan to you here today.

But before that and in the spirit of this week of Thanksgiving, I want to thank you for giving us the opportunity to present the plan and on behalf of the Village of Tesuque and indeed on behalf of all county residents I want to thank you for your foresight in adopting the Sustainable Growth Management Plan, which we hope the 2013 Tesuque Community Plan will amend. And I want thank you and all of your professional staff for the hard work that has gone into the SGMP and the code that is growing out of it. It's not easy to put forth so many positive changes to land use planning and we are all very appreciative of your efforts.

The fact that this is also Thanksgiving week explains why we don't have more of the members of the Tesuque Planning Committee, which you appointed by resolution over two years ago, here today, and why we don't have more community members in general here. The Village of Tesuque is a special place and many of its residents are very anxious to see this plan presented and are very hopeful for its adoption. Nonetheless, many had family travel plans this week and so couldn't be here.

The Tesuque Valley Community Association is very much on record as supporting this plan. Today we're going to have three people make remarks. First, David Dougherty, one of the members of the Tesuque Planning Committee that you appointed, will briefly explain

the history of planning in Tesuque as well as the impetus for this particular plan. Next, Margo Cutler, who you appointed to chair the Tesuque Planning Committee will explain the work of that committee. Then, one of your excellent staff members, Sarah Ijadi, will describe the nuts and bolts of the plan. And with that I present David Dougherty.

CHAIR HOLIAN: Thank you, Ms. Pickard. Mr. Dougherty.

DAVID DOUGHERTY: Madam Chair and Commissioners, thank you for listening to us. The first serious planning effort Tesuque was called the Las Tres Villas Plan and it was started in 1974. The impetus for it was the threat of the closing of the Tesuque Elementary School. The three communities of Tesuque, Rio en Medio and Chupadero banded together to stop the closing and as a kind of byproduct they formulated a general plan for the area.

In 1998 the state legislature passed a law allowing for the creation of traditional historic communities to prevent in large part the annexation of such communities into larger cities. The Tesuque wholly applauded the traditional historic community concept and we formulated a plan, in part based on the Tres Villas Plan. That plan was adopted in 2000.long with the general plan the County Commission adopted the Tesuque Community Zoning Ordinance. That plan and its associated ordinances are in effect today. I think that's a very important point to keep in mind that there is a plan right now in place.

In the last few years it has become increasingly apparent to the Tesuque community that the existing plan and ordinances need updating and modification to meet the times. Times have changed and actually the current plan acknowledges that and calls for its change when change occurs.

There are both big and small matters that have changed since 2000. The obvious one is the Aamodt settlement. The settlement will have enormous impact on Tesuque. In 2000 fires were a concern but now they are on the front burner, so to speak and this needs to be addressed. A sort of funny byproduct in doing this update of the plan is that it became obvious to us that Bishop's Lodge Road is a scenic corridor and everyone agrees it's the nature of Bishop's Lodge Road that makes Tesuque what is it would be to lose Tesuque as we know it. We have learned that Tesuque is diverse in its development pattern and we have looked at those issues.

We recognize that Tesuque does not want to be a bedroom community to Santa Fe and as such we need to expand business, employment and affordable housing opportunities, and there is much more to be addressed in the upcoming presentation but I wanted to give you some of the core reasons for the impetus of this plan. I want to acknowledge the really, really, really hard work of the other planning committee members. They are Margo Cutler, Chairperson, Jeanne Boyles, Sue Barnum, Gretchen Goff, P\Cam Duncan and Alfred Von Bachmayr. Alfred Von Bachmayr passed away not long ago. Alfred and I both grew up in Tesuque and it was Alfred that caused me and others to get involved and get the current plan updated to reflect the needs of Tesuque. I would also like to acknowledge Commissioner Mayfield's able assistance and his time in attending many of our community meetings related to the plan before you. I would also be remiss if I did not thank County staff and particularly the heroic efforts of Sarah Ijadi in this process. And I would like to introduce Margo Cutler, our chairperson to speak to the community process and the hard work of the planning

committee.

CHAIR HOLIAN: Thank you, Mr. Dougherty.

MR. DOUGHERTY: Thank you. CHAIR HOLIAN: Ms. Cutler.

MARGO CUTLER: Thank you. Madam Chair and members of the County Commission, it has been my privilege to serve as the chairperson for this hardworking group and today it is my job to give you a brief overview of the community planning process. The plan before you is a result of over 50 meetings held by this committee over the last 2 ½ years. Half of these meetings included the excellent County planning team of Robert Griego, Sarah Ijadi and Elizabeth Salinas. It has been an extraordinarily collaborative and productive effort and one that taught us a great deal about Tesuque's current needs.

Phase 1 was the initiation process. In 2010 residents recognized the need to revisit and update the community plan in light of new challenges brought on by the extended drought, increased fire risk, the recession and by the County's adoption in 2010 of the SGMP and by the pending adoption of the SLDC. In the spring of 2011 a subcommittee of the Tesuque Valley Community Association formed and began meeting regularly to identify initial key issues and develop a survey. Through the survey and the first community meeting held at the fire station we gathered community input and confirmed the need to revisit, update and amend the community plan. Official collaboration with the County began in August of 2011 when members of the subcommittee and concerned citizens requested and receive authorization from the Santa Fe Board of County Commissioners via the Santa Fe County Resolution 2011-134 to begin a community planning process for the purposes of updating and amending our plan.

Phase 2 was research and analysis. County Planning staff and the planning committee began meeting on a regular basis to research, map and analyze initial key issues and existing conditions. In May of 2011, the planning committee organized and convened a meeting with a diverse group of community members to discuss findings, review and revise community goals and objectives, and identify topics to be addressed in the plan. This led to a series of five meetings held over the summer which were organized by topics and attended by key stakeholders, community partners and information providers. These topics included open space and trails, Bishop's Lodge Road, acequias and agriculture, and land use and development patterns. The outcome of these meetings established plan elements, goals and initial strategies. Over the course of the next nine months Planning staff and the committee mapped, researched and analyzed additional information best practices, and a variety of planning techniques to refine the strategies and develop a preliminary land use plan.

The third phase was documentation. In early May of 2013 the committee and the County staff hosted two community workshops to present and discuss findings and major plan recommendations in order to seek community-wide input and feedback. The community workshops were advertised in the paper, on the County website, and invitations were mailed to all property owners in the plan area. Over 50 people attended providing valuable information and insight. The committee reviewed input from the workshops and incorporated it into a community review draft which was distributed for a community review on July 12<sup>th</sup>. On July 29<sup>th</sup>, the committee and County staff presented the draft plan at a second community open house and met with individual community members to seek further input, answer

questions and address their concerns.

To encourage community review and attendance the County staff sent out additional informational brochures, provided background information and a summary of the draft plan to all property owners in the plan area. The community presentation was also advertised in the paper, on the website and over 40 community members attended and provided very positive feedback on the draft. On July 31<sup>st</sup> County staff and the committee set up an informational table at the annual Tesuque Fire Station barbecue at which the provided copies of the draft plan, answered questions and recorded further input.

In September of 2013, after review and analysis of the community input, the BCC review draft was completed and submitted to the Growth Management Director for an internal review and introduction to the BCC for approval as an amendment to the County's Sustainable Growth Management Plan. So far we have had partial results of the process and wanted to acknowledge the work that has been done already, based on the suggestions of the committee. The restriping of the Tesuque Village Road to make it more cycle-friendly has been accomplished thanks to Public Works Director Adam Leigland and the County Roads Division.

The realignment formalizing and signage of the parking area at the Windsor Trailhead was established thanks to Commissioner Daniel Mayfield, Public Works Director Adam Leigland and the County Roads Division. Additional stops on the Blue Line were added in Tesuque thanks to the efforts of transportation planner Erick Aune.

Phase 4 will be the adoption. So in conclusion, on behalf of the committee and the community, I want to thank you for this opportunity to present the plan for your consideration as an amendment to the Sustainable Growth Management Plan. Now I'd like to turn this presentation over to Sarah to briefly go over what the plan contains. Thank you very much.

CHAIR HOLIAN: Thank you, Ms. Cutler. Sarah.

MS. IJADI: Thank you, Madam Chair, Commissioners. I'm honored to be a part of this collaborative process with the community of Tesuque, the planning committee and my colleagues in the Planning Department, particularly Elizabeth Salinas, Robert Griego, Tim Cannon and Erick Aune, and now Maria Lohmann, and a special thanks to Adam Leigland and Diego Gomez and Rusty Rodke of the Public Works who all provided a lot of valuable information as we were developing this plan.

I want to begin this presentation just briefly answering the question about what is a community plan. To start with, a community plan is basically a document that articulates the community's visions and goals, identifies and documents past and recent history, describes current conditions and major trends, identifies issues and opportunities, and provides recommendations and strategies for achieving the community's visions and goals. That's generically what a community plan is.

It can also provide a land use plan and policies to guide future zoning and other land use regulations, as well as policies for guiding public investment in projects and programs.

How are plans developed? We are really fortunate in Santa Fe County that we have the planning framework needed to develop community plans. We use guidelines in the SGMP and directions from the Community Planning Ordinance to conduct a collaborative process between County staff and community members. Basically, both the process and the plan must reflect community values and preferences. It requires thorough analysis of

community conditions and sound planning principles.

But on to what's in this plan, the Tesuque Community Plan. Issues, opportunities, goals and policy recommendations and strategies are organized under nine interrelated plan elements. To begin with the plan includes new land use designations and a map that are consistent with the planning framework of the SGMP and anticipate the Sustainable Land Development Code, provides provisions based on topography, existing uses, lot sizes and patterns to ensure compatibility among various land uses to reinforce the historic patterns and protect the scenic and natural resources.

There are nine land use designations where before they were only two. Each designation describes general uses, densities and development patterns that are appropriate within each area. This process led to the refinement of minimum lot sizes and gross densities and requirements that better reflect existing conditions and support rural lifestyles. There is also a recommendation to establish a rural commercial overlay zone to support existing and appropriately located commercial establishments that provide neighborhood goods and services. And very importantly this plan reaffirms that the minimum lot size and gross densities should not be adjusted down when community water and sewer systems are provided.

The land use designations are as follows: Griego Hill, which is the historic village of the Tesuque area, going back many, many centuries, encompasses approximately 75 acres and the plan recommends a gross density of .75 acres per unit or ¾-acre per unit. Next we have the Tesuque Valley designation. It encompasses 900 acres and primarily covers the historic properties that were historically irrigated by the acequias and it is basically the valley floor. The recommended gross density for this area is 1.5 acres per unit. Next we have residential estate, which is there just west of the Bishop's Lodge and it encompasses approximately 60 acres and the plan recommends a gross density of 2.5 acres per unit. The Tesuque east and west ridges encompass the areas that have been more recently subdivided and have more contemporary patterns. Many of them have covenants. The gross density recommended for these areas is five acres per unit. Foothills designation applies to the lands that are almost all adjacent to the Santa Fe National Forest. It encompasses approximately 450 acres and the plan recommends a gross density of 10 acres per unit.

As far as our mixed-use designations, the rural resort designation applies to the master plans of Bishop's Lodge Resort and Bishop's Lodge Hills Subdivision, and that encompasses about 455 acres. The plan also recommends the rural commercial overlay, which includes two different areas. Area A includes the village core, which is approximately 17 acres right at the center of the community, and Area B, the intersection of Tesuque Village Road and US 285, encompassing approximately nine acres.

Finally, to fill in the puzzle here we have the community facilities designation which is the striped blue. It includes the existing community facilities – Tesuque Elementary School, the fire station, the post office and San Ysidro Church. The plan provides general provisions for most of the designations and briefly, just some highlights of those provisions, provisions for home occupations to ensure compatibility with residential uses, allowing – the recommendation to allow secondary dwelling units with appropriate standards for site design, size and location as a conditional use to support multi-generational households and aging in place, recommended lot coverage and lot coverage standards that are more in line with the

historic patterns, and strategies for pro-active code enforcement and community involvement in the code enforcement.

On to the scenic corridor and roads. The community identified Bishop's Lodge Road and Tesuque Village Road as key defining features of their history and rural lifestyles and wanted the plan to address ways of protecting the scenic quality while improving overall safety, and to anticipate the implementation of the Aamodt project. In anticipation of the Aamodt project the plan recommends that a survey be conducted and that standards for road improvement projects be established. Conditions that need to be surveyed and standards established for include pavement width, drainage, heritage trees and canopies, acequias, driveways, dark night sky protection standards and the possibility of an enhancement through utilities underground.

Additionally, improvements should address the safety of cars, bikes, and people, such as techniques to slow traffic down as it enters the community, support for certain specific bike routes and lanes, including the road diet that created a new bike lane on Tesuque Village Road – thanks, Adam, David and everybody who was behind that – as well as future bike relief lanes on parts of Bishop's Lodge Road. Projects need to address pedestrian safety by analyzing the pedestrian circulation in the village core area, ways to mitigate dangerous curves and drainage issues with the roads, and the goal to increase the public transit. Again, as a result of this process and the County advocating the RTD Tesuque now has two new bus stops for the Blue Line.

Finally, the plan provides recommendations to establish setbacks and design standards for walls and fences in order to accommodate both the visual privacy needs on private property and a more open scenic corridor along Bishop's Lodge Road.

The plan provides recommendation for the protection of the additional practices surrounding acequia and agricultural lands as well as the riparian areas associated with the river bosque. The approach to that includes forming a stewardship committee to provide property owners with information on agricultural conservation easement and to work with property owners to implement federal, state, local and tribal initiatives that are actively working to remove or control select invasive species such as elms and tamarisk, as well as recommending zoning incentives for setting aside a minimum percentage of qualifying land for agriculture or open space.

In addition to the roads and public trails, the Village of Tesuque is connected by historic social trails. Such trails were established over time through historic use and have significant community value. The plan provides recommendations for the preservation of these social trails for community use including the mapping of the social trails by the community to guide County development and review and community outreach to property owners to encourage the establishment of easements.

Public lands and trails within and surrounding Tesuque Valley are valued by the community and the broader region. These amenities also generate visitor use impacts that should be managed more appropriately than they are at the present. The plan provides recommendations to enhance and manage public access to the public lands and trails, recommendations for alleviating congestion at existing trailheads through the expiration of alternative means of accessing the Windsor Trail and other trails that the national forest has, and recommendations for providing signage at trailheads showing overflow parking and

alternate trail access. Up there is a map where we've identified a few of these alternative accesses outside of the plan area.

Okay. Fire. Fire will continue to threaten the plan area. Having a pro-active approach through prevention as well as being prepared for both are priorities of the community. The plan provides recommendations to reduce vulnerability, including increased education on county services to evaluate individual properties and limiting development on steep slopes where the rate of fire spread is extremely high. It also provides recommendations for increasing the fire department's response capacity, including locating additional fire tanks in the community.

The plan provides recommendations and strategies for increasing community cohesion and dedicated community space in Tesuque, specifically it calls out for continued support of the existing community facilities as well as the opportunity to develop a community center and/or possibly a small passive park in the village core.

Tesuque's quality of life depends on adequate water quality and water quantity. All the residents and businesses in the plan area currently use groundwater, either drawn from private wells or through the community mutual domestic association for their domestic water supply, and to a certain extent for fire suppression. Their direct experience with wells and irrigation flows have led to the general agreement that the ground and surface water in the plan area is not constant, abundant or an unchanging source. To that end the plan identifies the need to explore the feasibility of developing a central community wastewater facility for the village core area and Griego Hill, and strategies to increase County oversight of septic tanks, such as requiring disclosure statements and/or inspections when there's a change or land use including home occupations or expansion of development on the site.

Finally, the plan provides an implementation matrix which describes the projects, tasks, potential partners, timeframes and potential funding sources for implementing plan objectives and achieving community goals. Implementation will require continued collaboration between the community and the County as well as other public agencies. Today we've initiated the policy adoption process with you all, and the community, through its extensive organizing capacity and experience is in a strong position to implement the community-driven strategies and objectives of this plan.

And here's the last slide, and it's because I always get this question. What about after adoption? What still needs to happen? This is a 25-year plan and many aspects of it will be implemented over the course of many years. From 2014 to 2015, we need to – we do expect to codify appropriate portions of this plan as amendments to the Land Development Code, whether that's the new SLDC or existing code, and from 2013 to 2033 we expect to implement projects and programs. We need to monitor for success and failure and update and amend as needed. So with that, thank you all very much, and I'm going to hand it over for a final word from David and I look forward to any questions, recommendations or directions from you all at any time, now or before the public hearing on December 10<sup>th</sup>.

CHAIR HOLIAN: Mr. Dougherty.

MR. DOUGHERTY: So I just wanted to say on December 10<sup>th</sup> we'll be asking you to adopt the Tesuque Community Plan 2013 as an amendment to the Santa Fe County Sustainable Growth Management Plan. We want to thank you for your time today and your interest this evening and we will see you on the 10<sup>th</sup>.

CHAIR HOLIAN: Thank you. Any questions or comments? Well, I'll go to Commissioner Stefanics first and then to Commissioner Mayfield, since you probably have more questions and comments.

COMMISSIONER STEFANICS: I'll be brief. Thank you very much, Madam Chair. I'd like to thank everyone in the community who worked on this. Every community that has pulled together for a community plan I believe really has a vision for their community as it goes down the road. As I was listening to Sarah and the rest of you and I was going through the draft that we have, the comment I want to make is about notifying people after they buy. It's a little late. Because what happens is a lot of people come in for land use cases, variances, and I don't expect that a lot of this is going to change. Somebody still is going to have to deal with this. When people buy a piece of property they go, Oh, it's my property. I get to do with it what I want. And so I would just encourage you all to think about how to work with realtors and others representing sales in your community to your goals. Because many people purchase without really understanding what kind of community they're getting into or what some of the County issues are. And the former Commissioner Anaya of course had the Code of the West, which he was trying to communicate that many people get involved in living in rural areas not really understanding that it's a little bit different than living in a city. But I'm saying it's even more different living in a specific community.

So if you came down to San Marcos it's different than living in Tesuque, etc., etc. So you might just want to spend some time on how you can communicate that to new community members, or how you precipitate that communication. And that's all and thank you for you wonderful work.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you, and to everybody that's here tonight, thank you. I know it's been a long project that you all have been going through and endeavoring for a long time. I just want you all to know again I want to thank you, that there is this Commission, Ms. Ellis-Green and staff have been working hard on this project but right now in the Sustainable Land Development Code that we've all talked about, and there's been a lot of discussion on this bench about that, but there are at least two additional – I don't want to call the placeholders, but the Tesuque Community Plan is in that proposal right now named. Also I believe the Galisteo Plan is in there and the Chimayo Community Plan up and coming is also in there. So I want you all to know that in the code there's already the Tesuque Community Plan named in the proposed code.

So again, I just want to thank all of you and staff for all the work and the time they've put in this. I know it's been a long process. I don't want to say there's been any hiccups along the way but I think as all of us know bureaucracy does its best and finest to work out some of the details. But I do have a couple questions because everybody knows me; I always have questions. And honestly, there were just even some of the visuals that came up on the board, as they potentially pertain to the code, because I have to make a decision on the code and on this plan and I just want to again, Margo, Ms. Cutler, you and everybody else who presented tonight, you all have done a lot of community outreach. You've had the greatest participation, arguably, that I've seen and I'm going to say this, in the district that I represent. Maybe second to the Tano Road Association that I just started representing recently. And I shouldn't say that, second to them. But you are very well organized and you have very great support

through your residents and through your community and I very much appreciate that. Thank you for having me involved in that. I'm very proud to represent your community.

You've had great involvement and great participation through all your meetings. You've had them at the schools, you've had them at the fire stations, you've had at homes that I've been invited into, so thank you. I also want to thank staff for all your work. But with that also I'm going to bring this up, because I will be voting eventually on the code. So I just want to make sure – and I'll be voting on your community plan, so I would hope that some of you all would come and make comments to the code. So on page 23 on the scenic corridor roads, and I don't know if we can get that visual back up on the computer if possible. But I just want – and I know I have Ms. Ellis-Green here, and thank you for being here, Penny. So I want to make sure I understand of what the community that I represent in the northern part of Santa Fe County, how would this community plan as it will be an overlay on top of the Sustainable Land Development Code that I will be asked to vote on arguably on the 10<sup>th</sup> also, what the characteristics of the beauty of Santa Fe County in the northern part that I represent, will they still be able to sustain what they're trying to do in this with what we're asking for with setback requirements and tree canopies? Because I think in that code that we're asking that maybe some of this would stop on people's property.

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, Chapter 9 is where the community districts will end up. At the moment it references the existing Tesuque Community District Ordinance.

COMMISSIONER MAYFIELD: Okay. Thank you. So let's go back to tree canopy covers on County roads. So if homeowner X has a property – and I'm just looking at page 23. So this visual of a beautiful scenic byway, and these are arguably all private properties. So if an individual has a home and they have a tree that's adjacent on their property that's going to be covering a County road, what are we going to be asking individuals? Is the County going to be asking to chop these trees down?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, I look to Steve, but I'm not sure that we address tree canopies in the SLDC.

COMMISSIONER MAYFIELD: I thought we did have something in there, Mr. Ross, as far as some tree setbacks in the code.

MS. ELLIS-GREEN: We do have a landscaping section but I believe that's for non-residential use. Let me just check.

COMMISSIONER MAYFIELD: Okay. And just help me with that because I want to make sure that I'm on the same page before I do some approvals here.

MS. ELLIS-GREEN: The landscaping section is for non-residential, mixed-use or multi-family developments and a subdivision that would be required to do landscaping. But I'm not sure it talks about tree canopy. I can do a search on the document online.

COMMISSIONER MAYFIELD: Okay. So we'll just save that for the 3<sup>rd</sup> then on that, just so I can know on that. And let's see. I just had one other earmark here, Madam Chair. And one project that we also worked on again, and Ms. Cutler brought it up, so we have some access to national forest lands, and I know in the code also we're trying to address that, if they go through residential areas, are we looking at trying to ask for offsite parking maybe? If we're looking at acquiring open space when they have to go through a residential

area so that we're maybe not either inheriting or faced with a similar problem that we've inherited recently as one such up in Tesuque?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, under the open space action, there's probably a trail requirement. I don't believe that we've got a parking requirement under that, but that is more for subdivision open space within a subdivision. And then we would look to our level of service in Chapter 12 and that does talk about trailheads. So it does require a trailhead at the end of each trail and every five miles. So that's what we would be aiming for for County-owned trails.

COMMISSIONER MAYFIELD: So, thank you. Let me go to the community members, because I'm not totally versed with the whole community. So is there access to any other trailheads within the community that we may run into a similar situation, such as 72-A?

MS. IJADI: Madam Chair, Commissioner Mayfield, when we looked at the social trails along with the regional trails it really was just the Windsor Trail that we anticipated the continued problem with the parking and again, so much of that was dealt with quite directly through your offices. And then we know how popular that trailhead is, the Windsor Trail. And so we looked at other access points to that particular trail outside of the plan area that we would like the County to consider providing more parking at or other entities such as Santa Fe National Forest. There is one area that is within the County right-of-way close to Bishop's Lodge. We talked to the folks at Bishop's Lodge to consider adding additional parking there and providing public access again to the Windsor Trail which is the most popular trail.

As far as the other trails that connect to the national forest, the community didn't anticipate that level of popularity.

COMMISSIONER MAYFIELD: And Madam Chair and Sarah and I appreciate it, and again, I'm looking at this for all of Santa Fe County, and I appreciate that this plan is addressing it. Let me just try to articulate this a different way. But if we're doing the advertisement of this chair in every national publication, every local publication, we're bringing that attention, because it's a great trail, but to a local residential area. I think we need to do our diligence too to respect that local community that we're going to be putting a lot of traffic into that neighborhood, and if we are we have to help them with that infrastructure. And I don't know if it's fair to have this one community plan to have to address that, or if this Board has to recognize that through the Sustainable Land Development Code also. So that's just kind of why I'm bringing this out because I kind of have this bully pulpit to do it right now.

MS. IJADI: Madam Chair, Commissioner, I couldn't agree more.

COMMISSIONER MAYFIELD: And then, I just kind of lost my last dog-ear, but on enforcement, where is enforcement in this community plan. It just caught my eye and I really liked it.

MS. IJADI: It's in the land use section under the general provision. The general strategy was to have a little bit more pro-active approach and meet with our code enforcement team once or twice a year as a community to speak to enforcement issues versus individuals calling as individuals, so to have a standing meeting with the code enforcement team.

COMMISSIONER MAYFIELD: No, I found it. It's on page 49. And I really

appreciate what the community did here also, and we talked about that a little earlier, just so you all know that, of having one new enforcement officer. And I also think too, it's incumbent on us in the County not to maybe set up but – I'm going to just say it – but a neighbor calling in on a neighbor system. If we're going to go through a process of having these plans in place and having these rules it shouldn't be neighbor having to call on neighbor saying, well, look. This is what they're doing here. They have an illegal structure. They have an illegal business. They have a lot of illegal junk in their yard. But if they have these quarterly meetings or if we have our staff going out there. So I appreciate that and I don't know, maybe if we can try to incorporate this in all of our plans, but we might have to ramp up our staff a lot more. It's going to keep them pretty busy. But I really appreciate that the community worked on that and maybe this is incorporated in all our plans we have right now. I don't know that, if it is or isn't and I don't know if there's any comments that want to be said on that. It's on page 48. I'm sorry.

ROBERT GRIEGO (Planning Manager): Madam Chair, Commissioner Mayfield, as far as I know the other community plans that have been done to date don't have that specific provision regarding enforcement. I think each of the areas looks and sees what their concerns are and they identify their concerns based on what they see in their community. So I think the language here does again, having the meetings with staff quarterly to address enforcement issues is a good strategy for implementation.

COMMISSIONER MAYFIELD: Mr. Griego, I think it's really hard when say, an enforcement officer goes out to somebody's property and they're out there and then that person who may or may not receive a citation or a warning says, well, yes, but have you looked at those five other properties right next to me? So I think this is a great strategy to implement and I just appreciate whoever thought of it. It's like great. But again, I just want to thank staff and thank the community for working on this diligently. You guys have put a lot of time and thought into this and I think it's a great plan.

But as far as your land use map – I do always say it's the last question; it never is. Help me with this little white, I'm not going to say donuts, but there were some white little – are they open spaces? And then I'm going to bring up one other question called the Tesuque Triangle. I received a letter. I'll just disclose that to everybody. I pushed it out to Penny Ellis-Green and to Adam Leigland. I'll give it to the community if the community wants it. They were asking for some stuff on it. It's a public document. But so I don't what I did with that map. Maybe it's up there. But there were some little white, on that legend. It was very hard for me to see on this little paper that I have. Okay, so there they are. So right here, and I'm pointing to right here. So if you could show everybody else on that.

MS. IJADI: Commissioner Mayfield, it's referring to the white space here, which is the right-of-way provided for the onramp to 285 from Tesuque Village Road.

COMMISSIONER MAYFIELD: Okay. So it kind of goes under the bridge and overpass and that belongs to the Highway Department?

MS. IJADI: Exactly.

COMMISSIONER MAYFIELD: And then on the Tesuque – I guess it's called the Triangle. I think everybody knows it as the Tesuque Triangle, but that's privately owned, correct?

MS. IJADI: Commissioner, that's correct. And we did meet with the owners

of the Triangle and provided language in the plan, as a policy document, to address their concerns. We also convened a meeting with our road maintenance personnel and the owners and they're working out some of the issues with the drainage structures that are there. And we know there are other concerns that the owners have that are specifically to the property and the erosion and some of the drainage issues associated with Griego Hill Road. So we hope to get those worked out and I know we have a meeting on the 3<sup>rd</sup> with the owners to deal with that.

COMMISSIONER MAYFIELD: And all of the perimeter around the Triangle that's the size of a parking. Either if it's parallel or head-in parking. That is County-owned property, correct?

MS. IJADI: Madam Chair, Commissioner Mayfield, we believe so, and that's what our – the research that we've done indicates that. It may be worth doing a survey to look at the property lines and exactly where the right-of-way is.

COMMISSIONER MAYFIELD: Because I do get calls on it, but then also then should be County maintained property as far as cleaning the sand, because there was a lot of sliding that goes on in that intersection.

MS. IJADI: Commissioner, exactly.

COMMISSIONER MAYFIELD: Okay. That's all I have and again, I just want to thank staff and all the community and thank you for all your hard work on this. Look forward to seeing this on the 10<sup>th</sup>.

CHAIR HOLIAN: Any further comments? Well, I just want to say that this last weekend my husband and I were snowed into our house on Glorieta Mesa and so I thought, well this is a fine time to read the Tesuque plan in its entirety, which I did. And I was incredibly impressed. It's one of the best plans that I've ever seen and I've had a lot of contact with plans because I was on the CDRC before I was on the Board of County Commissioners and so in my time I've seen a lot of plans and I was just really impressed with how comprehensive it is and how thoughtful it is, and how many people were really involved in drafting this. It seems like you really brought the entire community in.

And as I've said many times in the past, I think that drafting a plan like this is one of the most important things a community can do in order to preserve the character of their community going into the future, and I think that you have really achieved that. I was also really impressed with the fact that you had all these implementation strategies. You didn't just say what you wanted, but you also thought how are we going to actually achieve that goal. And so I thought that was a very strong part of the plan. I think that this can really be a model to other communities in the future who want to go through the community planning process. So in any event, I am looking forward to voting on this at our next meeting. Thank you. Thank you, all and thank you to our staff. Commissioner Anaya.

COMMISSIONER ANAYA: I just wanted to congratulate you on your work, your self-determination, controlling what you want in your community. So I congratulate you for your efforts and work.

#### 5. a. iii. Santa Fe Studios Update

MR. ROSS: Madam Chair, myself and Mr. Griscom are identified and presenters on this and we're not really sure what you want to hear about so I can kick it off and give kind of a view of where we are in the progress of the agreements and Mr. Griscom can jump in. He knows a lot of the facts and figures. He's been the staff member assigned to work with the studios and ensure their compliance with the various agreements.

We're – I don't know, about two years into this arrangement with Santa Fe Studios. It's an economic development deal pursuant to LEDA, the Local Economic Development Act. We have a project participation agreement which has been amended a few times. Where it stands right now is Part 1 of the agreement provides that the County will, and the County has, sold the 60+ acres on south 14 just north of the detention center to Santa Fe Studios for \$2.62 million and holds a mortgage on that. In addition, Part 2 of the PPA provides for economic assistance to the venture through a loan guarantee at LANB. Part 3 of the arrangement involves a state grant in the amount of \$10 million from the state to the County and then from the County to the Studios, which has now been incorporated into the infrastructure at the Studios. It has remaining residual responsibilities for the County in it that I'll describe in a second.

Now, back to Part 1, the loan – I call the loan. It's a mortgage and a loan for the purchase price of the 60+ acres on south 14. Like I said a minute ago the purchase price is \$2.62 million. The payments are triggered by achievement of the LEDA objectives, and the LEDA objectives in the project participation agreement are providing high wage jobs to residents of Santa Fe County, both within the facility and without the facility. According to that methodology the Studio has been responsible for and made two payments, two land payments. I think they're \$520,000 each, towards that \$2.62 million obligation. Once the Studio has provided 500,000 hours of jobs or if December 2015 arrives without them having achieved that objective the entire \$2.62 million must be repaid.

So the theory of that was that as they generate jobs they will also achieve income and be able to make a payment when they've achieved their economic development goals, which is a plus for the County and a plus for them. We get jobs they get property eventually if they comply with all of the conditions in the agreements.

The second phase of the economic development project was the loan guarantee whereby the County put up \$6.5 million in Los Alamos National Bank as a guarantee for a loan in the same amount to Santa Fe Studios. That guarantee on our part draws 2 ½ percent interest in a time of extremely low interest rates. It's one of the County's better investments, and the interest is being paid separately to the County; it's not being accrued in the same account where the guarantee is. Part of the provision of that particular document is that the amount that the principal is reduced over time by payments by the studios to LANB can be released from the loan guarantee and to date, somewhere in the neighborhood of \$270,000 of the \$6.5 million has been released from the loan guarantee and returned to the County or to other accounts at LANB where the County keeps its money. The loan is for 30 months and once that loan is exhausted there will be no more guarantee of the County at LANB.

The third element is the grant agreement. As I said, \$10 million has been incorporated into the construction of the studios. That grant agreement requires that 500,000 hours of jobs also be performed by the County and in turn by the studios, excluding, in the case of the state grant, any hours achieved in the construction of the facility. So the obligations of the grant

agreement are going to be satisfied somewhat after the obligations under the loan and the LANB guarantee.

Just quoting from the newspaper, there have been a number of prominent productions filmed at the studios this year. Some of the films hosted there are a film called *We're the Millers*, starring Jennifer Aniston and Jason Sudeikis Another film called *Sage Paints the Sky*. A pilot called *Vegas*, starring Dennis Quaid. Seth MacFarlane in a film called *A Million Ways to Die in the West*. A pilot called the *Sixth Gun* and a documentary called *Cosmos*, hosted by an astrophysicist by the name of Neil deGrasse Tyson.

The facility, the studios had a slow time starting up as many startup businesses experience but it appears to be doing fairly well now. I understand it's empty right now but I understand there are some films coming in in January; I don't know what they are. So the bottom line today is – probably David has the exact numbers, but somewhere in excess of 200,000 hours of jobs have been provided out there. There have been no defaults or hitches in the arrangement thus far. Things seem to be going well from my perspective and with that I think I'll turn it over to Dave for some of the more detailed discussion of things.

DAVID GRISCOM (Economic Development): Madam Chair, Commissioners, things seem to be going well from my perspective as well. I've had numerous conversations with Jason Hool as well as folks from the New Mexico Film Office and folks in the industry and all indications are that this project is successful; it will continue to be successful. It's got a lot of attention in the media. I believe rightfully so. When the LEDA money was appropriated it was \$10 million from the state. Just to put that into perspective, the LEDA budget for FY 13 was \$3 million total for the state. So obviously people take an interest and they ask a lot of questions as well they should.

Nonetheless, this has been a very positive development for the county. I just want to quickly point out, and I think I've mentioned this in the past, but because of the Breaking Bad bill, which added an additional five percent to television production in New Mexico, television production of over six episodes and over \$50,000 per episodes, New Mexico is now one of the top three states in the country for incentives for TV production, and all the four major studios in New Mexico are extremely busy, and this is good news for us. So we're on the map.

Steve's gone through some of the productions that they've had in the last two years. We've gotten a little bit of bad press initially because of bad research. One of the reports that came out was listing only two productions at the studios whereas in fact we've had six. So as Steve noted they've complied with their obligations under the agreement. Their job hours are on track to satisfy the 500,000 job-hours by October of 2016, and at the moment they're at 200,498 for construction jobs plus onsite, and I'm optimistic that that's going to pick up come January. There's going to be a big announcement. I can't say anything but there's going to be a big announcement come January.

Steve referenced the land payments. They're on track with the land payments. They've made two payments of \$524,000. He referenced the bank payments. We've addressed some reporting requirements as a result of a recent IPRA request. I know get -I have a letter verifying the average wage. One of the requirements was that it be a living wage. They're way above the living wage. The average wage is \$27 an hour for the crew. And I've also gotten letters from some of the production companies including the film office verifying

the hours. Up till now we'd just taken it for granted that the quarterly report that the studio submits to us are correct. And so now I'm getting letters from the Film Office and from the production companies verifying the numbers. And I think that's important and I think that that was one of the reasons why we found ourselves in the press recently.

So we've addressed that. We no longer have to file monthly reports to the Economic Development Department or the Department of Finance and Administration. We're beyond that phase. The two IPRA requests were completed, one from the *New Mexican*, one from the *Journal* and I think in sum, this is an excellent project. I'd be happy to stand for questions.

CHAIR HOLIAN: Thank you, David. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Madam Chair. David, there was one piece of this project – it may be a minor detail and I don't want to take away from the success that the film studio does have, but the one component that I think is still maybe – has not been finalized is the public art. I was under the impression that the facility, the facility itself was eligible for a public art project and I don't know if that's been completed or not.

MR. GRISCOM: So Hvtce Miller is the designated representative to staff that and I would have to defer to Hvtce.

CHAIR HOLIAN: Hvtce.

COMMISSIONER STEFANICS: Madam Chair, I know my representative on that art group was thrown off because she's an artist but she had never dealt with large art so they disqualified her.

HVTCE MILLER (Intergovernmental Liaison): Madam Chair, Commissioner Chavez, I am the project coordinator for the Arts in Public Projects which is in particular to the Santa Fe Studios. Currently we have a committee assembled and we have met one time at the studio location. The current issue that we are dealing with right now is determining if a site location at the studios itself would be a prime location for an art project. And there's a lot of issues right now regarding a setback that we have to maintain from the major highway, Highway 14, and also the studio road itself which leads into the property, looking at lines of sight from where the public would be able to view such a piece.

The location of the studios itself, the fence perimeter of the studios was deemed not a suitable location by the State Arts Commission because of the fact it was a locked gate and wasn't readily accessible to the public for arts in public places project. So currently I'm working with Mark Hogan at the County who is also a committee member for this Arts in Public Places project and we're still working on trying to determine a possible location there nearest to the studio site but we're also taking into consideration other locations of County facilities which the State Arts Commission asked us to look into, being that if we don't find a suitable location at the studios that it might be possible to locate the Arts in Public Places project at another location. But we would also have to continue the theme of the art representing the studio in some manner or fashion.

COMMISSIONER CHAVEZ: So it would have to represent or focus on the film industry and that component.

MR. MILLER: That would be the major theme that it would have to do. COMMISSIONER CHAVEZ: Even if it was placed somewhere else at another County facility.

MR. MILLER: Madam Chair, Commissioner Chavez, that's correct.

COMMISSIONER CHAVEZ: Okay. Thank you, Madam Chair.

CHAIR HOLIAN: Any further discussion or questions?

COMMISSIONER MAYFIELD: Madam Chair. CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I'm grateful for the presentation because information I got on the phone today is what I read in the paper I guess a month or so back. So I guess I was appreciative of what I just really heard from Mr. Griscom and Mr. Ross. So we didn't have any audit procedures in place for the reporting and two of the papers had to do some IPRA requests before we pulled this information for them?

MR. GRISCOM: I can't speak to any audit procedures in place, but yes, we had two IPRA requests.

COMMISSIONER MAYFIELD: And I'm very grateful that this project is moving forward and there are great jobs being provided because I think that is the foresight that this Commission had, so that's a great thing. But on that follow-up, is the payroll, and I'm glad they're going well above providing that income means for our communities. How many of those jobs are local? Do we know? Granted, a lot of the movie stars may not be local coming in for the big productions.

MR. GRISCOM: That's a good question, Commissioner Mayfield. There's actually a stipulation that there be a certain – that there be jobs from New Mexico, but there's no number attached to that or percentage attached to that. I'd have to get back to you and find out exactly what those numbers are.

COMMISSIONER MAYFIELD: And just my suggestion again, because what was out there again was reported in the newspaper and I'm glad you all were able to come up with some data that's the real data right now, but has the County looked at this? Because it was more than just the \$10 million that was put up by the state. The County made a pretty sizeable investment that we'll see the dollar return when that money is paid back. But I still think that the County should put out a document or at least report it to the newspapers if they decide to pick it up or not, but maybe on our economic development webpage or put out a letter than can state all the data you just stated, Mr. Griscom, and I appreciate what you just reported, of all the factual information right now that this is providing jobs in our community, this is a production that's moving forward, that they are on track with meeting any conditions that were put forth on them when that studio was built. Granted, there may be a slow time for production right now if in fact they are. There's that lull. Mr. Ross brought up – what was that, Steve? They're returning 2 ½ percent right now on that loan?

MR. ROSS: Madam Chair, Commissioner Mayfield, the guarantee at Los Alamos National Bank of the Santa Fe Studios loan makes us interest and the interest is 2 ½ percent.

COMMISSIONER MAYFIELD: That will depend on the markets, though. It's not callable, right? It just gets released?

MR. ROSS: Madam Chair, Commissioner Mayfield, no. It's a straight loan guarantee so the interest rate is fixed.

COMMISSIONER MAYFIELD: Fixed. But it will be released as the payments come in.

MR. ROSS: Yes. Yes.

year note?

COMMISSIONER MAYFIELD: And what was it? A 30-year note? Fifteen-

MR. ROSS: It's a 25-year obligation.

COMMISSIONER MAYFIELD: But I just think that if we – from those articles that were written, we put out our own statement of what's factually going on as what we know. And do the auditors need to look at any of those terms, Steve? Is that something that gets looked at?

MR. ROSS: Madam Chair, Commissioner Mayfield, the County auditors look at everything.

COMMISSIONER MAYFIELD: Okay. So they have looked at that also then. MR. ROSS: I'm not sure if they specifically looked at it but it's been in place for 2 ½ years and we've had three audits since that time.

COMMISSIONER MAYFIELD: Okay. Just so our public can just rest assured that their dollars were invested and they will see that return on their money. I appreciate the report and I would, I would like to see whatever information was sent back to the media in case I'm asked any questions on it. But I think that project is turning out hopefully and will turn out to be successful. I'm glad it's providing local jobs. Thank you for the report.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair, and I don't believe that we received all the little facts that you gave us today in writing, right?

MR. GRISCOM: Madam Chair, Commissioner Stefanics, you did not.

COMMISSIONER STEFANICS: Okay. So among all the different things you have to do, could we receive some kind of like, just factual little listing, exactly what you all talked about. It was very helpful. We get a lot of critics. We get a lot of requests from the public. It would be very helpful. The second thing is, I wasn't really joking about having a representative on that arts committee. They felt pretty dished. And I really hope that our volunteers are not treated negatively.

And even though it happened more than a year ago, when you go to neighborhood gatherings, that's what people bring up. If people got a bad email from me, if people had a bad experience, that's what they bring up. So I just think we have to be a little careful about some of these. And I think that what happened is the Arts Committee had trouble getting together for a while and then it was determined that some people had experience and some people didn't, but I don't know – and we're talking about a year ago when this was put together. Maybe longer. But it was a negative thing.

MR. MILLER: Madam Chair, Commissioner Stefanics, there was a delay in the committee finally assembling and being able to meet and one of those reasons was because the State Arts and Public Projects Coordinator Commission had remained empty for quite a while and under the regulations under which the committee has to operate we weren't able to assemble without the project coordination from the state side, so unfortunately there was committee members that were potentially – or that were contacted and were asked to potentially serve on the committee and because of the gap there in the staff position the committee itself wasn't actually able to meet until this September.

COMMISSIONER STEFANICS: Okay. Thank you very much. CHAIR HOLIAN: Any further questions? Well, thank you, David and thank

you Hvtce.

## 5. a. iv. REDI-Net Update (Duncan Sill, Financial and Strategic Development Manager, North Central New Mexico Economic Development District)

CHAIR HOLIAN: Duncan, welcome back.

DUNCAN SILL: Thank you, Madam Chair, Commissioners. It's good to be back and happy holidays to everyone. I want to give a brief update on the REDI-Net project. As many of you guys know, the broadband development initiative up in northern New Mexico is the joint effort of four tribal governments along with the local governments in this region, along with the Council of Governments. The tribal partners include Santa Clara, Okeyowingeh, Tesuque and Pojoaque and the local partners include Santa Fe County, Rio Arriba, Espanola and Los Alamos County. I'm happy to report that after almost six years of very trying and very – there's a whole bunch of sweat and tears into this project the jurisdictions have completed the construction of 140 miles of new fiber into northern New Mexico, including 33 miles in Santa Fe County alone. Effective January 2014 we will be operating as an enterprise, so no longer under the previous grants, compliance, so we operate more like a business at that time providing services to anchor institutions, institutions that are community owned and operated by the jurisdictions as well as some of the local non-profits in this region. We are also working actively with local ISP service providers that are coming to the table to get those services to the residents and smaller businesses in the region.

At this point I would like to report that we have about 70 anchor institutions utilizing the network in this region and they use a range of one megabit per second to 100 megabits per second in their daily activities. So some of these institutions include UNM, Los Alamos, the school district up in Los Alamos, New Mexico Consortium, Rio Arriba County facilities, the City of Espanola facilities and etc. I could certainly circulate a list of all these institutions if there's an interest.

This week after Thanksgiving the board of directors is ramping up the activities. Each one of the jurisdictions actually has representation appointed by their local bodies to be seated on this board of directors. The responsibility of that board of directors is to manage and operate this network over a long period of time. We continue to work with partners that are in the region, inviting other communities to look at the potential of expansion. We work actively with the State of New Mexico currently as part of that working group with the Department of IT and they are looking at this as the template for other regions in the state. So we continue to look at both public and private collaborations over time.

On Thursday, December 5<sup>th</sup>, our board of directors will have a retreat where policies and procedures and the details of the business models will be fine-tuned and there will be lengthy discussions of how we get into the operational stage. So with that said I don't want to take up too much time. I know that you guys have been here for a while and you have a long agenda and I want to just stand for questions.

CHAIR HOLIAN: Thank you, Duncan. Any questions, discussion? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. Duncan, welcome back. Madam Chair, I had a brief discussion with Duncan and some staff members this morning on REDI-Net and I know I brought it up in the past. Duncan, what's been the overall dollar investment by, say, all the regional partners?

MR. SILL: The overall project at the completion of the construction at this phase is about \$13.5 million, with a \$10 million grant from the federal government. So the other has been in-kind and cash contributions from the tribes and the jurisdictions.

COMMISSIONER MAYFIELD: And either staff or yourself, Duncan, Santa Fe County's dollar investment?

MR. SILL: At that time the dedication was staff time on my part along with other staff that's supporting it including Legal, Finance. There was not a financial contribution from Santa Fe County at that point. There is a contribution in the dedication of the use of land at the extension center where there is equipment of a point of presence facility that's located there and equipment that belongs to Santa Fe County. All of the assets transfer back to the local jurisdictions with a federal security to operate the network as a whole.

COMMISSIONER MAYFIELD: And is there still – there's still the opportunity though for two additional pueblos to join in – San Ildefonso and Nambe Pueblo, correct?

MR. SILL: Madam Chair, Commissioner Mayfield, absolutely correct, and we're also in discussion with other regions in the state that have expressed an interest in looking at this as a template. And also I forgot to mention that our network interconnects with the Kit Carson Electric Co-op at the Hernandez Station. So we have an integrated network and also we interconnect down south with the Plateau Co-op.

COMMISSIONER MAYFIELD: And Duncan, as far as Kit Carson though, and if Commissioners need any explanation of this any one of us probably could provide it, but they're a last-mile provider, correct? They take it to your doorstep service.

MR. SILL: Madam Chair, Commissioner Mayfield, that's correct. Their source of funding through the USDA has that stipulation where they needed to lay either fiber directly to the premises. They're looking at us the backbone in the middle mile to assist their network performance. So they would be able to service much of Taos County that they have laid fiber in.

COMMISSIONER MAYFIELD: And as far as Santa Fe County specifically we're pretty much just a middle mile so we need to be able to hook into somebody who can provide that last-mile service, right?

MR. SILL: Madam Chair, Commissioner Mayfield, that's correct to the extent the backbone extends for 33 miles of linear fiber along the main highway as well as some laterals into Tesuque and into certain sectors in the county. We actually come all the way into the city on the north side of the city and we have active engagement with some of the service providers to look at how they could deliver services.

COMMISSIONER MAYFIELD: Okay. So, Madam Chair, this morning some spreadsheets were given to me and I don't want to say it was alluded but it was suggested that it may not be cost-effective, unfortunately where that decision would have to be made. And as far as even maybe data speed. So did you get a chance, Duncan, to talk with staff and look at that? Has staff met with you on that? For the viability of the system to work on a JPA that

we signed - it wasn't an MOU; it was a JPA, correct?

MR. SILL: That's correct, Madam Chair and Commissioner Mayfield. It's a joint powers agreement amongst the parties.

COMMISSIONER MAYFIELD: We're working with our regional partners. We kind of agreed that we were going to try to work this out and work together on this for the infrastructure. Right now, we have a couple IOUs that provide service in the northern part. Correct me if I'm wrong. And REDI-Net was something that local governments thought that we would do is run some fiber to get some infrastructure up there to hopefully bring the communication network up to speed for much needed service to rural areas that's very much lacking or that's non-existent for data speed. And some spreadsheets that I was shown – and let me just cut to the chase here. So Santa Fe County has at least two facilities that I know that we could look at connecting on. One is our Public Works facility, which is on 84/285 in the Arroyo Seco area, and the second is our Pojoaque Fire Station. And right now on something that I was shown it shows that our data speed is probably a potential of who our service provide is three megabytes per second. The upload and the download speed are nowhere near that.

And Duncan, I think REDI-Net could provide us about five megs. I don't know if your speed is there or not there. I think your upload was showing me was 30 megs per second. Your download speed was like .80. I don't know how that download speed could be accurate or not. I don't know if you had a chance to look at that. But I guess – and then the dollars were pretty much totally – were not equating, Duncan, and I think using REDI-Net was – I could be wrong - \$400 or \$500 a month; using an IOU was \$30 or \$40 or \$50 a month. So could you, Duncan, and your thoughts give what the rationale would be to go with you all or not?

MR. SILL: Madam Chair, Commissioner Mayfield, you're absolutely accurate. I had an opportunity today after our discussion to conduct a brief conversation with a Mr. Sanchez, the IT Director in Santa Fe County and review the data. One of the issues is that as you're looking at some of these comparisons you always have to compare apples with apples and not apples with oranges. There is some variance that we need to do some validation as to look at the how bandwidth was originally provisioned. I verified with our technical team, I was able to make a phone call during this interim to the network operations center. We're verifying the Arroyo Seco location. There was only one megabit of service provision and the download speed that IT actually recovered and had some data was in that 30 megabits, which caused some questions on my part, even if it's over – even if the network is overperforming you probably won't get 30 times bandwidth of what you see and then so on the upload side of it that's the 0.8 that you see which is closer to that one megabit per second.

I've talked to Mr. Sanchez about doing further validation with our technical team to see what's going on. So we go through the same process with all the anchor institutions, right now about 70 of them with the same processes.

Now in terms of the cost itself, that is something that we have to look at in the symmetrical upload and download where a lot of the services that we get right now for those. You who are familiar with existing services they advertise up to that speed. It doesn't mean that you get the download or the upload speed at that level, whereas the infrastructure that is built to these anchor institutions, as far as I know, based on the technical data that we have

collected with 70 anchor institutions that they have met that threshold as we have – what the network provision on the download and the upload.

So the opportunity is to continue to work with IT staff here to see what's going on. The cost itself, the pricing structure was adopted by the board of directors to look at a regional platform for service tiers provision as the subscription of bandwidth goes up, the savings and the economy of scale also is affected. So for example, I'll give you a real-life case where we were testing the network with Tesuque, which is down a little bit down the block from the Arroyo Seco and the Pojoaque Fire Station. Their staff there was running these software updates on their current incumbent services and they were discovering that that particular update would have taken six hours on their existing service. They decided to switch over to our network for performance testing and it so happened that that particular software update was done in ten minutes. And the cost of what they're paying for the existing incumbent at that time was three times as much as what they're paying now for a lot more services.

So without knowing what transpired at the Arroyo Seco station, which is something our team needs to work with Daniel Sanchez to validate. These are some of the reference points that I could provide you. Hopefully that answers your question.

COMMISSIONER MAYFIELD: It did, Duncan. Thanks. And I guess these question would be for staff. I think we joined on to that JPA and just if our commitment – if we're going to – I think they're transitioning over. If it's a cost issue I just would ask staff to bring that over to us, of making that transition and you can talk about it. Commissioner Stefanics sits on the board of the North Central. I'm an alternate. I haven't attended a meeting as the alternate but she does a great job attending as the permanent member. But I just think if we're going to work with our other local governments of the investment that they've made I think REDI-Net is a very viable option. I think it's viable for economic development. I think we've talked about it in the connection to the southern corridor also. I know we've talked about that. But it's not going to be successful if we're not utilizing it. That's my opinion.

So I just think, Duncan, thanks for the presentation. Staff can add anything they want. I know we had a pretty extensive discussion about that this morning. I see our IT Director in the back. I don't know if he wants to add anything, or Katherine. So Manager Miller, are we hooking in, at least to our two systems into REDI-Net up north? Or we're not because of the cost issue? Analysis issue? Do you know? I don't mean to put you on the spot.

MS. MILLER: Well, Madam Chair, Commissioner, I'm sorry. I was out of the room for part of the conversation. I think there was – I'd actually asked when we were going back a few months ago about hooking up. I think one of the biggest reasons we haven't is it's not part of our network so if we do hook a facility into it they won't be part of our network. So our email and all that. So I think that IT was looking at possible solutions to how we can look at that. I don't think it's a cost issue per se. I understand there was some analysis done just in the last week. I haven't seen that yet, but I think it's more of a policy decision for the Board; that's not a staff decision to say because it's a cost issue or not. I think the agreement says that's something we'll do. I think what we need to do is bring that information back to you as a Board and say, hey, even though it might cost more this is something that we are a partner in and from a policy perspective you may want to say, well, we still want to put some facilities in there. I think what we have to figure out is how we can deal with some of the

things that would be different than our existing system as far as the abilities that the users of it would have. Would they be able to tie into our network and through the email and all that? And if not, what can we do to make sure that they can access our server even if it's remotely.

So that's my understanding of what the main issues are for those two facilities an they may not be a big deterrent to actually hooking up.

COMMISSIONER MAYFIELD: And Madam Chair, and maybe for our IT Director, they can't interface? Or Duncan, are you experiencing that problem with all local governments?

MR. SILL: Madam Chair, Commissioner Mayfield, without having a detailed conversation with Mr. Sanchez I don't want to comment in that detail but what I know is that our technical team have worked out other issues in other jurisdictional regions that may be compatible. So looking at the technical feasibility is where we may want to start, knowing that if the County has requirements for interoperability and interface because the Pojoaque Fire Station is a public safety concern, that we want to make sure that that aspect is fully addressed. We do have quite a bit of public safety facilities on the network already in the other jurisdiction.

Now unlike the other jurisdictions, where their main connectivity already has fiber into our network where this is built as that part of the Metro Ethernet, Santa Fe County's fiber terminates in the north side of the city boundary. We do have partnership with other networks right now where you can look at technical solutions to that. So I would suggest that we look at that technical feasibility and assess that condition.

COMMISSIONER MAYFIELD: Madam Chair and Duncan, thanks for this. This is new to me, Katherine and I just would ask that maybe we get updates regularly for the REDI-Net board too. Because maybe it's an issue that you guys have talked about on that REDI-Net board and I just haven't heard this one before. So thanks. That's all I have, Madam Chair. Thank you.

CHAIR HOLIAN: Commissioner Chavez and then Commissioner Stefanics. COMMISSIONER CHAVEZ: Thank you, Madam Chair. Duncan, I appreciate your presentation. Some of this is new to me. I'm not really a technical geek. I don't really spend a lot of time on a computer and that's just me. But I do know that people have come to depend on that. So it's something that we're going to have to deal with. But in part of your presentation, part of an answer to a question that Commissioner Mayfield presented, having to do with the County's contribution, and even though the County's contribution is staff time I think that's a significant contribution and should not be taken lightly. I think if staff had a timesheet and you logged in all the hours that you spent on this project, again, I think that would be significant, a significant contribution and without that expertise projects like this are not going to go anywhere.

So I would suggest that when we do our fiscal impact reports or when that question is asked that we factor in staff time in our fiscal impact reports and then that signifies again a significant contribution that the County is making, not only to benefit our county or residents in Santa Fe County but you're working across jurisdictional boundaries. You're working with intergovernmental agencies. That's significant. That takes a lot of time. And so if you're not logging your time I would suggest that you do that because we're nowhere near done with this project and even when we are done there's still ongoing maintenance that these systems

require and that can be very expensive as well.

So again, I think that I appreciate staff's time. I appreciate your contribution and I think we should factor that in as we move forward. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think that – quick question. They call it the POP stations – is that what they're called? Like what we did at the fairgounds?

MR. SILL: Madam Chair, Commissioner Anaya, yes. It stands for point of presence and it basically is a carrier facility where you have equipment installed where there is interface and communication coming out of those facilities.

COMMISSIONER ANAYA: I couldn't think of that at the community meeting with General Goodwin Road the other day to save my life and then I just remembered it just like that now. Generally speaking, there's been a large collaborative with a lot of different entities, as Commissioner Mayfield noted in the JPA. We should be able to figure out how to be part of that and not be one of the individuals that's last to the table because we've been working on it in a partnership. But I guess I'm not surprised in some ways that there maybe wasn't as much foresight, maybe, with some of the details down the road, but I'm supportive that we should figure out how to figure out how to utilize the service. Because if we've been part of a partnership for all this time and we don't actually utilize it as one of the team members that signed on to the JPA I don't know that that would look so favorably upon the County. So I would just say that and leave it to you guys to evaluate what needs to be done.

I also wouldn't want to be in a situation where there's no connectivity between what one site does and what the rest of the County does, so I'm actually a little puzzled associated with how that could possibly happen, given the years of communication and work on this project, but I think I just leave it to you guys to have the discussion with Mr. Griscom and our IT Director and keep carrying the message that I believe we're still wanting to be part of the overall project and should utilize the project and work towards that end.

When you say fiber's not at anywhere but at the outskirts of Santa Fe County does that pretty much make the use of the County fairgrounds site somewhere way down the line for use? Can you answer that one question for me?

MR. SILL: Madam Chair, Commissioner Anaya, the question to that right now, I'm happy to report that the Extension could likely access services very soon because of our current partnership with Plateau. And when I was still at the County I fought very hard with the then board of directors and REDI-Net in the jurisdiction of partners to allow that facility to be constructed. Because we didn't actually have fiber coming into the urban center, but I knew that we needed to take the modular approach, that in order for the rest of the county, heading in the south, west and east, that facility is critical to the network, for not only Santa Fe County but for the entire region.

So with our collaboration and our agreement that exists with Plateau right now the viability of servicing the Extension Center is in the near future, I'm happy to report.

COMMISSIONER ANAYA: Okay. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, more of a technical question

for whoever. Was REDI-Net just established more for just basic residential use? Or if governments couldn't interface with it, based on Katherine's point? To be more – to get service out to rural areas? What was the thought behind it? Because now I'm here if governments can't – or Santa Fe County, but I'm assuming other governments are experiencing the same problem. So if local government can't interface or they can't communicate with one another 19 miles up and down a road, it's still fiber. So I don't understand why there's an interface issue.

MR. SILL: Madam Chair, Commissioner Mayfield, that's a really good question. The original intent as we head into the assessment and the initial planning of the network development and why the jurisdictions got together with the tribes was a large part of recognition that the existing services that we have with infrastructure provided by the incumbent as well as what we have available through the state is inadequate. And the federal government verified that with us. So they made a commitment, especially with a part of the federal delegation. It was then – Senator Bingaman championed it and was a huge advocate of this initiative, wanting to see a backbone infrastructure to be developed in order for us to have opportunities to reach into the smaller communities so that rural development and economic development can occur within the state of New Mexico.

So what we have done at this point is, as Commissioner Chavez pointed out is that this is not done. This is not one of those infrastructure projects where we get somebody, we build it, we walk away. This continues to be an activity that's ongoing with all the jurisdictions participating fully over time to look at how do we address public safety needs, telehealth, education, economic development, basic government services for all constituents. What we have done is created a backbone that also allows last service providers to be partners where they could have access to an infrastructure in terms decoupling the costs up front where they're able to reach the small businesses and the residents over time. And we're seeing that opportunity happening right now up north, especially in the Espanola and northern Rio Arriba County.

So it's akin to the interstate highway development. You have to put in that main highway first and look at the on-ramp and the off-ramp, so we're at that stage of the development. So I hope that answers your question.

CHAIR HOLIAN: Thank you very much, Duncan. I'm really pleased to see that REDI-Net has 70 anchor institutions and it seems like it's going. So that's good news. But I understand there's a lot to be done still.

MR. SILL: Thank you.

#### 5. a. v. Santa Fe County REDI-Net Update and Overview

MR. GRISCOM: Madam Chair, Commissioners, I think this was a good discussion. I'm happy to stand for any questions. I will just add that as your economic development manager, broadband planning is extremely important. In fact it's emerging as one of the most important tools in my tool chest, so it's something that's near and dear to my heart and I'm looking forward to pursuing that. I'm happy to stand for any questions.

CHAIR HOLIAN: Any questions? Discussion?

CHAIR HOLIAN: Thank you, David.

#### 5. a. vi. Schedule for SLDC Adoption and Zoning Map

MS. ELLIS-GREEN: Thank you, Madam Chair, Commissioners. We discussed this at the last public hearing last Tuesday but we have had three study sessions – October 15<sup>th</sup>, 22<sup>nd</sup>, and November 5<sup>th</sup>. We have had a public hearing on November 19<sup>th</sup> and we're due to have another public hearing on December 3<sup>rd</sup>, which would start at 4:00 and the Board has asked to have a third public hearing on December 10<sup>th</sup> for possible adoption I understand. So those are the dates that we've got for the adoption timeline and as we had previously discussed after the SLDC adoption takes place staff would then start working diligently on bringing the zoning map forward and doing the required noticing for that.

CHAIR HOLIAN: Thank you, Penny. Any questions? Yes, Commissioner Stefanics and then Commissioner Mayfield.

COMMISSIONER STEFANICS: Thank you, Madam Chair. So, Penny, do you have zoning maps ready? Let's say we have something in December. Are you going to have something ready in January for us to start looking at?

MS. ELLIS-GREEN: Madam Chair, Commissioner Stefanics, we've had two versions of the zoning map. We did update it when this adoption draft came up, so there absolutely is a zoning map out and a available on our website. Every public meeting that we've gone to we've had the zoning map, but we do have –

COMMISSIONER STEFANICS: And we've had those as the big charts at our meetings?

MS. ELLIS-GREEN: That is correct. I did also want to address that we have been asked to have a meeting in the Pojoaque area and that will be happening next Monday, December 2<sup>nd</sup> at the Pojoaque satellite office, and noticing is going out for that. So what would be 6:00 at the Pojoaque satellite office as an additional public meeting.

COMMISSIONER STEFANICS: And you brought up another good point. Madam Chair, Penny, has anybody else asked for another public hearing? Any other community?

MS. ELLIS-GREEN: Madam Chair, Commissioners, no. Not that we have heard of. We've had a lot of public comments and we're diligently going through those. We'll bring you some more possible changes at the December 3<sup>rd</sup> meeting and at that meeting we would then need to kind of decide what goes into the final draft so we can bring that – or the final code, so we can bring that on December 10<sup>th</sup>.

COMMISSIONER STEFANICS: Okay. Thank you very much, Madam Chair. CHAIR HOLIAN: Commissioner Mayfield, and then Commissioner Chavez. COMMISSIONER MAYFIELD: Madam Chair, Penny, so on December 2<sup>nd</sup>, what time are you all proposing?

MS. ELLIS-GREEN: That's a 6:00 meeting. COMMISSIONER MAYFIELD: Six pm.

MS. ELLIS-GREEN: Yes.

COMMISSIONER MAYFIELD: Okay. Thank you.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. So Penny, for the December 3<sup>rd</sup> meeting – well, let me back up a minute. I did appreciate and I think many members of the community actually appreciated that ten-page document that you produced that had all the redline changes. I think with that people could really see that you are taking their comments seriously when they make sense, because it can't be a catch-all. Bu I think it demonstrated that staff is listening, we're sensitive to their comments and we're incorporating them as much as possible. I think that sends a really strong message. Do you plan on doing that again for the December 3<sup>rd</sup> meeting?

MS. ELLIS-GREEN: Madam Chair, Commissioner Chavez, yes, we will. What we will do is a new document that will have additional changes in it so the one document doesn't become too bulky, and we would take any direction as far as if there's something in those documents that the Commission do not want to see added and otherwise we would go ahead and insert all of that into the document for the December 10<sup>th</sup> meeting.

COMMISSIONER CHAVEZ: Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Penny, and just thank you and staff. I know that this has been a tremendous amount of work for many, many months now.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I don't know if I can bring it up but I will. Because we've talked about the HERS a little bit. It's just a comment, Madam Chair. I think it might hopefully get me over the impasse maybe where I am with one or two of my colleagues. Could you guys maybe do an appendix on that, on the HERS just basically? Because now that I've looked at it and I've talked with a bunch of folks, on the HERS rating on the back of the appendix is saying on the 70 threshold, it's like, as I'm understanding it more that I've talked with folks, it's like these are what you can do in lieu of the 70 HERS rating. That's how I'm understanding it now. And I just don't know if we can put like an appendix in the back so individuals understand that. Look, if you put in the energy efficiency light bulb this is the credit you get. If you do this, this, and this. This is how you can achieve that, instead of just spending X amount of money. I'm just throwing that out there, Madam Chair. It just occurred to me.

CHAIR HOLIAN: Commissioner Mayfield, I actually have a document on that. Would you like me to send it to you?

COMMISSIONER MAYFIELD: I'm asking if we can attach something like that to the code.

CHAIR HOLIAN: Yes. That seems like a good idea, but I actually do have a document.

COMMISSIONER STEFANICS: I would agree too.

CHAIR HOLIAN: And I've actually gone through the HERS rating myself on our new house. We got well under HERS 50, by the way.

COMMISSIONER MAYFIELD: Madam Chair, that's what I'm saying. Just food for thought. At least bring something like that to my meeting on the 2<sup>nd</sup> please.

CHAIR HOLIAN: Good suggestion. Thank you. Thank you again, Penny.

### 5. a. vii. Matters From the County Manager 1. Legislative Update

CHAIR HOLIAN: Are you ready, Katherine?

MS. MILLER: No. Madam Chair, Commissioner, the last meeting we did talk a little bit about the legislative reception and we tried – staff has called every one of our legislators within the Santa Fe County delegation trying to get a date in that first full week in January and we are not successful at that. There are some of our legislators that will not be in town that week, and there are also some that can't really do an evening event. So I asked staff again to go still try to find a date some time in the beginning of January or if it's that next week when they start to come in before the actual opening of the session for maybe breakfast or lunch or something that works. So we can try to get a majority of our legislative delegation together.

So I think based on the conversations this morning it's really imperative that we do have a meeting with the legislators. It's just trying to find a time that they're available that's becoming difficult and it's hard to get a response for that first week in January. So we're going to keep trying for another date.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair and Ms. Miller, the other idea or one of the venues we had was a catered – I can't even tell you if it was a breakfast or a lunch in one of the lounges. It might have been the House lounge, before the legislature started, even if people were there in committees, they came for lunch. And some people were there right at the beginning and some people straggled in, and we had a great turnout of legislators. So we grabbed them at the roundhouse, even before the session but while they were already working.

MS. MILLER: Madam Chair, Commissioner Stefanics, that's exactly what Lisa said, we can try that again for that following week and see if we can do lunch in the lounge or in a committee room that is available. We're going to try that as well.

COMMISSIONER STEFANICS: I will tell you that for some reason I'm thinking it was a lunch and I'm thinking that the lounge really was a much better place to do it than a committee room because they came, they were social, they mingled. There were tables set up that weren't like around a committee table. But it's just an idea that – I know you're trying hard with the staff to do this. Otherwise my comment was still if – and I know that, I think it was Commissioner Anaya wanted all of us to be there but maybe we need to set up two venues and try to get three or more of us at those venues, with the legislators. We don't want to miss the opportunity.

MS. MILLER: Madam Chair, Commissioner Stefanics, I agree and I think we need to be creative and find a way to put something together, even if we have to bifurcate it and do a couple different things to make sure that we get time with all of our delegation, because I think it's very important with the issues up for legislation this year.

COMMISSIONER STEFANICS: So, Madam Chair and Ms. Miller, on the 10<sup>th</sup>, December 10<sup>th</sup>, do we start at 2:00?

MS. MILLER: Madam Chair, yes. December 10<sup>th</sup> is a 2:00 meeting.

COMMISSIONER STEFANICS: So what if we tried to jump to a lunch on December 10<sup>th</sup> for them?

MS. MILLER: Madam Chair, Commissioners, I can try that as well. I think everyone is here for that meeting of the Board, so we'll try that one as well.

COMMISSIONER STEFANICS: It's just an idea. We're all going to be here and maybe we could try something for 11:30 or 12:00.

MS. MILLER: Okay.

COMMISSIONER STEFANICS: Thank you.

MS. MILLER: So that's all I have under Legislative update. And then also, the last meeting we had talked about the old judicial courthouse property and you're requested that we put together some kind of survey or get some information [Exhibit 1] from the residents and so what we did is put together a questionnaire to try to get some feedback from the residents of who comes downtown to this building and the services that are downtown, and what they come for and if they don't, why not? Whether they just don't need to come downtown or they use our satellite offices or parking is a deterrent, or they just use access by the internet or phone. Then we also asked how important it is keeping the County government services downtown, and then a question about parking, and then any other comments. We've put this on our web. We've put it out in the offices. The Treasurer is taking it out. He's had the remote sites for tax payments. He's taking that out, and we've also — we're asking the liaisons to send it out in your email distributions of your newsletters and to send it out to the constituents that way.

So we're hoping we'll get at least a pretty good feedback from people who use our facilities as well as people who listen to our meetings and read our newsletters. And we'll keep trying to push this out to get as much feedback as we can from residents as to how they utilize our County administration building.

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: County Manager Katherine, isn't the teen court going to be meeting in the newly constructed, newly built courthouse?

MS. MILLER: Madam Chair, Commissioner Chavez, they do, but the still come down to meet with staff. People come down and do assessments and things like that in our offices here.

COMMISSIONER CHAVEZ: Okay. I thought – I was under the impression they were going to be shifting all of their activity over there but I stand corrected, so I can see that it makes sense that you have this on the list. Thank you, Madam Chair.

MS. MILLER: And Madam Chair, unless there's any questions from the Commission those were the two updates I had for you today.

CHAIR HOLIAN: Katherine, on our agenda there is an item about discussion of appointments to the various committees.

5. a. vii. 2. Discussion of Appointments of Board Members to the Following Committees: BDD, SFSWMA, ELUA, MPO, NCNMEDD, RPO, Regional Coalition of LANL Communities and NCRTD

MS. MILLER: Oh, I'm sorry. I didn't know if that was under my – sorry about that. I didn't have my agenda in font of me. At the beginning of the year we usually do appointments to all of the committees that Board members sit on and I just wanted to start to put that out there that we need to get feedback from you as to what committees you would like to be on. If you want to be on the same ones so we can start. I don't know if you recall last year we kind of put together a matrix and we had to move things around and make sure that we had all of the committees covered. But I wanted to put it forward that we do need to know if there's any of the boards that you want to sit on next year, if you would provide that information, even if it's the same. What we'll do is we'll take that information, put the matrix together and we're doing it a little bit early this year because the first meeting in January isn't till the 14<sup>th</sup> and there may be something that has a meeting before we have our first January meeting, so we were trying to make this decision at the December 10<sup>th</sup> meeting.

CHAIR HOLIAN: Are you going to send an email to us?

MS. MILLER: I can send an email as well. I just wanted to make sure I put this on your radar to start thinking about them. I will tell you Commissioner Anaya did give me his information of the ones that he's interested in and I will share that with you. He was interested in the MPO, the RPO – we do need to reappoint to ELUA but I don't know if there will be a need for an ELUA meeting but we will need that. And then he requested to be the alternate on the LANL Communities. And we also have to, at the next meeting do our selection of chair and vice chair for the next year and he is interested in that as well.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Madam Chair. If I could, I would like to keep the committee assignments that I have.

CHAIR HOLIAN: And I guess I would add that I would like to stay on the BDD. For one thing, I'm the chair and I think I will be the chair until after the March City election.

COMMISSIONER STEFANICS: I'm going to ask for the BDD and the MPO. I want to get back on the BDD and I think –

COMMISSIONER MAYFIELD: I have an interest also.

COMMISSIONER STEFANICS: You're going to have to poll.

CHAIR HOLIAN: Okav.

COMMISSIONER STEFANICS: I got off the BDD to allow somebody to have it for a year. I would like to get back on.

CHAIR HOLIAN: That's fine. Well, whoever gets on will have to decide who's going to be the chair because the City does not come up to be the chair until after the March election.

MS. MILLER: So, Madam Chair, what I'll do is we'll send out an email to you. I have the comments from today but I'll also send out a matrix of what everybody's

currently on and then if you could send back if there's any changes and then what we'll do is compile all that and present it to you where we have possible conflicts. I think last year most of it sorted out. We had a couple that there was some kind of negotiations, I'd call it, between Commissioners of one person to take the seat on one where we didn't have somebody and give up the seat on one where we had too many. But otherwise I think it was pretty fairly distributed based on what people wanted. So there were only a couple conflicts. Hopefully we can do the same and sort those out.

CHAIR HOLIAN: So let me ask about SWMA. I would like to be on SWMA. SWMA has three members. Commissioner Stefanics, would you like to be on SWMA?

COMMISSIONER STEFANICS: If it changed the time for meetings? It meets in the middle of the day, right?

CHAIR HOLIAN: That's correct. 12:00.

COMMISSIONER STEFANICS: I am interested in the topic, Madam Chair and I was on it the very first year and tried to suggest a different meeting time and people didn't –

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: Commissioner Stefanics, since I've been on SWMA I've suggested the same thing but I haven't been able to get anywhere. I'm not sure why. I'm not sure who is stuck on that 12:00, middle of the day meeting time but it doesn't make sense to me either. I've gone along with it because that's the pattern that we're in but I've raised the question as well.

COMMISSIONER STEFANICS: So, Madam Chair, who's chairing that right now?

CHAIR HOLIAN: SWMA is chaired by Councilor Ives.

COMMISSIONER STEFANICS: Do you have a meeting in December?

CHAIR HOLIAN: No. There's no meeting now until January.

COMMISSIONER MAYFIELD: [inaudible]

CHAIR HOLIAN: Yes, at that point. And I think that Commissioner Chavez, assuming he's still on the board, would be the chair.

COMMISSIONER STEFANICS: Well, if Commissioner Chavez can get on the SWMA and change the meeting time I'm certainly happy to join it.

COMMISSIONER MAYFIELD: [inaudible]

CHAIR HOLIAN: I don't remember that. Well, BDD has changed its meeting time because of the City members. It's now starting at 4:30, just to let you know.

COMMISSIONER STEFANICS: Well, and MPO decided to start at 4:00, not 5:00, and they have a meeting in mid-January.

CHAIR HOLIAN: Commissioner Mayfield, are you willing to continue on the Regional Coalition?

COMMISSIONER MAYFIELD: [inaudible]

BDD.

CHAIR HOLIAN: I think that we are going to have to draw straws on the

COMMISSIONER MAYFIELD: If I recall last year, and correct me if I'm wrong, Ms. Penny Ellis-Green, because I know you were the guru of this one. We kind of put

our first board choice as our number one preference and kind of how those chips fell and then I think we drew the hat if two of us or three of us put our number one preference choice. I think that was a pretty equitable way to do it. And then we kind of rolled down that way. That's how I recall we did it last year and I don't think there were too many of us who all had the number one preference where there were all of us on it.

MS. MILLER: Madam Chair, Commissioner Mayfield, I agree it was something like that. I think we had two where we had to draw numbers, I think was what we ended up doing. But most of them, like I said, it worked out but we did ask for you to rank the priorities for each board. Penny was the guru. It took us a while to figure out a way to do that.

COMMISSIONER MAYFIELD: Maybe, Madam Chair, on that note, we could ask, even though I respect everybody who works here in whatever their capacity is but we could default to Penny to run this one again for us.

MS. MILLER: I thought of that too.

MS. ELLIS-GREEN: Madam Chair, Commissioners, it was actually two years ago that we did the drawing from the hat. Last year we did ask for preferences of first, second third choice. So I think everybody got their first choice. I think most people got their second choice, and then during the year there was a little bit of movement. I think with the NCRTD and maybe another board.

COMMISSIONER STEFANICS: So, Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm also willing to give up the North Central New Mexico Economic Development District, and that's only a – it's either every other month or quarterly.

CHAIR HOLIAN: Commissioner Mayfield, would you be interested in that? COMMISSIONER MAYFIELD: I think I'm on every board, either as a permanent or an alternate so I pretty much – I just have a huge interest in BDD and everybody probably knows why.

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: I'm on BDD. I've been on BDD I guess it will be year and I asked for everything – to keep all the committee assignments that I had but I guess I can change that and I could take BDD off the list. I don't know if I could be an alternate but I think that the information is there for us even though we're not on that specific committee. If I have interest in BDD and I'm not on the committee I think I can still access that information. So I would take my name off of the list for BDD so then either Commissioner Mayfield or Stefanics could be back on.

CHAIR HOLIAN: I'll just add that I'm willing to take my name off of it too. But let me just point out that as a matter of fact Commissioner Chavez and I are invited to go up to Los Alamos – let's see. I think it's on December 4<sup>th</sup> for a tour, because the way that they are now testing the stormwater has changed. It's changed significantly from the way it was before and so they're going to show us what they're doing there, and so actually maybe we should decide now so that you guys could go on the tour instead of us. There's no point in our going on the tour.

COMMISSIONER MAYFIELD: Madam Chair, if I may though on that, because I hear a lot of that also from different boards that I sit on, if not the Coalition. Also, I think I've told you all, and this is in my citizen capacity, I'm a member of the Northern New Mexico Citizen Advisory Board. I almost think that's a presentation that Los Alamos National Laboratory should even give this whole Board. I think it's important to all us even as a collective Board to have that. I don't know what noticing means, if it means two of us go at a time to look at that, however that works, but you all – I would suggest you go to it. I could view that in a different capacity of a different board that I sit on too.

CHAIR HOLIAN: Well, Commissioner, I have an awful lot of stuff to do. I'm perfectly willing to let somebody else take this.

COMMISSIONER MAYFIELD: Those are our water issues. I think it's important that all of us know that.

COMMISSIONER STEFANICS: So, Madam Chair, these appointments aren't until next year. So I think whatever people are planning to do they need to continue to do through this 2013. And I think we need to turn in everything. Commissioner Anaya is not here. So everybody just needs to turn in their committee and see what has to be worked out.

COMMISSIONER MAYFIELD: And I'll say – we can talk about it. I probably have lived my useful life on SWMA too. That will make a lot of people probably happy.

CHAIR HOLIAN: Okay, Katherine. I guess you can sort it out from all of our answers by email, since we haven't quite come to consensus.

MS. MILLER: We'll get – as I said, we'll send an email out to remind you that we'd like your priorities and see if we can't get it completed that way along the line of getting your top priorities and if we have too many for one we'll draw straws.

CHAIR HOLIAN: Good.

- 5. a. viii. Commissioner Issues and Comments
  - b. Information Items
    - i. Community Services Monthly Report
    - ii. Human Resources Monthly Report
    - iii. Financial Monthly Report Ending October 31, 2013
    - iv. Growth Management Monthly Report
    - v. Public Works Monthly Report

CHAIR HOLIAN: I guess I would like to encourage the Board – it seems like staff has kind of disappeared, but if the Commissioners have any questions about the reports, which were included in our packet they should ask them now under Commissioner issues and comments. So, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair, and I wish to first wish all the employees a Happy Thanksgiving. I hope you're not too frigid in the evenings but apparently you'll get to the 40 degree mark on Thanksgiving Day. I have read the reports in the packet and I wish to thank our managers and directors for continuing to provide the information. And that's all.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. I just want to wish everybody and their families a very blessed Thanksgiving also, and a Happy Thanksgiving. I would like to wish congratulations to the Pojoaque Elkettes for their fifth straight volleyball title and that's all I have. Everybody have a beautiful, safe holiday season and if you must indulge, remember there is our taxi program.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I'm going to have to read through the reports a little bit further. If I have any questions I can communicate with staff on those. I do appreciate the information and to get it on a regular basis I think it going to be even more important because then maybe we won't get behind on some of the critical issues and be able to move forward in a more efficient manner. But I guess I would also like to wish all of the employees, County employees a safe and happy Thanksgiving and to all of our residents as well. Be safe and just enjoy time with family. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Commissioner. I too want to wish everybody a Happy Thanksgiving. I have to admit it's really my favorite holiday because you get together with family and friends and you don't have to buy presents.

I also want to thank Robert Martinez and Diego Gomez and our whole road maintenance crew. We've had some challenging weather this last week and I have gotten some calls about our road crews and they've all been compliments. They've said that they've done such a great job. As a matter of fact there was one woman who wrote in who lives in Canada de los Alamos and she said that they did such a great job on clearing the roads in the county and she compared that with what was happening on state roads and city roads and we were way better. So, again, thank you to our road crews.

I also want to thank Carol Branch who is our volunteer coordinator for organizing three workdays with 12 volunteers to do work at the Arroyo Hondo open space and they removed dead trees, restored some erosion areas and also sowed wildflower seeds and this was I think – this may be the first time that we've really had a volunteer day organized and I think it was a great success. She figures that the County actually saved \$1,000 by doing this. So thank you to her and also thank you to Albert Lucero and Rick Mier who helped out as well. Commissioner Stefanics.

COMMISSIONER STEFANICS: My kudos as well. They got into Leo Gurule Park and while the tennis courts are going to have to wait for a major renovation they were able to clean it up, put in some nice picnic fixtures and we're already planning a spring feast or festival or something out there with the health van and the fire department and maybe some food and games. But it's great that we are starting to pay attention to some of our facilities. Thank you.

#### 7. Concluding Business

#### a. Announcements

CHAIR HOLIAN: Thank you. Now I guess we've come to concluding business. Any further announcements?

MS. MILLER: Madam Chair, I just wanted to remind the Commission although you probably don't need reminding about it but the public as well, we are closed for Thanksgiving Day and we're closed Friday. So we are closed the end of this week and we'll be then getting all of our packet material ready for the December 10<sup>th</sup> meeting. So if the Commissioners have anything or any presentations, if you could please let me know, preferably before Thanksgiving because we won't have time to put much together because we will finalize the agenda pretty much on Tuesday, but we won't be here Thursday and Friday and normally we collect packet material tomorrow and then start reviewing that and then put the agenda together. So we're missing two of our workdays of our normal schedule of putting a packet together.

Also, we do have the meeting December 3<sup>rd</sup> for the public hearing for the code and I will be adding the two items for resolutions after the hearing portion. The sole community provider changes proposed at the state level [Exhibit 2] and then also a reminder that we have the dedication of the new courthouse and the court is actually taking the lead on that and that is Friday, I believe at 3:30 on December 6<sup>th</sup>. So just a few quick things coming up right when we come back from the Thanksgiving holiday.

I also want to wish all of the staff a Happy Thanksgiving and for them to enjoy their long weekend.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Manager Miller, thanks for the announcement. Are our transfer stations also closed on Friday or will they be – just so our listening audience –

COMMISSIONER STEFANICS: The newspaper indicated Thursday and Friday that the transfer stations would be closed and open on Saturday. But it didn't say anything about Sunday in the press release.

MS. MILLER: They're normally open Saturday, Sunday so they should be open, and then they're closed Monday, Tuesday.

COMMISSIONER MAYFIELD: Okay. So Thursday, Fr

#### 6. b. Adjournment

Having completed the agenda and with no further business to come before this body, Chair Holian declared this meeting adjourned at 6:05 p.m.

Approved by:

Board of County Commissioners

Daniel W. Mayfield, Chair

ATTEST TO:

GERALDINE SALAZAR SANTA FE COUNTY CLERK

Respectfully submitted:

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



**EXHIBIT** 

## Santa Fe County Citizen Survey – Old Judicial Courthouse Pr

| 1. What office(s) do you utilize when v | isiting the County | <b>Administration</b> | Building at 10 |
|---|--------------------|-----------------------|----------------|
| Ave.? (Please check all that apply)     |                    |                       |                |

|                         |  | A STATE OF THE PARTY OF THE PAR |
|-------------------------|--|--|
| O Assessor's O          | Office   | Santa Fe County  |
| O Clerk's Office        | ce   |  |
| O County Com            | missioners / County Manager's Office             |  |
| O Geographic l          | Information Systems (G.I.S.) or E-911 Addressing | - 10 C   |
| O Land Use (B           | suilding and Development Services)               |  |
| O Legal Depart          | tment  |  |
| O Public Meeti          | ings   |  |
| O Teen Court            |  |  |
| O Treasurer's (         | Office   |  |
| 2. If you do not visi   | it the County Administration Building, why not?  |  |
| 20 11 y 04 40 1100 0101 | to the country runnings who bearings, why have   |  |
| O No Need               |  | •  |
| O Utilize Satell        | lite Offices                                     |  |
| O Inconvenient          | t / Lack of Parking                              |  |
| O Access Servi          | ices by Phone or Internet                        |  |
| 3. How Important (      | to You is Keeping County Government Services Do  | wntown?  |
| O Not At All Ir         | mportant   | ,  |
| O Important             |  |  |
| O Very Importa          | ant  |  |
| O No Opinion            |  |  |
| 4. With Ample Par       | king Would You Like to See County Government S   | ervices  |
| O Remain in D           | Powntown Santa Fe                                |  |
| O Moved to an           | other location outside of Downtown Santa Fe      |  |
| 5. Please Add Any       | Comments That You Have On This Topic. Thank y    | ou.  |
|                         |  |  |
|                         |  |  |

Daniel "Danny"

Mayfield

Commissioner, District 1

Miguel M. Chavez Commissioner, District 2

Robert A. Anaya Commissioner, District 3



Kathy Holi Commissioner, District

**Liz Stefanics**Commissioner, District 5

Katherine Miller County Manager

#### **MEMORANDUM**

**DATE:** November 26, 2013

O: Board of County Commissioners

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

VIA: Katherine Miller, County Manager

ITEM AND ISSUE: BCC Meeting December 10, 2013

Resolution No. 2013-\_\_\_ a Resolution on Preemption of Local Authority (Commissioner Stefanics)

#### **BACKGROUND**

This item was previously discussed at the November 12, 2013 BCC meeting.

This resolution opposes any proposal or legislation that would preempt local government authority, by taking from counties the authority to utilize revenues generated by local taxes.

The New Mexico Association of Counties and other New Mexico counties have approved similar versions of this resolution.

#### SANTA FE COUNTY

#### **RESOLUTION NO. 2013-**

#### A RESOLUTION ON PREEMPTION OF LOCAL AUTHORITY

WHEREAS, New Mexico counties have a statutory responsibility for indigent health care pursuant to the County Hospital and Indigent Health Care Act, NMSA 1978, Sections 27-5-1 through 18 (1953 as amended through 2012), and also have a long history of caring for and commitment to the support of their local hospitals, particularly in rural areas of the state;

WHEREAS, pursuant to NMSA 1978, Section 7-20E-9(2008) New Mexico counties are authorized to impose a local option gross receipts tax increment of one-eighth of one percent without referendum, the revenues from which must be dedicated to the support of indigent patients who are residents of that county;

WHEREAS, every county except for Harding and Socorro has imposed the second oneeighth gross receipts tax increment for indigent patients;

WHEREAS, pursuant to NMSA 1978, Section 7-20E-18(2009) sixteen counties have also enacted the County Health Care Gross Receipts Tax one-sixteenth increment without referendum or petition, the revenues from which must be dedicated to the State's County-supported Medicaid Fund;

WHEREAS, the New Mexico Association of Counties has consistently requested transparent and accountable use of county funding for hospital uncompensated care through reporting on the use of those funds by the recipient hospitals to the counties;

WHEREAS, some revenues from the second one-eight increment are currently used by counties to provide a local match to the state for the purpose of drawing down federal Medicaid dollars for hospitals that qualify for the Sole Community Provider Program;

WHEREAS, New Mexico's implementation of Medicaid expansion and market exchanges that are part of health care reform will mean that many indigent care clients will qualify for the new expanded Medicaid coverage, but many will remain indigent due to exemptions to the Affordable Care Act, and may therefore, pursuant to NMSA 1978, Section 27-5-2(1997), continue to be the responsibility of the county where they are domiciled;

WHEREAS, the intent of the federal Affordable Care Act, is to encourage hospitals and local governments and communities to work together closely to build a safety net of basic health care services;

WHEREAS, the New Mexico Human Services Department (HSD) has proposed to redirect the revenue generated by the county local option second one-eight gross receipts tax increment from the counties that have authorized it, to the State of New Mexico.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Santa Fe County does hereby oppose any proposal or legislation that would preempt local government authority, by taking from counties the authority to utilize revenues generated by local taxes in the best interests of their citizens.

PASSED, APPROVED AND ADOPTED this 10<sup>th</sup> day of December, 2013

## THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

| By:                                      |                                  |
|--|----------------------------------|
| Kathy S. Holian, Chair                   |                                  |
|  |                                  |
| ATTEST:                                  | APPROVED AS TO FORM:             |
| Geraldine Salazar, Santa Fe County Clerk | Stephen C. Ross, County Attorney |

#### STATE OF NEW MEXICO COUNTY OF LEA RESOLUTION 13-NOV-044R

#### RESOLUTION ON PRE-EMPTION OF LOCAL TAX AUTHORITY

WHEREAS, New Mexico counties are currently authorized by law (7-20E-9, NMSA 1978) to impose a local option gross receipts tax increment of one-eighth of one percent, countywide without referendum, all of which must be dedicated to the support of indigent patients who are residents of that county; and

WHEREAS, Lea County implemented the second one-eighth tax for indigent patients as provided by Ordinance No. 22; and

WHEREAS, New Mexico counties have a statutory responsibility for indigent health care pursuant to 27-5-1 to 18, NMSA, 1978, and also have a long history of caring for and commitment to the support of their local hospitals, particularly in rural areas of the state; and

WHEREAS, according to the U.S. Census during 2011-2012, Lea County was the fastest growing county in New Mexico with a growth rate of 1.8%; between 2000-2010, Lea County experienced a population increase of 16.79%; and

WHEREAS, Lea County is rated 31 out of 33 counties for meeting the behavioral and mental needs of its residents, per a local healthcare study; and

WHEREAS, revenues from the second one-eighth is also used by Lea County to support a wide range of health care services critical to citizens who are not eligible for Medicaid, including detention inmate health care, substance abuse treatment, rural primary care, home health services, prescription drugs, dental services, indigent burial and cremation services, ambulance service, and hospital care; and

WHEREAS, the New Mexico implementation of Medicaid expansion and market exchanges that are part of health care reform will mean that many indigent care clients will qualify for the new expanded Medicaid coverage, but many will remain indigent due to exemptions to the Affordable Care Act, and will therefore continue to be the responsibility of the county (27-5-2, NMSA 1978); and

WHEREAS, Lea County revenue for the one-eighth increment is approximately \$5.3 million in annual revenue; and

WHEREAS, if the state's proposal is adopted, the County will have approximately a \$4.6 million loss in funding for services; and

WHEREAS, the intent of the federal Affordable Care Act, is to encourage hospitals and local governments and communities to work closely together to build a safety net of basic health care services; and

WHEREAS, the New Mexico Human Services Department (HSD) has proposed to redirect the revenue generated by Lea County's local option second one-eighth increment, to the state; and

WHEREAS, Lea County must continue to receive the revenue it generates from the second oneeighth increment in order to continue to provide statutorily required services to county citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE LEA COUNTY BOARD OF COMMISSIONERS that Lea County opposes any proposal or legislation that would pre-empt local government authority, by taking from Lea County the authority to utilize revenues generated by local taxes in the best interests of our citizens.

LEA COUNTY BOARD OF COUNTY COMMISSIONERS

Michael S. Whitehead, Member

Thomas G. Pierce, Member

ATTEST:

Pat Chappelle Lea County Clerk

Kelli Williams, Deputy

APPROVED AS TO FORM AND LEGAL

Ron R. Black, Vice Chairman

Dale G. Dunlap, Meraber

Scotty A. Holloman, County Attorney



# State HSD makes grab for indigent healthcare funds

**Healthcare** > Interception of GRT increment would leave counties short

BY ARIN MCKENNA

Los Alamos County, in tandem with the New Mexico Association of Counties (NMAC), is opposing a move by the New Mexico Human

Services Department (HSD) to intercept the 1/8 percent increment of Gross Receipts Tax that counties are allowed to assess for healthcare.

State statute specifies how many 1/8 percent increments of gross receipts tax counties are allowed to assess (with voter approval) and also how each increment may be spent. The second increment is dedicated to healthcare.

"Realistically, these services vary county to county, because under state law each county gets to determine its own program. So it looks different here than it does elsewhere, by design," said County Administrator Harry Burgess.

Each county is required to pay into the state Medicaid fund and the Sole Community Provider (SCP) fund, which supports indigent healthcare services at hospitals throughout the state. That money may or may not come out of the

second tax increment.

Los Alamos allocates 50 percent of its healthcare increment to Medicaid, 25 percent to the SCP, 15 percent to indigent healthcare within the county and the remaining amount to administrative costs.

Now HSD is trying to

See HSD, 3

#### HED

From Page !

"redirect" the entire 1/8 increment or its equivalent for a restructured SCP program, which would leave counties without funding for other obligations such as Medicaid payments and indigent healthcare.

"A question is how does local authority get preempted and sucked into state coffers. The state doesn't have authority, in essence, to collect that tax, so how can they just retain it?" Burgess asked.

"Our big concern is that counties are charged with providing indigent care, These are locally approved increments of the taxes. The hesitation on the counties' part statewide are concerns about how do we continue to provide the services that we have implemented without the taxes that we implemented."

"What the state fails to understand is if we give over all of those funds, we're still on the hook to now enact another tax," said Social Services Manager Kim Gabaldon. "Our best guess is we would be stuck finding funding to continue to provide Medicaid dollars and to continue to provide money that we know we need to run our (indigent) programs, which we've already scaled back."

Despite the fact that the HSD plan would intercept 100 percent of all 33 counties healthcare increment (an increase of 75 percent for Los Alamos alone), HSD Communications Director Matt Kennicott insisted the state is not asking for more money.

"The state is not requesting more money from counties. In fact, in aggregate, we have proposed getting less money from counties than we have received in the past.

"Counties have historically sent money to the state for matching payments to local hospitals. That program, the Sole Community Provider, is changing, and the state simply needs to receive the money in a different way for the replacement program(s).

program(s).
"The state role has been to try to preserve payments to local hospitals. Counties were key to funding the old program and key to funding

the new program."
Figures provided by
Deputy County Administrator/Chief Financial
Officer Steven Lynne
contradict that statement. Los Alamos County's healthcare incre-

ment totaled \$1,595,000 in 2012. The county's SCP payment was just \$274,000.

Under the HSD restructuring, SCP as it exists today, would be replaced by a Safety Net Care Pool, which would consist of an uncompensated care pool (basically the SCP program) and a new incentive pool for hospitals.

The incentive pool would pay for an increased rate for Medicaid services to hospitals.

Kennicott also stated that the request for the 1/8 increment is unrelated to the expanded Medicaid program, which the federal government is funding 100 percent for the first three years and dropping to 90 percent by 2020.

But for both programs the increment would be redirected to part of the state's new Centennial Care program. The HSD website says, "Centennial Care is the new name of the New Mexico Medicaid program."

At least one HSD representative told Healthcare Affiliate representatives that some smaller hospitals could go under without the interception.

"The underlying message is that we are going to be responsible for hospitals closing if we don't do this," Gabaldon said.

According to Gabaldon and Liza Gomez Akley, who chairs NMAC's Healthcare Affiliates group, the counties are not opposed to the theories behind the HSD restructuring or to finding ways to support the hospitals, but to the proposal for how to pay for it.

"We do not want to be pitted against the hospitals in any way or seen as just being ornery or not supportive," Gabaldon said. "It's that each of out of the convincing voters that it was good to enact more tax and give what

we currently have away."
"I think it's a good idea to increase the Medicaid rate to hospitals," Gomez Akley said. "Right now it's so far less than even their costs that it adds to the uncompensated care problem for hospitals. So if they increase the Medicaid rates that should relieve the uncompensated care. We like the idea in theory."

HSD contends that with expanded Medicaid and more people becoming insured under the Affordable Care Act, counties will not need as much money for indigent healthcare.

"It is important to note, however, that with the expansion of Medicaid, the caseloads for county indigent programs will be reduced, because more people (205,000 statewide) will have access to Medicaid," Kennicott wrote.

Los Alamos County expects to have between 300 and 600 residents eligible for expanded Medicaid.

However, the HSD theory does not take into account how counties will meet their other Medicaid obligations or healthcare for those who earn above 138 percent of poverty level (the new baseline for expanded Medicaid) and may still be struggling despite the ACA. The county currently provides indigent healthcare funds for those with incomes at 225 percent of poverty level.

"We don't fund only people who are going to be on Medicaid on January 1." Gomez Akley said. "We have other programs that aren't going to be covered by Medicaid. Their proposal takes all of our funds; they put it all in the Medicaid bucket.

"There's no funding for non-hospital services. There's no funding for non-Medicaid eligible people, That leaves a big hole for each of our counties in meeting our priorities."

The current uncertainties regarding ACA and Medicaid enrollment also makes counties upwilling to comply

unwilling to comply.

"With any change to Medicaid you always have to do considerable outreach and hand holding. You will still have people going to the ER because they didn't know they didn't have to go there to get health care," Gabaldon said. "We are still responsible for looking after our residents.

"My concern, and also that of older, wiser healthcare administrators, is that it makes no sense to pull funds from something until we have something else underway. I don't think any of us know if it will take six months or three months."

Gabaldon is also concerned that there will be residents unable to afford healthcare premiums despite the subsidies.

"People live so close to the edge sometimes. Who will pick that up? It will be still burdened and uncompensated care at the hospital." Gabaldon said.

According the Burgess, HSD would have to change state statute in order to intercept the funds, and NMAC will oppose such a move.

