

**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**November 29, 2016**

Miguel Chavez, Chair - District 2  
Henry Roybal, Vice Chair - District 1  
Kathy Holian - District 4  
Liz Stefanics - District 5  
Robert A. Anaya, Chair - District 3

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I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 9:08 a.m. by Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**B. Roll Call**

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

**Members Present:**

Commissioner Miguel Chavez, Chair  
Commissioner Henry Roybal, Vice Chair  
Commissioner Robert A. Anaya  
Commissioner Kathy Holian  
Commissioner Liz Stefanics

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance was led by Orlando Romero, the State Pledge by Chris Barela and the Moment of Reflection by Julia Valdez of the County Manager's Office.

I. **F. Approval of Agenda**

**1. Amendments**

**2. Tabled or Withdrawn Items**

CHAIRMAN CHAVEZ: We have an amended agenda. Katherine, do you want to walk us through the amendments?

KATHERINE MILLER (County Manager): Yes, Mr. Chair. The agenda was posted in its amended form on 11/23 at 1:41 p.m. The amendments that were posted at that time were on page 3, our Action Items. Under Action Items, item V. B. 1, a resolution adopting a new logo. That resolution title was corrected. Then on page 4,

under Matters from the County Attorney, item VI. A. 1. e, the *Trujillo and Peperas v. Board of County Commissioners* case was added for discussion. And those are the items that I have for amendment and nothing has currently been tabled but I do know that Commissioner Roybal had a request.

COMMISSIONER ROYBAL: Yes, Mr. Chair. On item number 9, a resolution approving the Pojoaque Basin Regional Water Authority joint powers agreement, I would like to move that we postpone final action until the Board's December 13<sup>th</sup> meeting. However, I would like to keep the item on today's agenda as a discussion item, specifically, I would like to get some feedback on two potential proposals relative to the composition of the board of directors of the Pojoaque Basin Regional Water System postponing final action to enable the pueblos and the public additional time to comment on specific proposals that emerge.

CHAIRMAN CHAVEZ: So Commissioner Roybal, you'll be presenting some amendments. None of us have seen those amendments, which is fine. We'll discuss them here at the dais. I will allow some public comment on the amendments. At the last meeting we said that we would close the public comment and vote today. I understand that's changed, but I think that in light of the new amendments we should have some public comment on those. I will point out that we're starting early today because we wanted to finish some business that was left from past meetings. We also have Housing today, and so we need to fit Housing in some time between 11:00 and 2:00. So I'm going to ask that we be sensitive to our time and I'm going to limit public comment on almost everything to three minutes so that we can move through the agenda. Any questions on that? Those are the ground rules. Commissioner Anaya?

COMMISSIONER ANAYA: I think I'm okay, Mr. Chair. I guess I would just have one item that I saw that I wanted to ask for some consideration from the Chair. Under Matters of Public Concern is the Mayor of Edgewood and I wanted to see if we could move that to Matters from the Commission. I'd like to have that as a matter under Matters from the Commission as one of our fellow elected officials. It's listed as matters of public concern and I'd just like to have it listed as Matters from the Commission, Commissioner Anaya, if that's okay, Mr. Chair.

CHAIRMAN CHAVEZ: I think that would be fine. Just to let you know, we do have a request from other members of the public who will be attending and wanted to speak under Matters of Public Concern so we'll still have to accommodate them. So when would you like to have the Mayor do the –

COMMISSIONER ANAYA: I don't know that I see the Mayor here right now.

CHAIRMAN CHAVEZ: Well, a councilor is here. Councilor Ring is here. Okay, so then when he gets here, do you want us to suspend –

COMMISSIONER ANAYA: If we could, Mr. Chair, I'd greatly appreciate it.

CHAIRMAN CHAVEZ: He's here right now. Let's do it now. I guess.

COMMISSIONER ANAYA: I appreciate that very much.

COMMISSIONER HOLIAN: Don't we have to approve the agenda?

CHAIRMAN CHAVEZ: No, I guess not. She wants to approve the agenda first, Commissioner.

COMMISSIONER ANAYA: So that was why I was asking on the agenda if we move it. So if we could move it to after – Mr. Chair, if we can move the Mayor’s comments to after Approval of the Minutes, I’d move for approval of the agenda as amended with that one change on my end and Commissioner Roybal’s tabling included.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: Okay, we have a motion and a second to amend the agenda. That’s from the Commission. Now, does staff have any other reason to amend the agenda? Have you gone through, Katherine?

MS. MILLER: Mr. Chair, those are the only amendments I had to the agenda, those two additional items.

CHAIRMAN CHAVEZ: So we have a motion. We have a second with amendments.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Stefanics was not present for this action and arrived immediately thereafter.]

COMMISSIONER ANAYA: Mr. Chair, just on the agenda, I appreciate Commissioner Roybal’s adjustment relative to the JPA. I want to say it publicly. I’ve been trying to work through scheduling to meet with concerned residents in the area relative to the JPA but also with the pueblo governors. So Commissioner Roybal, I appreciate the amendments but I also appreciate the time that we have to continue some of that dialogue and I will continue to reach out based on their requests to meet with them to discuss their concerns or comments. So thank you, Mr. Chair. I just wanted to say that on the record.

**I. G. Approval of Minutes**

**1. Approval of the October 25, 2016, Regular Board of County Commissioners Meeting Minutes**

CHAIRMAN CHAVEZ: Okay, so let’s see if we can move along then. We have – I know you want to get to the Mayor of Edgewood, but I’m going to do, we have approval of minutes for the October 25<sup>th</sup> regular Board of County Commissioners meeting.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the October 25, 2016 regular Board of County Commissioners meeting minutes.

CHAIRMAN CHAVEZ: We have a motion. Do I hear a second?

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: There’s a motion and a second.

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

**I. G. 2. Approval of the October 28, 2016, Special Board of County Commissioners Meeting Minutes**

CHAIRMAN CHAVEZ: We now have minutes for October 28<sup>th</sup> special Board of County Commission meeting.

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of the October 28, 2016 special Board of County Commissioners meeting minutes.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: We have a motion and a second.

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

**III. MATTERS OF PUBLIC CONCERN**

**A. Honorable John Basset, Mayor, Town of Edgewood [Exhibit 1]**

JOHN BASSETT (Mayor of Edgewood): Thank you, Mr. Chair, Commissioners. I've got a handout for you here real quick. So basically what I have here is a letter to the members of the County Commission: Robert Anaya, Miguel Chavez, Liz Stefanics, Henry Roybal, Kathy Holian, County Manager Katherine Miller, Deputy County Manager Tony Flores and staff member Chris Barela.

Thank you for your help and consideration with bond issue five which will help provide funding for the new First Choice Clinic in Edgewood. Commission members, County Manager, County staff members, on behalf of the Edgewood Town Council and the citizens of the Town of Edgewood, I'd like to take this opportunity to personally thank each and every one of you who supported the effort to place bond issue five on the November general election ballot and who worked thereafter to help get the word out to the voters of Santa Fe County to help support this very worthwhile effort.

With the passage of bond issue five the fundraising effort for the full amount needed to begin construction is now past the halfway mark. Much work remains to be done in order to secure the total funding necessary, but with the help of Santa Fe County a giant step forward has been taken. Today I applaud the commitment made by the Santa Fe County Commission, the County Manager and all the staff people who took part in this effort. With your generous help the project to build the new and larger First Choice Clinic in the Town of Edgewood is that much closer to becoming a reality.

We at the Town of Edgewood wish to acknowledge the help given us by Santa Fe County in this matter and hope that it serves as a prelude to a closer, long-term working relationship between Santa Fe County and the Town of Edgewood. John Bassett, Mayor, Town of Edgewood. So, Commissioners, I just wanted to thank you, come up here in person and thank you. Thank you for the opportunity to address you. That was very good help you gave us there on that. We don't know just where it's going to go from there on the rest of the fundraising, but for you guys, thank you.

CHAIRMAN CHAVEZ: Well, Mayor, I would thank you and Councilor Ring, who I work with also on the RTD. I've enjoyed working with him on those issues as well. We have a lot of challenges us facing us. I really want to thank the voters for supporting all five questions, and the advisory question, which is the GRT for the

operation – well, not operation and maintenance, but GRT for behavior health services for our crisis triage centers, community health.

MAYOR BASSETT: That's good on that. It turned out good there in Edgewood for these questions and Commissioner Anaya, of course, thank you. You got that on there back in July or whenever we were up here and we'll take it from there and see where it takes us.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Mayor, I appreciate that acknowledgement but the full Commission helped us and I want to extend a thank you to my colleagues on the Commission for helping put it on there to give the voters that opportunity, but thanks for coming. Councilor Ring, you came all the way up. Would you like to say a few words?

MAYOR BASSETT: He's been pushing this for a long time.

COMMISSIONER ANAYA: He has. Thank you, Mayor.

CHUCK RING: Mr. Chair and members of the Commission, I don't have much to add to what the Mayor has read to you but it speaks of my appreciation too and anything I say or have said in the past comes from the heart and we have enjoyed very much working with you. Thank you very much.

CHAIRMAN CHAVEZ: Thank you for being here.

MAYOR BASSETT: We mean that sincerely. I hope we have a good working relationship with all the Commissioners in the future. Thank you.

CHAIRMAN CHAVEZ: Thank you for being here, Mayor, and what I will add, you talked about the next steps and I do want to mention the Community Services Department, because without the Community Services Department and the County Health Action Plan none of this would be happening. This is all part of the County Health Action Plan. So what needs to happen next is we need to do a business plan for the community health facility in this part of the county. So we hope to have satellite, campus-style facilities, one in the Town of Edgewood and one somewhere in this part of Santa Fe County.

So there are two facilities that were on the GO bond that the voters approved and that we have possibly gross receipts funding for behavioral health services in those community health facilities. So Mayor, you're right. Santa Fe County is moving forward. We're breaking new ground and a lot of it is falling on local governments and more of it will be on local governments, it seems, as we move forward. So thank you for being here. I want to again thank the voters for supporting all five bond questions. That's a \$35 million bond that's going to move Santa Fe County forward. Thank you for being here.

**I. H. Employee Recognitions**

**1. Recognition of Years of Service for Santa Fe County Employees**

MS. MILLER: Mr. Chair, thank you. I just wanted to acknowledge publicly the employees who've hit a five-year mark with Santa Fe County in the last month. As you know we actually recognize them personally, but I wanted to make sure they're recognized publicly because the commitment to Santa Fe County and retention of

staff is really important and very beneficial to the County to have people with multiple years of experience.

So just to note Kimberly Martinez in our Public Works Department Administration; she's a department administrator. She's been here five years since November 14, 2011. Sammy Abeyta in our Road Maintenance, heavy equipment operator. He's a lead heavy equipment operator with ten years of service. Deseray Gallegos in Corrections. She's at our Youth Detention Facility. She's a shift supervisor with ten years of experience, been here since November 17, 2006. And last but not least Jared Rivera in our Public Works Road Maintenance Division. He's the Road Maintenance foreman and he has 15 years of service and so I'd just like to recognize them and thank them for their commitment to Santa Fe County.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'd like to thank all the individual employees for their dedication to Santa Fe County, for serving as role models and for providing customer service to the residents of the county. And I hope that many other County employees will stick around as well. Thank you.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics. Any other comments? Go ahead, Commissioner Roybal, and then I'll go after you.

COMMISSIONER ROYBAL: I just want to acknowledge the employees that do have this dedication and stay with the County. They make the County their career choice. I think that to have these dedicated employees working here for the long term really helps the County to achieve their goals. So thank you.

CHAIRMAN CHAVEZ: And I guess I would just build on what's already been said. We're talking about continuity, dedication and service, Commissioner Stefanics. So these individuals, these employees, are on the front line every day serving the public and so we really, really appreciate all of their work.

## **I. H. 2. Recognition of New Santa Fe County Employees**

MS. MILLER: Mr. Chair, in your packet is a list of new hires from October 1<sup>st</sup> through October 31<sup>st</sup>. I would go through them all except that, as you know, we just had an election and in October we hire about 50 precinct board members and then in November we let them go. So they're in that list but I think maybe the Clerk would just like to comment on what a valuable asset all of those individuals are that come to the County for just a few weeks and help us put the election on.

GERALDINE SALAZAR (County Clerk): Thank you, Manager Miller, yes. You see that long list, that's the early voting poll workers, the precinct board members. We have to hire all of these individuals to ensure that our early voting process occurs and also the skills that they bring, because we have a lot of people who return to help us run elections. They did an excellent job. They were there for all voters. We received lots of compliments, but as I've mentioned before, elections are not perfect; they're fair. And I'm very proud of all of my staff that work with me every day and all of the poll workers that we've hired, because in addition to this we have over – close to 500 poll workers that we hire or bring on board, which I consider actual volunteers and they

receive a stipend for the day. So we have close to 500 on Election Day.

These here listed are individuals who work with us during early voting at the five alternate sites. We have individuals here working at the Clerk's Office and then we have individuals out in the field in other areas where they're working early voting. So we have a lot of professionals working with us. Thank you so much.

CHAIRMAN CHAVEZ: Thank you, Madam Clerk. Katherine, do you want to highlight – we have some new hires in Corrections and the RECC. Do you want to – I think it would be worth mentioning those.

MS. MILLER: Yes, Mr. Chair, and I just wanted to noted that in addition to all the precinct board members for early voting we also had about 20 other positions that were filled during the month of October. We have two new tax cashiers, Alyssa Sena and Josephine Torres. We have a new administration assistant in the Legal Department, Jeremy Garcia. Also as you noted we have three new detention officers and a new registered nurse at Corrections.

At the Fire Department we have our new Fire Marshal, Jaome Blay and also Frances Martinez, our secretary for the Fire Department. In dispatch we hired three new emergency communications specialist trainees, and then in Public Works several equipment operators, solid waste maintenance workers, and then two new deputies in the Sheriff's Office, Brian Martinez and Cassandra Reed. So I just wanted to welcome them to the County and hopefully you'll get a chance to meet them and interact with them.

CHAIRMAN CHAVEZ: Any comments from Commissioners? Well, I would say welcome on board to the new hires, and these are all critical positions and the departments that I think do some of the heavy lifting, so it's good to have these positions filled. Thank you.

**I. I. Presentation on and Recognition of the Madrid Volunteer Fire District**

COMMISSIONER ANAYA: Thank you, Mr. Chair. It's an honor to have one of our smaller fire departments with us but no less important than any of the others, our Madrid Fire Department. We have our Chief and the Chief from the Madrid Fire Department here as well. Chief Sperling.

DAVE SPERLING (Fire Chief): Thank you, Commissioner Anaya, Mr. Chair, Commissioners. Once again I wanted to thank you for the opportunity to present one of our Santa Fe County 14 volunteer fire districts to the Commission and to the public. Today we're recognizing the Madrid volunteer fire district and District Chief Carl Hansen. Chief Hansen has been with the district for approximately nine years and has served as District Chief for four years. So with that I'll have him come up and say a few comments.

CARL HANSEN: Thank you, Mr. Chair and Commissioners for having me here this morning. It's a pleasure to – I'm really happy to talk about the Madrid Volunteer District and what we accomplish out there. I found it was 1973 when Madrid had a particularly horrendous structure fire that took out eight miner shacks. It was then that several of the Madrid residents got together and decided they needed to be a little bit more pro-active to deal with emergencies and fires out there.

That's when somebody contacted the Forest Service for assistance and they actually fixed us up with an old military vehicle. It was a deuce and a half with a thousand gallons of water and a pump on the back and that became Madrid's first firefighting engine.

In 1990 Madrid got its first four-bay modern fire station. It was built on land donated by the community and in 1999 Santa Fe County helped us install a fire hydrant system, the water source being an old 100,000-gallon underground stone water tank that was previously used back in the mining days for Madrid's water supply.

At this point in time Madrid has six firefighters. Three of us are also EMTs and two auxiliary members. One of my members followed me here this morning, Steve Shepherd. He's one of our longest serving volunteers of over 15 years. He was one of our members who really stepped up with a lot of leadership over the years, in the black hat back there near the back row.

As far as our apparatus, we've got two aging fire trucks, a brush truck, and an aging rescue unit. The rescue unit we're in the process of replacing right now, thanks to the quarter percent gross receipts tax increase that was approved several years ago, so we're really appreciative of that. Our district stretches from the north boundary of Golden to the Town of Cerrillos and out to Highway 25. We work closely with the Turquoise Trail Volunteer Fire District. We train together. We help each other out on calls quite often.

One of the benefits of being an outlying volunteer-only fire district is we generally arrive on scene several minutes before the Med 60 unit that responds most of the time out of Rancho Viejo. So we feel our presence is really important to respond to emergencies in a timely manner out in the greater Madrid area. I also wanted to thank the responding Med units that come out to our area for their very professional teamwork, team of men and women, always offering to help us. We couldn't do what we do without them.

On the other hand, one of the downsides of being an outlying district is very poor radio communication. We're looking forward to further upgrades in Santa Fe County's emergency transmitter system in hopes that will improve reception. Coverage can be spotty and non-existent sometimes. We frequently have to rely on the redundancy of the County fire text pages that come across on our smart phones.

Madrid Volunteer Fire District takes fire prevention really seriously. We use outreach, education and community involvement as far as fire prevention. We put out a newsletter once or twice a year. We use social media, public service announcements through Madrid's community low-power FM radio station, and we have a 501(c)(3). We fund that with our twice a year fill the boot drives and with that money we give away smoke detectors and carbon monoxide detectors to the community, we help fund the Madrid food distribution program, and we subsidize a chimney cleaning for town residents as well as other town projects.

My job as district chief of a small, volunteer-only fire district means I'm involved in every aspect of day to day operations, responding to calls, training, vehicle maintenance, station upkeep, fire prevention, and purchasing. Thankfully I get a lot of help from my members with this as well as a lot of support from Santa Fe County Fire and Admin and their staff. We're currently working to procure funding for a couple of

projects that are underway. We got a station upgrade that we're starting soon and we primarily need funding still yet for upgrades to our fire hydrant system that is deteriorating and we're hoping with this that project will allow us to increase our fire protection capabilities for the community and help with homeowners' insurance rates.

And lastly I want to say I really appreciate the work the Commission has done over the years to help the Madrid Fire Department in our efforts to serve and protect our community. So thank you, and I'll stand for any questions you might have.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Chief Hansen, very much appreciate your efforts and the efforts of the whole department and the community. For sure, Mr. Shepherd, who I've known for many years. I appreciate what you said. A couple things that I would say on the record: We learned a very difficult, tough lesson in this Santa Fe area when we had the bus accident up on the ski basin many years ago relative to radio communication so associated with gaps that we have in our Santa Fe County system, I'm going to request on the record more information about that, Chief, and other pockets and figure out while in my short time that I have on the Commission, the next few years, figure out how we might fill that gap.

And I really was interested to hear about the work the 501(c)(3) is doing with the chimney cleaning and I think that's something that we should maybe put out hands around as a full county and figure out how do we facilitate those efforts and figure out how we make that a comprehensive effort. I think almost every fire district utilizes their 501(c)(3). Is that correct, Chief?

CHIEF HANSEN: Most of them do. That's correct.

COMMISSIONER ANAYA: So maybe we could have discussions and maybe it's a combination between public and private but maybe a more county-wide initiative. But I also heard you loud and clear on what your interests are relative to hydrants and improvements there. So I'll do my best to help where I can with that, those efforts. And I greatly appreciate and thank you very much and hope, Mr. Chair, that we could get a picture as we've done with the other districts before they leave. But thank you.

CHAIRMAN CHAVEZ: Okay, I'm going to go to Commissioner Stefanics, Roybal, and then Commissioner Holian.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'd like to thank the Fire Department very much. I had the opportunity to live in the community for ten years and during my time we didn't have any drastic fires but we had a lot of medical emergencies and the fire crew really came to the rescue of many people living in the community. I also know that we've had some tragic accidents there, right around that curve and I hope that the Highway Department and our Roads Department – I know our Roads Department have been talking with the State Highway Department to see what could be done about that, but that impacts every community when there's a tragic accident like that, and I recognize the toll that it takes on the workers. But thank you for your service.

COMMISSIONER ROYBAL: I also want to say thank you to Chief Hansen, especially for the history of the Madrid Fire Department. It was pretty interesting to hear how you started out. A special thank you to all the volunteers, both currently and

past. Your services are invaluable and I very much appreciate your community outreach as well. So I think that you guys are doing a great job. I've gone to some meetings, as I've said in the past where they've been in preparation to make their – what is the term again, Chief Sperling?

CHIEF SPERLING: Commissioner, ISO, or Insurance Services Organization.

COMMISSIONER ROYBAL: ISO rating. And like I've said before, it's unbelievable the amount of work and dedication that these volunteers have to put in. So I'd just like to really say I appreciate your dedication to the community. Thank you, sir.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you very much, Chief Hansen, and thank you to all the volunteer firefighters in the Madrid Fire District. I'm really pleased that we are having this as a standing item on our agenda now, recognizing our volunteer fire departments because our volunteer firefighters are well trained, they're professionals, but it's important to note that above all, they are really caring individuals who want to make their community a safer place. Thank you.

CHAIRMAN CHAVEZ: I want to thank both the chiefs that are here this afternoon and all those that are out in the field working. Of course without the volunteers, where would we be? I do know that sometimes we are sort of like a training ground and we train people and they stay a while and move on to other departments or other cities and sometimes that's unfortunate but I think that they're well trained here and they're well trained in the community that they move to. So I think that's an asset. Maybe a loss to us but still an asset. And when you talk about the ISO ratings, I know that the insurance companies watch those ratings and the better we are at improving those ISO ratings the lower our insurance rates will be. And so that helps the public. So we have a win-win situation where we're helping the departments be more effective and hopefully, the insurance rates will go down a little bit. So thank you for all your work. Thank you for being here today.

CHIEF HANSEN: Thank you, Mr. Chair, Commissioners. I really appreciate it.

[Photographs were taken.]

## II. CONSENT AGENDA

### A. Resolutions

1. **Resolution No. 2016-128, a Resolution Requesting a Budget Increase to the Alcohol Program Fund (241) to Budget Compliance Fees Collected from DWI Offenders Participating in the Compliance Monitoring Program / \$163,800.00 (Finance Division/Don Moya)**
2. **Resolution No. 2016-129, a Resolution Authorizing the County Attorney to Initiate and Prosecute Condemnation Proceedings to Acquire Parcel 16 for the Santa Fe River Greenway Project (Public Works Department/Mark Hogan)**

### B. Miscellaneous

1. **Request Approval of County Health Care Assistance Claims in the Amount of \$99,288.64 (Community Services Department/Kyra Ochoa)**
2. **Approval of Amendment No. 3 to Lease Agreement No. 2014-0178-PW/GG Between Santa Fe County and Bokum Burro Alley, LLC for the Lease of Office Space Located at 142 West Palace Avenue, in Santa Fe, New Mexico (Public Works Department/Terry Lease)**
3. **Approval of Landlord's Letter of Consent for Improvements to the La Familia Medical Center to Allow La Familia to Accept a Federal Grant for Improvements to the County Owned Building at 2145 Caja del Oro Grant Road (Public Works Department/Terry Lease)**
4. **Approval of Amendment No. 2 to the Lease Agreement No. 2010-0175-CSD/MS Dated 3/8/2010 Between Santa Fe County and Life Link for the Lease of a Building Located at 1318 Luana Street in Santa Fe, New Mexico and Authorizing the Submittal of Amendment No. 2 to the State Board of Finance for Approval (Public Works Department/Terry Lease)**
5. **Request Approval of Amendment No. 2 to the Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCP SO (Human Resources Division/Bernadette Salazar)**
6. **Request Approval of Amendment No. 1 to the Collective Bargaining Agreement between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communications Center – RECC) (Human Resources Division/Bernadette Salazar)**
7. **Request Approval of Amendment No. 1 to the Collective Bargaining Agreement between Santa Fe County and the American Federation of State, County, and Municipal Employees, Council 18 (Local 1413) (Human Resources Division/Bernadette Salazar)**
8. **Request Approval of the Delegation of Authority to the County Manager to Sign A New Mexico State Land Office (SLO) Right-of-Way Easement No. R-35280 for the Caja del Rio Subdivision (Senior Campus Project) Public Works Department/Mike Kelley)**

CHAIRMAN CHAVEZ: We have a couple of resolutions and some miscellaneous items. Does anyone need to pull anything off of the Consent Agenda for further discussion?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I would like to have a little bit of discussion on item II. A.1, which has to do with the alcohol program fund. I don't know if Mr. Moya is here just to give a little more – I just would like to have a few details about this.

CHAIRMAN CHAVEZ: I think Katherine is gesturing that she may have some information for you.

MS. MILLER: Mr. Chair, Commissioners, Commissioner Holian, I just wanted to let you know on this particular item, we started a compliance monitoring program several years back but about maybe three years ago we actually created a program where people pay fees and the proceeds from the fees that people that are in the compliance monitoring program of the DWI program, these are revenues from those fees. We need to budget them because of the State Legislature's actions of taking the DWI funds that are distributed to the counties – they took over the last two legislative sessions, the regular session last winter and then the special session this fall, they took several million dollars from that fund and the impact to Santa Fe County is almost a half a million dollars in this fiscal year.

So we're having to actually decrease some of our program funding in the DWI program and we're offsetting that decrease with this \$163,800 to try to offset that decrease. We would have normally carried those compliance fees over and budgeted a little at a time but we didn't want to have such a major impact to our DWI program all in one fiscal year, so we're using those funds to offset that decrease from the state's distribution.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN CHAVEZ: I only have – I would like some brief discussion if we could. There's some items on here under miscellaneous that have to do with collective bargaining. Item B. 5, 6 and 7. Manager Miller, could you talk to those just briefly? And then maybe we can have a motion to approve the Consent Agenda as it's presented.

MS. MILLER: Mr. Chair, yes. Those three items – as you know, we have our collective bargaining agreements with six different collective bargaining units in the County but all of them currently have economic re-openers, and the Commission had approved funds in the FY 2016/17 budget that we are in. The BCC approved back in last May and June in the interim and the final budget a cost of living allowance, and all three of these bargaining units have bargained how they would like those funds distributed to their members of their bargaining unit. It was equivalent to a one percent COLA Countywide and then under \$50,000 an additional percent.

These three bargaining units have negotiated them per their pay scales. The AFSCME blue collar #7, it went exactly as the Commission had appropriated it and the others did theirs based on years of service. And I think Bern has other details if you have additional questions.

CHAIRMAN CHAVEZ: Any other questions on these items?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics and then Commissioner Anaya.

COMMISSIONER STEFANICS: I'm fine with these union negotiations. I

have a suggestion though for the next budget presentation. We used to do this a few years ago, Ms. Miller. We used to have the unions come in front of the Commission and do like a very short, ten-, fifteen-minute presentation about some of their priorities. So I'd like to suggest that that be reinstated next year. But Mr. Chair, are you ready for a motion?

CHAIRMAN CHAVEZ: I think Commissioner Anaya has a comment and then we're ready for a motion.

COMMISSIONER ANAYA: Mr. Chair, I just appreciate that you asked for the summary. Many times we hear from the discussions in collective bargaining and unless there's disagreement and maybe some dissension but it sounds like they worked through those matters collectively as they're supposed to do. And so I very much appreciate the negotiations and the work done on both sides to come to resolution. Bern, did you have anything you wanted to add?

BERNADETTE SALAZAR (HR Director): Mr. Chair, Commissioner Anaya, I think that it was a very good process with the three contracts that you have before you today. We're working on the two remaining and we have one remaining as well. But it was a collective process and I felt like it went very well. I don't know if any of the union representatives are here. They were going to try to attend. I'm not sure. I don't see them out there, but it was a good process. Thank you.

CHAIRMAN CHAVEZ: Thank you, Bernadette and I want to mention Human Resources and the work that you do for our employees. We have 800+?

MS. SALAZAR: Yes. Close to 900.

CHAIRMAN CHAVEZ: Nine hundred. So that's a lot of employees, and their families, to keep track of. Thank you. So we need a motion then to approve the Consent Agenda.

COMMISSIONER HOLIAN: Mr. Chair, so moved.

COMMISSIONER STEFANICS: Second.

CHAIRMAN CHAVEZ: We have a motion and a second.

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

[Clerk Salazar provided the resolution and ordinance numbers throughout the meeting.]

CHAIRMAN CHAVEZ: Congratulations to staff on the Santa Fe Greenway project. I know this is a project that has been in the works for a long time. I see Mr. Hogan in the back there, and so I want to thank all the staff that's worked on the greenway project from top to bottom. I know it's not been easy but I think that it's going to be a jewel in our landscape for many, many, many years to come.

### **III. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS**

#### **A. Matters from County Commissioners and Other Elected Officials**

##### **1. Elected Officials Issues and Comments**

CHAIRMAN CHAVEZ: Anything from other elected officials? Let's start with the County Clerk and then we'll come to the Commissioners.

CLERK SALAZAR: Yes, Chair Chavez, Commissioners. I'd like to

personally thank and publicly thank all of my staff who worked very hard, very long hours, overtime during the holidays to run the election. They did an exceptional job. I'd also like to thank the early voting precinct board members, 47 of them, who worked with us for early voting. We also had 454 Election Day poll workers work with us. In addition to that, we had 16 absentee board members. All of the staff in the Clerk's Office worked very hard. In fact they were still working at the warehouse today and yesterday. I believe they may be also today, working today at the warehouse. We received the audit letter from the auditor that the Secretary of State hired and we were given our orders to audit Precinct 84 and the race that is being audited to this day is the Supreme Court position on the ballot. So I want to thank all of you in addition for your support and the County Manager and all her staff, and the IT staff who has helped us through this whole process.

We had some challenges with our telephones. I was very concerned. I had people calling me saying that my staff – they were not answering the telephone. That's not true. We had challenges with the phone system and IT was there with us practically on a daily basis, almost per the hour. So I want to thank IT especially because we count on them a lot to get us going and making sure that we're doing the work that we have to do.

So there's a lot of thank yous and I think all of us as elected officials need to appreciate the people that run elections and work every day very hard to make sure that we have fair elections in Santa Fe County. Thank you so much.

COMMISSIONER STEFANICS: Mr. Chair, I have a question.

COMMISSIONER ROYBAL: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I have a question for our County Clerk and I would ditto the thanks that you gave to everybody. I believe that some members of the public might – I'm not sure how this played out, but they might have gone to the wrong polling places thinking that they could just vote anywhere at the last minute. So perhaps the next time there is an election we could do some kind of info ad in the newspaper. I know they're expensive but maybe something large page or somehow that we communicate. I know a lot of people don't subscribe to the newspaper, don't go on our websites, etc. and just all of a sudden show up to vote and it might not be the right place. So I don't know what a solution is but I do thank all of your employees and all of your extra staff, but there seemed to be a little confusion on Election Day. Thanks.

CLERK SALAZAR: Chair Chavez, Commissioner Stefanics, Commissioners, you will never be able to over-advertise, over-inform. It just happens. In fact this year I advertised more than usual and we had the information. We also issue a proclamation. There's a process for us to ensure that the public is aware that we have a proclamation listing all of the polling places, and as I mentioned before, I did include a lot more advertising this time. So it's ongoing. There's changes that occur. But we do inform the public the best way that we can. Is it a major problem? No.

There are times when people get confused. They move, they don't change, and it happens. So what we do, if someone should go to a polling place that is not their polling place, we don't want to discourage them from not voting. So we will offer, and I had mentioned this. I was out in the field and I told poll workers, if someone comes to this polling place and they actually belong in another polling place, offer them a provisional ballot. Because once they leave they may decide, well, I don't want to vote. So offer them

this. Just tell them where their precinct is located, but you also have the option to vote provisionally. And if they want to go to their other precinct – some people do; they do go – but we want to be able to offer that to them, a provisional ballot.

So we do inform the public from proclamations. We have it on the Count's website. We have it on the Clerk's webpage. We advertise so there's a lot of information. The good news is that in 2018 we are working – as soon as we're done with this election, and that should be the end of this month, we will begin the planning process for 2018, and we're excited because we really want to implement vote centers. And that type of a system, people will be able to vote anywhere within the county, just as they do in early voting.

What's exciting also is for everyone to know is that the Clerk's Office, in this building, we had over 15,000 voters come through our doors to vote early. They had the gumption to come downtown, and everyone – a lot of people tell me that there's not enough parking. People don't want to come downtown, and I've said, no. People want to come downtown and do their business. We had over 15,000 people during early voting come and vote through these doors. So I'm very proud of the public and of all the work that we've done to ensure that they were able to come to this office and vote.

COMMISSIONER STEFANICS: Thank you.

CHAIRMAN CHAVEZ: Thank you, Madam Clerk.

### **III. A. 2. Commissioner Issues and Comments**

CHAIRMAN CHAVEZ: Commissioner Stefanics, do you have anything at this time?

COMMISSIONER STEFANICS: Thank you. I know that we're in between holidays, many holidays and I'd like to wish happy holidays to everybody, and as you know Santa Fe County has a DWI program to call the cab if you are over-imbibing, so I hope that people will take advantage of that program. Thank you very much, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, with our roads and our road crew in particular we get spoiled because of all the work that we've done on chip-sealing. But in recent weeks I started getting calls relative to grading on the County roads. My district covers 51 percent of the geographic area of Santa Fe County so I get calls on roads but I hadn't been getting them very often. So it's funny how things are a chain reaction. But I'd like to call up Mr. Martinez and Mr. Kelley if I could, and I might need I think the procurement, Mr. Taylor as well, because I want to have a brief discussion relative to what's happening with our lease with our graders.

So I started getting calls from constituents on roads, and then I got some feedback – I don't remember the gentleman's name but a representative from John Deere. Before I even called the representative back I called Mr. Martinez this morning to ask him what's going on with grading throughout the county as well as apparently there's some confusion or disagreement or problems with the lease. So I wanted to put it on the record, get some feedback from you, get some feedback from Mr. Taylor, from the Attorney if we need to, but it's really important that we get our graders in operation, especially now

that the snow's hitting but even just for normal work. So Mr. Martinez, what's the status? What's going on and let's see if we can figure out what we can do to get it resolved.

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chair, Commissioner Anaya, several months ago the County terminated the existing lease agreement with Golden Equipment for the Volvo graders and loaders and backhoes that the County was leasing because we were continuing to have equipment failures with that equipment. So we terminated that lease agreement with Golden, returned all the equipment. We went out to bid for a new lease. Procurement handled the process through Legal. Everything was done as per the procurement process.

It is my understanding that when the price agreement was awarded to Four Rivers, who's a John Deere vendor, the lease agreement that they provided was with John Deere and not with Four Rivers. It's my understanding that it's currently trying to be resolved but currently, that's all I can give you as far as where we're at with that process but I can tell you that typically we have 12 graders throughout the county. Currently we have three. We have typically five backhoes; currently we have two. Typically we have six front-end loaders and currently we have three. So we're down to the bare bones on our equipment and in the event there was a substantial snow storm in the rural parts of the county we would be unable to provide snow removal services other than on the paved roads, because we do own our own snow plow trucks with spreaders and plows.

COMMISSIONER ANAYA: So, Mr. Chair, what I'm gathering is there was a cancellation of one contract for good reason, it sounds like, and then a transition period that sounds like we didn't meet it. I understand things happen and things come up, but when it relates to the roads we've been the best in the State of New Mexico in my perspective in getting not only our roads improved but keeping them maintained and making sure snow removal is done.

And so I just want to make sure that we get it resolved. So, Mr. Taylor, can you give us any feedback as to if we're going to be able to get it resolved so that we can get all the equipment countywide in place to be able to do our work.

BILL TAYLOR (Procurement Director): Thank you, Mr. Chair and Commissioner Anaya. I do believe we're going to get this resolved relatively quickly. We advertised the procurement and just so you know, Mr. Commissioner, the RFP required that everybody submit, if they had a separate agreement, that they need to submit that separate agreement with their bid. There are four other contracts. We awarded or the Commission awarded a total of four, if I recall correctly. Four of five contractors to provide the heavy equipment. We are now, as Robert explained, we signed price agreements with each of those. They wanted the John Deere equipment; we've got that coming, but then they presented this John Deere agreement. We said we have a price agreement with you. Let's go forward. Withdraw that agreement, let's go forward.

So they have been working with us, Four Rivers, to resolve that and have now presented a separate lease agreement that will be an addendum to the price agreement. The terms appear to me to be acceptable but as Robert may have spoken, it's being reviewed as we speak with Legal, and we hope to get it resolved today.

COMMISSIONER ANAYA: So, Mr. Chair and Mr. Taylor, it's my understanding that the agreement is tied to another agreement with – there's other counties or governmental entities that use this same company? Is that incorrect? That's

my understanding.

MR. TAYLOR: Mr. Chair and Commissioner, our price agreements are with Santa Fe County that were awarded. These companies that we're contracting with do have –

COMMISSIONER ANAYA: Other agreements.

MR. TAYLOR: Other agreements with other counties. That's correct.

COMMISSIONER ANAYA: Currently.

MR. TAYLOR: Correct.

COMMISSIONER ANAYA: Okay. Just wanted to make sure that's on the record. Well, like I said, I would greatly appreciate if we could expedite it. We never know what's going to happen with the weather and we want to make sure we're covered throughout the county in each district throughout Santa Fe County.

MR. TAYLOR: Mr. Chair and Commissioner, we'll take all the action we're able to take and all action necessary. We understand and the urgency goes all the way from your chair through the whole department, so we're all working on a sense of urgency to get this done immediately.

COMMISSIONER ANAYA: Thank you very much, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya. Before you all leave, I know that we're talking about a seasonal dilemma that we find ourselves in every season, snow removal, but year in and year out, day in and day out, staff does a real good job in general of maintaining our roads. We have a system that we use to do that. It's called a PASER report. Would you talk a little bit about that. I want to give some credit to staff and highlight the foundation that we do have understanding that Commissioner Anaya has valid concerns because of the season that we're going into, but I want to talk about overall, how we deal with our roads, because that is an issue throughout the county, not only in the rural parts but maybe more so, but I think we're pretty even about how we maintain our road system.

MR. MARTINEZ: Mr. Chair, the PASER evaluation is tied to our pavement preservation program. It is an evaluation done on paved roads that gives us help in prioritizing what roads need to be resurfaced at certain different times during their life and also helps us address the Commission during the budget process as to the higher priorities within the county. So the PASER evaluation is strictly for pavement preservation, not necessarily anything to do with snow removal operations.

Our snow removal operations are based on the level of road. If it's a major arterial, minor arterial, collector road, those roads are typically done sooner than the local roads, the internal subdivision roads. So we prioritize our snow removal based on the type of road it is. So I do want to comment, add one more thing about the equipment. In the event that that lease agreement is approved sometime soon, the John Deere equipment is sitting in our yard and the POs have already been cut, so I don't want you to think that it will be weeks or months for them to get the equipment to us if this particular lease agreement is executed.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Thank you, Mr. Martinez.

COMMISSIONER ANAYA: Yes, thank you. Thank you, staff. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I wanted to report to you about the Jemez y Sangre Regional Water Plan. I was co-chair of the steering committee that was working on this regional water plan and just to let you know most of Santa Fe County is in the Jemez y Sangre region. And there were three other co-chairs, elected officials from the City of Santa Fe, from Los Alamos County, and from southern Rio Arriba County that participated in this and there were 40 people on the steering committee.

We had numerous public meetings. We solicited as much public comment as we could and then we updated this regional water plan. The week before last, Andrew Erdman from the City water utility and I made a presentation to the Interstate Stream Commission about the update to our plan and what we presented, first of all, were the issues that we face with regard to water in our particular region, that is the challenges that we face, and then we talked about the key collaborative strategies to deal with those challenges.

It went very well. The Interstate Stream Commission unanimously approved our plan and in fact the comment was made that we it one out of the ballpark. So I was very proud of the work that we did and I would be glad to make a presentation to the Board or to have somebody else from our steering committee make a presentation if you're interested in more details about this plan because we don't have a lot of time to go into that now. So in any event, I'm just putting that out there for a possibility.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: On this point, if the water plan is going to affect the planning for Santa Fe County we should be receiving a presentation.

COMMISSIONER HOLIAN: Commissioner Stefanics, yes, it does.

CHAIRMAN CHAVEZ: Commissioner Holian, is there any mention in that plan about the concept of a regional water authority for the County and the City of Santa Fe?

COMMISSIONER HOLIAN: Yes. I'm proud to say that I made sure that was in the plan.

CHAIRMAN CHAVEZ: So I think that gives us another reason to have a presentation on that. It would have to be, I guess at the December 12<sup>th</sup> meeting.

COMMISSIONER HOLIAN: Mr. Chair, I could actually come back in January and make the presentation to the new Commission.

CHAIRMAN CHAVEZ: Okay. All right. And you're done there?

COMMISSIONER HOLIAN: That's all I had. Thank you.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I do have a few different items that are coming up from my district. One is the joint powers agreement for the regional water system that is on the agenda for later today but I also wanted to recognize also another concern that's been brought to me as the Verde power line. This has had some major concerns from my community that have been brought to my attention. I appreciate that we're going to have a presentation tonight in regards to the Verde power line and I would like to have all these concerns from the constituents in that area be addressed and also heard, the community heard and for all of them, any concerns to be addressed. So that

would be one thing I'd like to put on the record. Thank you.

CHAIRMAN CHAVEZ: Thank you, Commissioners. I have just a couple of items. First, I'd like to recognize the National Latino Behavioral Health Association for their efforts in educating the public regarding the GO bond, all five questions, not only the community health facilities, and the GRT question that will provide funding – hopefully provide funding for behavioral health services in those community health facilities that we hope to build in the next couple of years.

The National Behavioral Health Association known as NLBHA will be having a fundraiser December 2<sup>nd</sup> at the Lensic Theater, December 2<sup>nd</sup>. Show starts at 6:00, doors open at 5:00 pm. And what I want to say that's significant about the National Latino Behavior Health Association, all of their fundraising efforts go to scholarships for young students to pursue their career in social work, behavioral health, psychologist and those kinds of fields, which are desperately needed now as we face these challenges with behavior health, the homeless population in our communities across the country and the population that we are responsible for in our adult detention facility. So I want to highlight this and hope that if you are interested you will be able to attend this December 2<sup>nd</sup>, Lensic Theater. Show starts at 6:00, doors open at 5:30.

Also, Katherine, on the December 12<sup>th</sup> meeting, could we do a short presentation, summary, if you will, on the GO bonds, the \$35 million series that just passed, the advisory question, and what's next for the public and the voters, because I know that the County does a lot of work in community outreach when the voters approve these GO bonds. We always ask for their input and their suggestions and ideas on how to use these public dollars. And so would that be appropriate, Katherine?

MS. MILLER: Yes, Mr. Chair. As a matter of fact staff is meeting tomorrow to start putting out the schedule. As you know, when the bond questions go to the voters there's a four-year authorization to issue those bonds. We don't issue all \$35 million right away. We do that over a four-year period, and so we're going to be putting that estimated schedule of when projects will be designed and then shovel-ready and we would then correspondingly sell the bonds to have the funds available for the construction of the different projects.

So we can bring our draft of that, I'll say. It's not going to be finalized by the 13<sup>th</sup> but certainly we have steps in place to start to put that forward for the Board so you can see when to expect certain projects to begin as well as giving our financial advisor a timeline of when we would issue the bonds.

COMMISSIONER ANAYA: So I appreciate that. And then the second piece, and I don't know if this fits in now or later, but the second piece is the advisory question regarding the GRT, and I know you have some ideas on how to fund these facilities in addition to the GRT. And there will be a resolution addressing that at the December 12<sup>th</sup> meeting as well. So that will be part of the financial piece that we'll need for these community health facilities.

MS. MILLER: Yes, Mr. Chair. Right now we don't have a revenue stream that we could use for the operations of the health facilities, in particular the crisis triage center. So one of the things that we need to do is really look at all potential funding sources, including the hold-harmless GRT increments, and also look at the political environment going into the legislative session and what the legislature might do to

counties that have imposed – and municipalities that have imposed those hold-harmless increments.

The state is definitely in a financial bind, probably one of the most severe they've been in and one of the ways to solve that is to stop making the hold-harmless distributions to the local governments. They've talked about it frequently. So we want to make sure that we shore up our revenues in the event that happens, and then look at what else we have available for potential funding sources for the triage center.

CHAIRMAN CHAVEZ: Good. Thank you.

**III. B. Presentations**

**1. Presentation and Update on the Thornton Ranch Open Space Master Plan [Exhibit 2: Cochiti Pueblo Letter]**

CHAIRMAN CHAVEZ: So staff is going to do their presentation but I also know that there are members of the public that want to speak to this item. So could I have a show of hands of those that want to speak to the Thornton Ranch presentation? Okay. So if you would come forward then and up to the front seat here, front bench and be ready so that we can move the agenda forward. Thank you.

COLLEEN BAKER (Open Space): Good morning, Chairman and Commissioners. I'm here to present an update on the Thornton Ranch master plan. So since our presentation at the Board of County Commissioners meeting September 27<sup>th</sup> we have met with COLTPAC at the October 5<sup>th</sup> regular scheduled meeting. We did hold a public meeting on October 20, 2016 and we released the draft master plan for a 30-day public review period starting November 1<sup>st</sup> and those comments are due tomorrow, November 30<sup>th</sup>. We also continued conversations and communication with tribal representatives.

So today I would like to just provide a brief recap of the presentation we did and the important points in September. The property was purchased in 2001 and there were subsequent purchases after that. It is one of the largest – it is the largest open space property that the County has purchased to date at 1,904 acres. The goal of the property really was to protect the significant archaeological resources on the property, and there was also consideration of providing interpretive trails to educate the public about the unique archaeological resources of the Galisteo Basin. At the time of the purchase there was already an effort underway to protect those unique resources of the Galisteo Basin, which culminated in the passing of the Galisteo Basin Archeological Sites Protection Act in 2005.

One of the sites named in the act, Petroglyph Hill, is on the Thornton Ranch open space and as you can see, the Thornton Ranch is outline in red and it's very central to the Galisteo Basin which is part of the significance culturally as well as just physically in the Basin.

The purpose of the act is to provide for the preservation and protection and interpretation of these nationally significant cultural resources. We purposely held off on developing a plan for the Thornton Ranch open space until the Bureau of Land Management had developed a management plan for the archaeological sites within the act. We initiated the master planning process in 2014 and as part of that planning process

we conducted extensive site analysis which included looking at the region – this is the location of the open space in the center, adjacent to large areas of the Bureau of Land Management land as well as private conservation lands.

We also looked at the geology, the vegetation and regional trail connections. We also did extensive outreach to stakeholders starting with a formal invitation to tribes to consult with the County regarding the development of the master plan for the property and a management plan for Petroglyph Hill. We followed up the letter with three two-day meetings with tribal representatives, individual site visits and meetings, and at the request of participants in those initial meetings we also sent a letter to the All-Pueblo Council of Governors. We sent preliminary summaries of the plans in September to the All-Pueblo Council of Governors, to the ten southern governors, and also to the eight northern.

And then in October we mailed out the preliminary draft of the master plan for tribal review. We also met with – we had focus group meetings with user groups – hikers and trail runners, mountain bikers, equestrians, ecologists and educators and artists. We met with the agencies – the Bureau of Land Management, the New Mexico State Land Office, the NMDOT Rail Bureau, and internally with Santa Fe County. We regularly participated in the Galisteo Archeological Sites Protection Act Working Group meetings. We met with adjacent landowners, and we presented at the Galisteo Basin Community Association and held a public meeting in October.

From that, we took what we learned from the site analysis and what we heard from stakeholders and developed the master plan. With that said, when the County purchased the property to protect the significant cultural resource sites we took on stewardship of those sites, sites that belong to living cultures. This is a role that we are just beginning to understand and appreciate and it's not to be taken lightly. With incidents that continue to happen, like with the cast of the Maze Runner movie where cultural objects were stolen, as we consider opening up the property for public access, any loss of cultural materials is heartfelt and irreparable.

Now we have made considerable efforts to reach out to the tribes in terms of how we typically develop projects, it is nothing in comparison to the thousands of years, generations, that this place has held significance for Native peoples. These sites and the surrounding landscape are a living part of Native American culture. They are not an artifact of the past, and as one tribal representative very eloquently put it, the ancestral domain, the landscape, and the viewsheds is the critical habitat for cultural preservation.

We have an opportunity to approach cultural resource preservation, protection and interpretation from a living perspective, to collaborate with the tribes, to manage this land in a way that is respectful, affirms the importance of culture and ultimately provides more meaningful experience. In order to do so we need to stay in the conversation. The direction from the September 27<sup>th</sup> BCC meeting was to bring the master plan forward for approval at the December 13, 2016 BCC meeting.

Given the cultural significance of the site I would respectfully request that we delay approval of the master plan and take the time to work with the tribes, to engage our leadership and the tribal leadership in the process. This is a very old landscape and if we take the time now to continue to work with the tribes the result will be a lasting legacy. Thank you and I stand for questions.

CHAIRMAN CHAVEZ: If I could, Colleen, I want to save questions for a

bit later and allow the pueblo representatives to comment, and then I'll go to the general public if there's anyone else that wants to comment on this item. So if we could have the pueblo representatives please come forward and share your thoughts with us.

REX CORIZ: Good morning, Commissioners. My name is Rex Coriz and from the Pueblo of Santo Domingo. I'm here on behalf of my pueblo to say that there hasn't been adequate time to review all the documents for this project and that the true tribal consultation hasn't happened. It needs to happen and the neighboring pueblo can add more to that as well.

QUENTIN CANDELARIA: Good morning, Mr. Commissioner and fellow Board members, and good morning everyone else who is in attendance today. I'd like to add to what Rex just had to say here and that he is correct in that there has been no adequate tribal consultation. I do recognize that Colleen has had three meetings with fellow tribal representatives but again, that is representatives. That is not the true leadership who needs to be advised and consulted with. The governors, I believe, would like to look at this a little bit longer and I agree with Colleen's motion to delay the voting on this particular project because it's a little hard for us to all be able to convene at one meeting at one time.

Right now, our representatives from San Felipe, they're stretched and time is of the essence as we come to a closing for this year. There is also the coming of change in leadership. Our governors do not serve two, three years at a time. They change yearly, so with this year's governor, he has not been very well informed of this issue. It has been pretty much a game of if we can catch him or not and in time, because he is pressed for his time as well. And I know that everyone has a very tight schedule and it's not very fair to sometimes demand an answer from a governor who has every other issue to deal with, not just with the fellow counties that we border with here in New Mexico but also the other agencies, because we're not just dealing with one agency. We're dealing with BLM, BIA.

We get tons and tons of mail every single day with issues just like this and it's not always about land. It can be about water, it can be about air. And yet when we try to voice our opinions and we're asked to give our suggestions, it feels like our words go on deaf ears because when we bring our concerns to the table it ends up going to a vote, essentially, to people who may not even fully understand where we're coming from, why we're voicing our concerns and just what these lands mean to us.

So I guess to close I would say that I agree with Rex in that there hasn't been true government to government consultation and I believe that that is needed in order to step in the right direction with this project, because if you take the words of just a few tribal representatives, what good is that when there are 19 pueblos in this state and you're only getting word from one, two or three. I can't honestly say that I will not speak for the other tribes. That is not my position. I am here in representation of my pueblo and my pueblo only and it's not fair for me to voice for them if they have a different opinion, because there are governors who might agree. There are governors who might not.

But that is up to Colleen and her staff here to bring it to the attention of the APCG, which is the All-Pueblo Governors Council. And from there I believe she will be able to get a better feel for what may or may not be approved of, because as she said, our culture is not dead. We are still alive. Very much so. We speak our language. We practice

our own religion. So again, I believe that it is a good motion by Colleen to delay this decision in December to a later date. Thank you.

CHAIRMAN CHAVEZ: Okay, and just for clarification. This is a presentation only. It's not listed as an action item for this morning, so it was not really intended to take action on this today. Just for clarification. So any other pueblo representatives? Governor Mitchell, did you also want to speak on this issue? Please come forward and take a seat at the front bench here so we can keep the proceedings moving in a timely fashion. Go ahead.

TIM MARTINEZ: Good morning. My name is Tim Martinez. I'm from Pueblo de San Ildefonso Tribal Council member. I previously transitioned to this new position, Cultural Resource Advisor. I know the late Brian Montoya was the cultural resource advisor but he expired back September 14<sup>th</sup>. So I'm fairly new to this but I've reviewed several master plans in other areas – Forest Service, Park Service. I've been involved in a lot of these issues.

But reviewing the master plan for the Thornton Ranch, what I've seen here is that all the ingredients are in here. I have not participated in any meetings, just reviewing all the correspondence, not only with Thornton Ranch but other areas that would adversely affect our Pueblo de San Ildefonso. But again, I believe today is just discussion, to share with you about what we have in place today. I support the rest of the pueblos, the 10 pueblos that have been meeting on several occasions to discuss the sites.

I think this is a very sensitive issue here, when we talk about our culture, our heritage, our language. We talk about our traditional way of life. It's very important to our people in time immemorial our ancestors roamed around in this area, so we respect the sites here.

Again, we want to continue to educate our tribal people how important it is about preservation, about traditional use, about pilgrimage. It's very important. This is a way of our lives. But today, because of my position I'm only representing the DCEP, the Department of Cultural Resource and Environment through my director, Mr. Raymond Martinez. When it comes time to make decisions then I will meet with my tribal council members. Again, like this young gentleman mentioned earlier, we're having elections this year so there's going to be new council members that will be appointed coming in new so we have to educate them as well in all of these areas.

And again, it adversely affects our Indian communities, our metropolitan areas are non-Indians. We want to partner with them. I have respect for everybody that's here in the room today but when I walked in this room I felt scared. I thought I was in court or some trial or something. But again, I want to thank Commissioner Stefanics. I met here in 1002 at the Northern Community College and I still remember her. Mr. Commissioner Roybal, he lives in my backyard. He's from El Rancho. Chair Chavez, thank you. Ms. Holian, thank you very much and Commissioner Anaya, thank you very much for listening and giving me this opportunity this morning.

I worked for the National Laboratory some time ago doing contract archaeology and I also teach my children at San Ildefonso the Tewa language, how important it is. I'm a fluent Tewa speaker. I also translate. I do the lesson plans, the curriculum and so forth. That's kind of a little bit about myself but thank you very much and I want to thank Colleen and I believe Paul and Maria for all this hard work that's been done. It's not easy

because I've been part of certain projects and it takes time. But thank you very much and happy holidays. Thank you.

CHAIRMAN CHAVEZ: Thank you. Thank you for being here. You're welcome back and you know that this will be a work in progress. It certainly will not end – it didn't start today and it's not going to end today. It will continue even after the mast plan is in place there will still have to be stewardship and effort put into protecting what's important to all of us. So it's going to be ongoing. I think this is something that will be with us again. It's part of the people in the place of where we are and so it's important that we address these issues and that we do take time to get to a solution. So next speaker please.

MARK MITCHELL: Good morning again, Commissioner Chavez and Commissioner Roybal, Stefanics. My name is Mark Mitchell. I'm a former governor for the Pueblo of Tesuque. Currently I am the tribal historic preservation officer for the tribe. I stand here before you to I guess give you a little bit of history as to how things unfolded with the Thornton Ranch. There was outreach by County staff and I think we've met over three or four years now, different tribes that come to the meetings, a majority of them were held down in the Cerrillos or Galisteo area.

But the major concern for us was the question we had and we ask this question was how are you going to fund this, was the first question. The second question was how are you going to protect the artifacts and ruins and other things that are in there? And we need that guaranteed because as a former law enforcement officer I've put people away for looting. And if you knew it or not, didn't know it, the area is rich in archaeology, ruins, other things. So I just wanted to bring that awareness to you all and not only this area but pretty much north central New Mexico. Those of us that live in the area, we know what we're talking about, right? When you get out there and walk, you'll probably find a pottery shard or other things of that nature wherever.

So I want to also elaborate a little bit on active areas. As the speaker before me kind of mentioned going out to pilgrimage – that's part of our culture. It's just like going to church. When you go to church you want to go to confession, that's your thing, as Catholics. That's what we do too at Tesuque. So we want to make sure that these types of things are not looted and we need those guarantees of protection.

If I remember correctly the last time I was there looking over the ranch we did hike down to the – down by the railroad tracks there's a site there. We walked down there, a few of us and then we had questions of hikers, bikers, all kind of trail is it going to be? Horseback trail? Biking trail? Running trail? We were at the very beginning of trying to figure out what was what. While always in the back of our minds we were wanting to make sure that nobody goes in there and leaves and takes stuff. And that's our number one concern.

And so I hope that with this short presentation I can bring you all up to speed on what the staff was doing, the direction they were headed. Again, also remembering that there are active sites throughout the whole state. So other places, other commissions are going through the same thing you all are going through, not just Santa Fe. So with that, if there's any questions or comments I stand ready to answer if I can.

CHAIRMAN CHAVEZ: I think we're okay for now, Governor. Again, this is going to be an ongoing process. I think we want to highlight maybe some of the

concerns before we move forward. So I think that staff is dedicated to the project and they're sensitive, I think, to many of your concerns and I think it's just a matter of incorporating all of these features into the master plan and making sure that the enforcement I think is going to be the hardest part. Policing is not always easy but we appreciate your being here and we'll take your comments. They're noted for the record. Thank you. Next speaker.

DANNY NARANJO: Good morning, Commission and everybody here. My name is Danny Naranjo. I'm with Santa Clara Pueblo. As everyone who spoke before me had mentioned, this has been ongoing for a number of years already and we've been actively participating in the meetings that we can. And as Mr. Mitchell stated, our main concern are the sites that are in the area. Now that these backcountry trails and other trails are opening up there's going to be a lot more tourism going through there and the main problem that's going on in Indian Country right now is the artifacts are being looted. They're being sold off or they're being shipped off to other countries or just black market stuff. And we want to protect these items that are in this area.

As Mr. Mitchell stated we have areas throughout the whole state but we're focusing on this one right now because it's the topic right now. But that's our main concern is like everyone's stated is the policing of how the trails are going to be. A lot of the trails that are proposed are within either are going to go right by sites or by what we call traditional cultural properties and we just want to protect these areas as best as possible.

And I do agree with everyone, what they said about having this project kind of postponed because as far as I know we've only been talking with representatives of the tribe but we haven't had the actual project go down and talk with our governor of the council yet, so there's still that fraction of the pueblo that still needs to hear what's going on. And I'm just with my brothers here, not what they're saying and just kind of postpone the project for the time being until we get proper consultation with the tribes of New Mexico. Thank you so much.

CHAIRMAN CHAVEZ: Thank you all for being here. Are there any other members of the public that want to speak to this item? Seeing none, I'm going to close the public hearing portion and ask if there are any questions to staff at this time. Commissioner Stefanics.

COMMISSIONER STEFANICS: It's not so much a question to staff as a comment to our County Manager and our County Attorney. I believe that if we did request a tribal consultation that we probably need to do it within a timeline. I understand that the governors of the tribes are very busy right now, but once they're elected they're even busier because they're just learning everything that's going to go on. And if tribes are changing their elected officials every year – I know some don't – we do need a timeline for this. So that's my only comment is that if the County pursues a tribal consultation that there be a goal of accomplishing within a certain amount of time. Thank you very much.

CHAIRMAN CHAVEZ: So Commissioner Stefanics, what you're suggesting is that staff has to coordinate the different timelines.

COMMISSIONER STEFANICS: No. Mr. Chair, I'm talking to the Manager and the County Attorney about a formal tribal consultation, which is set in state

law. It describes what a tribal consultation is. They know what it is.

CHAIRMAN CHAVEZ: Well, I appreciate that. I just wanted to clarify that everyone knows what you're talking about.

COMMISSIONER STEFANICS: It's t their level; it's not at the lower staff level.

CHAIRMAN CHAVEZ: Okay. Just wanted to be sure. Thank you.  
Commissioner Anaya.

COMMISSIONER ANAYA: So Mr. Chair, I appreciate the presentation from staff and the presentations and feedback that we've heard from the public. I would say that this project is not a project that's been in the works for just a few months. It's been in the works for many decades now. And so I'm respectful of the request for feedback and additional feedback, specific feedback, but I'm also going to say that the area is diverse, it's multi-cultural, it's multi-generational. And I myself, my primary roots are in the Village of Galisteo. And so I want to also ask of the tribal entitles that are here today and those that are not present today to also think about in their discussions and deliberations on uses on their own properties, how we as a County might be included in those discussions that impact us as county residents.

I know there's been a lot of talk, especially with the Aamodt water settlement in particular, with road easement agreements in particular, and steps taken in recent years that are a lot different than what we've seen in the past. I think we're all recognizing that we're not amongst ourselves that we work collaboratively and need to work more and more collaboratively across all boundaries, including sovereign entities respectfully. And so I would ask the leadership that's here today and I would ask staff to extent to the leadership that's not here, to the governors themselves, formally, that we not only engage in broader discussions on land use issues that we might be bringing forward, but respectfully we ask to be included in land use issues and other issues that impact broader areas outside of the boundaries of each of your sovereign entities and tribal lands.

Because we know, and I would put on the record respectfully, we have land uses in Santo Domingo and San Felipe in particular in my district that have impacts broader than the scope of the tribal lands themselves, in mining as one example. And so as you come forward and respectfully ask for consideration of those areas and historic preservation, I respectfully ask in turn for some communication and feedback and we progress forward to tougher and tougher and more collaborative decisions.

The last thing I would say is on this presentation on the screen behind me, this is Thornton Ranch. This was a ranch predominantly that was a working ranch for many years, but this particular piece of property has changed hands since time immemorial, I will say respectfully, but many, many times through that course this land has changed hands and utilized by ranching, agriculture, for many, many other entities. And the County. I think the primary point I'm going to make is the County, through the COLTPAC – what year was it, Colleen, when the acquisition took place?

MS. BAKER: The application was in 2000 and the first acquisition in 2001.

COMMISSIONER ANAYA: In 2001 the County took the step of that immediate step of primary preservation whereas before, most of those holdings were not being preserved and that was the impetus of that initial acquisition and the work of

COLTPAC. So I would commend all members of COLTPAC. I would commend all feedback that has included our indigenous people and our tribal lands throughout the process, not only on this particular property but other properties and acquisitions that we've done. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Colleen for your presentation. I want to thank you and Maria and staff for all the work that you did on public outreach. It's very impressive how much public outreach you've done already and how you've really tried to bring the communities in when doing master plans for our open space areas. I agree with you though. This is a very special and unique open space property for the County and so it does seem to me to be appropriate to spend the time to really make sure that we do it right and it's clear that there does need to be more outreach, and interaction with the pueblos as to how these very special archaeological sites should be protected. Thank you.

CHAIRMAN CHAVEZ: Thank you, staff, for your presentation and we'll just stay tuned for next steps.

MS. BAKER: Thank you, Commissioners. I would like to mention that we did also – they weren't able to attend but Cochiti Pueblo also sent a letter. Thank you, Mr. Chair. Thank you, Commissioners.

CHAIRMAN CHAVEZ: Yes. Thank you.

**III. B. 2. Presentation and Update on the Verde Project [Exhibit 3: Verde Presentation; Exhibit 4: Meeting Notice/Comment Form; Exhibit 5: Chaney Pojoaque Maps /Comments; Exhibit 6: Southwestern Willow Flycatcher Habitat Map]**

CHAIRMAN CHAVEZ: Mr. Trujillo will do the presentation and I know we have members of the public that would like to speak to this issue. I'd like to ask for a show of hands of those that are here this morning that want to speak to this. Please come forward. Take a place in the front bench, front row, and be ready after the presentation to make your comments. I'm going to be – I hope this doesn't seem unfair, but in the interests of time we're going to limit the presentation and the public comment – let me talk about ground rules first. So we're going to do the presentation, public comment limited to three minutes and I also – I'm going to defer to the County Attorney for a legal preface on this item. Mr. Shaffer.

GREG SHAFFER (County Attorney): Thank you, Mr. Chair. Mr. Chair. Commissioners, right now there is not any pending land use application before the County relative to this project. I would, however, want to caution the Board that that could change, depending upon a final alignment of the proposed transmission line and more particularly if that transmission line included segments that fall within Santa Fe County land use jurisdiction. It would be necessary for the proponents of the project to get discretionary approvals from the County.

My point is this could very easily become an administrative adjudicatory proceeding that goes through the County process and could ultimately come before the Board of County Commissioner via an appeal from the decision of the Planning

Commission. So given that, I would just caution that the Board as a body and individual Commissioners be mindful of our code of conduct which generally precludes Commissioners from participating in matters where they have announced how they view the potential land use application or how they might be inclined to rule upon a disputed issue of fact that's raised by that application.

So to sum up, I don't think there's anything improper for the Board to receive information about a major project being proposed and considered for Santa Fe County. However, it is quite possible if not likely that portions of this project could be coming before the Board in the future via an administrative adjudicatory process, and given that I would just respectfully suggest that the Board again be very circumspect, take in the information, but not say or do anything that indicates how it might rule on any such application or how it might view any issue that such an application might present.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Let's stop there for a minute and digest that, because I think that has ramifications, maybe not for the current Commission but for the incoming Commission more so. Let's digest that a bit and then I want to go to comments and questions from the Commission. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Greg. I just wanted to sort of clarify it with regard to – it almost certainly would not be an adjudicatory matter that would be considered by this particular Commission or by at least three of the Commissioners on this Commission. So what is our responsibility, or what is my responsibility as a Commissioner whose term ends at the end of the year?

MR. SHAFFER: Mr. Chair, Commissioner Holian, I think that's likely to be the case that it would not be considered by the Board during your term. However, I can't definitively guarantee that. I'd want to talk to Ms. Ellis-Green. So given that, again in these areas, I would still generally counsel any sitting Commissioner that you also respect the process and the restrictions that exist in our code of conduct relative to how that process unfolds since you never know exactly how these things are going to bounce.

COMMISSIONER HOLIAN: However, am I allowed to ask questions to clarify issues?

MR. SHAFFER: Mr. Chair, Commissioner Holian, I believe that it's not inappropriate to ask questions. Again, my caution is that we not do things that a reasonable person would interpret as indicating any prejudgment of a future land use application or any disputed issue of fact that that application could present.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIRMAN CHAVEZ: So it seems that our questions and comments need to be tempered to some degree so we don't jeopardize anything in the future, I think is what I'm sensing. So let's move forward with the presentation. Again, we're on a time limit. I do apologize but we do have Housing coming up and then we have the rest of our agenda to follow. So go ahead sir.

T. J. TRUJILLO: Good morning, Mr. Chair, members of the Commission. My name is T. J. Trujillo. You have it listed as Anthony – T.J. for short. It is a pleasure to be here. I am a resident of Santa Fe County where I live in District 5 represented by Commissioner Stefanics or Senator-elect Stefanics. Also I'm an attorney here with the law firm of Gallagher and Kennedy in Santa Fe, a couple blocks away from this office.

Mr. Chair, Commissioners, this morning my client, Hunt Power, would like to give you a very brief presentation, being respectful of the time limits that you guys are under regarding the Verde transmission project that may potentially run through a portion of Santa Fe County. Santa Fe County I believe is a cooperating agency as a part of the EIS – environmental impact statement process through the BLM. Mr. Chair, members of the Commission, with that, what I would like to do is turn the presentation over to Gabriela Canales with Hunt Power, as well as Jeremy Turner who is a consultant on the project to give the brief presentation.

CHAIRMAN CHAVEZ: Okay. Thank you, sir. Thank you, Mr. Trujillo. So again, being sensitive to time, if you could keep your presentation to about five minutes or so.

GABRIELA CANALES: Good morning. My name is Gabriela Canales and I'm here to talk about the Verde transmission project. I will give you a brief summary of what the project is, what the benefits are, and who Hunt Power is. So the Verde project is a new transmission line, high voltage. It's a 345 kilovolt transmission line that will seek to connect two existing substations owned by PNM and these are the Ojo Substation in the south and the Norton Substation in the south. Currently, between these two substations there's an existing 115 kV line, it's a lower voltage line that runs across and connects these two stations.

As you can see on the map our proposed route crosses three Native American pueblos. We go across Okhay Owingeh, Santa Clara and the Pueblo of Pojoaque. When we first looked at the map and we started working on this project we saw that in order to connect these two points you have to go across these pueblos and that's where our focus started. For the past several years we've been in discussions with these three pueblos and have reached an agreement for routing the pueblo council has approved and we have full council resolutions with three of these pueblos.

As you can see on the map in yellow we also go across BLM land, the Bureau of Land Management. As part of the Bureau of Land Management process we are under an EIS and currently we have started the scoping process. This is the first part of this process under NEPA and as part of the scoping process we've held three scoping meetings, two in October, one in November. And as the public has requested we will now hold a fourth public meeting which will be held this December 12<sup>th</sup>.

Also the public has requested the scoping period is extended from 60 days to 90 days, so we are currently under the scoping period which will now end January 5, 2017.

So now I'll talk about the benefits and why are we here. As you can see on this map the transmission system has a gap. The high voltage transmission is in red and there's a small portion in blue between Ojo and Norton that wasn't completed. The need for this project was actually established 40 years ago when this was designed and implemented to bring power from the Four Corners area to the load centers of Albuquerque and Santa Fe but this small piece was not built.

And this small project that we're now proposing to build will close this gap and by doing so we would cost effectively [inaudible] up to 600 megawatts of capacity. So this is a lot of bang for a little bit of buck. This is a very small project that will bring viability benefits as per WEC and NERC standards. Utilities must comply with reliability requirements and the utility so far has been able to put projects and service that have

helped this but the need for this project still exists.

We are very passionate about economic development and we believe this project will be able to bring and sustain economic growth. As you know, Facebook data center was located here in New Mexico and their one requirement is that it was 100 renewable energy. Other data centers would be interested in coming to this state but their first requirement is will you be able to have and provide the power, and not just the power that they need today but the power that they need in two, three and five years in advance, and they will not put a shovel in the ground if they are not certain that this power would be there for them.

We talked earlier about infrastructure and you think water, you think communication, you think roads, but electricity is one of the key components of this infrastructure and we believe this will bring economic development to the area. As you also know, New Mexico is a renewable-rich state. It has incredible renewable energy potential and the number one challenge to unlock this renewable energy is the lack of transmission. And again, with this very small project we're able to unlock a large amount of capacity that will be able to be used by these renewable energy projects.

An example of how renewable energy projects bring benefits to the community is High Lonesome Mesa. This project is already in service and has brought \$14 million of payment in lieu of taxes to the Torrance County and Estancia schools as well as \$19 million in compensation to landowners for the land and the leases over 30 years that they will be receiving for the use of their lands.

In the interests of time I'll go through this quickly, but this slide here is to say that we're only involved in the transmission portion; we are not tied to any particular generation and we're not involved in the distribution to retail users. We're only proposing to develop a transmission line.

A little bit of the engineering and technical facts, the line as proposed is going to be 33 miles long. The design of the type of structures is still under consideration. We're looking at two structures. One is the H-frame and one is the single pole structure. The H-frame structure is what's currently there. That 115 kV line between Ojo and Norton is an H-frame and the type of the structures depends on the design. The single pole is between 100 and 120 feet tall. The H-frame is between 90 and 110 feet tall.

And these do have to be taller given that they have a higher voltage so heavier conductor and therefore the towers need to be higher for higher clearance. The spacing between these structures is between 800 and 1,200 feet which yields approximately five to seven structures per mile. And our application to the BLM was for a 150-foot right-of-way where centerline will have 75 feet to each side.

And lastly I'll talk about who Hunt Power is. We are involved in the transmission, development, specifically in the southwest area. We are based out of Dallas but we are a family-owned company, owned by the Hunt family. We are committed to a – we have a long-term view of the projects and committed to be working with the community everywhere we go. We have a list of our core values here and realize that infrastructure in itself is community-centric and you have to be able to work with the community where you're at to be able to reap the benefits of these projects.

And also importantly and I guess I'll close, very important to us is respect for the individual. Everywhere we go we realize that we're guests and we treat everybody with

respect and as part of the scoping process, all of the comments that you'll hear from the public here in a little will be processed through the NEPA process and will be processed by the BLM in what is called a scoping report which would come here in the first quarter of next year. And with that, I'll turn to the rest. Thank you.

CHAIRMAN CHAVEZ: Thank you and I apologize for trying to keep us on a timeline but again, we do have an agenda that we have to be sensitive to. Do we want questions now or do we want to wait for the public comment?

COMMISSIONER STEFANICS: I want questions from the proposal.

CHAIRMAN CHAVEZ: Okay. We're going to have questions then about the proposal from the Commissioners and then we'll go to public comment.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. So I support the wheeling but I'm a little concerned every time I hear about very large structures going through the environment and lines, etc. So let's start with some basics. What connectivity do you have at the beginning and the end already established?

MS. CANALES: I'm not sure I understand what kind –

COMMISSIONER STEFANICS: What are the lines going to connect to specifically?

MS. CANALES: It will connect to the existing Ojo Substation that's owned by PNM. There's already a substation in place and we'll connect to the same. The Norton was already existing as well. I hope that answers your questions.

COMMISSIONER STEFANICS: So there are existing structures that you will connect to?

MS. CANALES: Yes. We will connect into an existing substation. Yes. They're already there.

COMMISSIONER STEFANICS: And then, once you connect, where are you distributing?

MS. CANALES: So the line, if I can go back to the map, to the transmission map, so the line closes that gap between Ojo and Norton. So if you see, it's essentially a loop that comes from the Four Corners area into the load centers. So the electrons really move through the path of least resistance, so it's difficult for us to say where the energy that's going to be going through our line is going to come from but essentially, you are making that system more robust so it can support both the flow from the Four Corners area into the load centers, or potentially if there is larger development of renewable energy in the east and the system is strengthened, that energy can also from the east into the load centers, or potentially back to the Four Corners area.

COMMISSIONER STEFANICS: So those are potential distributions?

MS. CANALES: Correct.

COMMISSIONER STEFANICS: They're not established.

MS. CANALES: Right. So the project is just in the beginning phase. We have just started or submitted this application with the BLM and we have not established a contract with a particular generator that will move energy through our line. That is correct.

COMMISSIONER STEFANICS: Okay. So to – and I don't know this. You probably all know this better than me. To distribute energy to various systems, is this a PRC decision?

MS. CANALES: So we – Hunt Power – are not a utility in this state, which PRC regulates the operation of the utilities. We are working with our regulatory council to determine what type of regulatory permits are required.

MR. TRUJILLO: Mr. Chair, Commissioner, at this point what we do know is that the PRC more than likely would be involved in the siting portion of it. Other projects that have gone on that don't involve the direct utility within the state have applied, gone ahead and applied for siting authority from the PRC or Public Regulation Commission, that potentially – on jurisdiction that the PRC does have decision making authority over.

COMMISSIONER STEFANICS: Okay. Thank you. And then, as I started out by saying, Mr. Chair, that having very large structures and very big lines seems a concern. Do you have any other alternatives?

MS. CANALES: Yes. So the visual concern is something that we are looking to mitigate as part of the BLM process. And for example, there will be steel structures and you can make them weather-sealed where they can blend in with the environment. We're looking for structures that cause the least amount of intrusion. We are also open to routing alternatives to try and avoid certain sensitive areas. But again, that would all be looked at through the BLM process. For example, there are concerns about potential migratory patterns of birds and wildlife and all these things will be analyzed by the BLM and taken into consideration.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics.  
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair and thank you Ms. Canales for your presentation. This does sound like it's a reincarnation of the Ojo line extension that was proposed by PNM some years ago, so my question is, why isn't PNM taking the lead on this? Aren't they going to be the major user of the line?

MS. CANALES: Yes. The Ojo line extension did propose to connect these two lines. The last iteration of that proposal actually routed it through the Jemez Mountains and that was problematic. That – environmental concerns and the line eventually did not move forward. And the project that we are proposing today goes across the valley and again, because we are a private, family-owned company we are able to take a patient approach and are able to develop these very strong relationships with each pueblo that is involved. And so that's why we believe the project hopefully this time can move forward.

PNM, because they own the two substations that we're connecting to of course is aware of the project and we have worked with them and kept them up to speed as to what the developments of the project are. As to why they haven't attempted this, I couldn't speak for PNM.

COMMISSIONER HOLIAN: So do you know of any other utilities that are going be using this line besides PNM?

MS. CANALES: So our approach has been taking the development by steps. Our first step is the federal permitting, again, this EIS process that's underway with the BLM. The commercial aspects of the project, which would be looking for users, we haven't defined just yet.

COMMISSIONER HOLIAN: So then how do you know about whether that's the capacity that's actually needed for that line? Did you do engineering studies to determine that a 345 kV line was the appropriate line for that area? Does it really have to be that big?

MS. CANALES: Yes. We carried out independent engineering studies to quantify the benefits of the line in terms of capacity, and PNM, as part of their interconnection process, we're looking to interconnect these two stations, also has to carry out a study which is underway and will show – will have results that show the benefits that this line will bring.

COMMISSIONER HOLIAN: And I think you mentioned – are you considering alternate routes or is this the route at this point?

MS. CANALES: If we look at the map, as part of the BLM process the BLM has to consider several routing alternatives or routing options. Also, as I mentioned, we have worked with three pueblos and as you know, they're sovereign nations and have decided and selected the route that works for them. So the portions along the pueblos have already been selected. The rest of the routing will be defined as we move forward with this environmental impact statement.

COMMISSIONER HOLIAN: How about burying the line? Have you considered undergrounding it?

MS. CANALES: Yes. That has come up and undergrounding for high voltage, 345 kV is typically cost prohibitive and also undergrounding actually – you have to dig a trench, right? Essentially. And so the cultural impacts are much larger than just digging a foundation every 800 to 1200 feet. So from that perspective we didn't think it would be appropriate but again, this line is a very short line. It's only 33 miles and so cost aspect of it would make the project not economically feasible.

COMMISSIONER HOLIAN: Could you underground it in certain spots?

MS. CANALES: That would still be, from a cost perspective, would undermine the economic benefits of the project just because you have to build the specific structure to then go underground and then the same to come out of wherever you are and it would also cause maintenance considerations to where the portion of the line that's underground versus the portion that is not. But just in general undergrounding, unfortunately, is cost prohibitive for us.

COMMISSIONER HOLIAN: And then as I understand it from your presentation, there are no existing renewable energy projects at this point that actually need this line to bring renewable energy onto the grid. Is that correct?

MS. CANALES: There are no renewable energy projects that have contracted with us. The renewable energy projects that are under development require transmission capacity to be able to transport the energy that's generated whether that is through our project or others. Again, we haven't defined those contracts but it is a fact that there is a lack of transmission for the amount of renewable energy that is being developed.

COMMISSIONER HOLIAN: Okay, and then I have a few questions about the cost of the project. Who is actually paying for the construction of this project? And then how is it going to be paid back over time?

MS. CANALES: That would be Hunt. We are assuming all of the costs of

the development at our own risk, and eventually if we are able to obtain all required permits we'll be also paying for construction. And these costs will be recovered through the users of the line, the eventual commercial contracts that we establish for the use of the line.

COMMISSIONER HOLIAN: And so I understand that you've created a real estate investment trust.

MS. CANALES: That is correct.

COMMISSIONER HOLIAN: So presumably they would be upfront the cost, correct?

MS. CANALES: That's also still in the future commercial development of the project. We would present the project to the REIT and whether they would want to participate I cannot say at this time. But we would present it to them. That's correct.

COMMISSIONER HOLIAN: Thank you. And I would just urge you to continue to have public meetings about this because there is a lot of concern in the community. Thank you.

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I want to thank Commissioner Holian for the questions that she did have. She actually asked some of the questions I was going to ask. I may have missed it but I wanted to know, is the 345 kV, is that a maximum amount that this line can carry?

MS. CANALES: So that would be actually the design specification for the conductor of the line, so that the amount of energy that can be transported is related to how big, essentially how big you're designing your line. Right now there is a 115 kV line there but there are other regions in the country, for example, that go up to 500 or even 750 kV.

COMMISSIONER ROYBAL: And do you know what size this will be?

MS. CANALES: Yes. So this would be 345, and actually, the two substations that we're connecting to, there are two 345 kV lines that come into them. So if we go back to this map, as you can see in the red, there's a red line coming into Ojo and a red line coming up to Norton, so you can see what those lines would look like. There are already lines in place at this voltage.

COMMISSIONER ROYBAL: Okay. Thank you, and I'd like to ditto Commissioner Holian's request that we do continue to work with the public.

MS. CANALES: Yes. Thank you.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I actually have a question for Robert Griego, our Planning Director. Robert, would this be considered a development of countywide impact?

ROBERT GRIEGO (Planning Manager): Mr. Chair, Commissioner Holian, this project as a transmission line, in accordance with the Land Development Code, transmission lines is a use in the use table. It is not identified as a development of countywide impact.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN CHAVEZ: Okay, yes. All good questions. Valid concerns. I

tried to set some ground rules. I'm going to dispense on those. It's not fair to not limit everyone else's time and then limit the public's time. So public, you're on. Take as much time as you need.

BETH BELOFF: Thank you. I'm Beth Beloff. I live in District 1 in the county and I'm chair of the Sustainable Santa Fe Commission that will be considering this project as well. But I'm speaking for myself and others, not the commission. I just want to reinforce that the impacts from this project will be significant in the following ways: there is a critical habitat region that will be impacted that has been identified by the Sierra Club. It was mentioned critical migratory bird patterns potentially threatened by the project. The BLM resource mapping process identified this valley of high priority from a visual/scenic corridor standpoint.

The significance of this area as having historic sacred land from the points of view of pueblo people and others in the area is incalculable. Consider the impacts, for instance on Black Mesa. These lands have been undisturbed with respect to industrial constructs as in these towers and they represent significant wildlands and sacred lands. San Ildefonso Pueblo took the wise action of refusing to give right-of-way for this project only to find that the alignment now runs along their border, thus harming them nonetheless.

Tourism in Santa Fe County and in the state depends on protection of these wildlands. The film industry uses these spaces as well, so there will be some economic impacts that will need to be explored. I know there are health concerns with respect to these high voltage lines for property owners adjoining them, and from what I've heard there is no clear need established by Hunt Power Company that gives assurance that this project will in fact solve a reliability problem or bring renewable energy to or from the local area that will be most impacted. Will renewable energy be brought from neighboring states to New Mexico and out to other states?

These answers are needed specifically. We've heard about potential in the future but we really don't have a very good picture of what is the current – what is in fact the current need to offset the considerable costs and impacts for us in our areas.

So I encourage that there be more depth from Hunt on exactly what that need assessment indicates as opposed to just a commercial project that is fishing for potential in the future. I have questions about what alternatives have been considered, not just between these two points but to in fact if there are issues with transmission in the state, what other alternatives within that state utility design exist for upgrades.

And lastly, who will benefit from the development of this line as a commercial interest as was indicated in setting up a REIT. There have to be commercial interests identified in order to establish that there's a return on investment. So I think the public really needs some better answers on how this commercial entity is in fact going to reach that return on investment. Thank you.

COMMISSIONER ROYBAL: Thank you for your comments. Next.

ELENA GUARDINCCERI: Commissioners, thank you. My name is Elena Guardincceri. So I'm going directly to the point of the need for this line. So per this text in the right-of-way plan under purpose and need it includes high level policy statements about the need for energy, renewables across the United States. It does not address the specifics as to why this particular transmission line is needed. So PNM

mentioned the Ojo-Norton transmission line in their 2007, 2011 and 2014 integrated resource plan using nearly the same words which now I quote: "During the nineties PNM pursued a over line extension project to further reinforce the 345 kilovolt backbone transmission system and increase importability into northern New Mexico. The [inaudible] project was not approved and since then PNM has focused its efforts on pursuing smaller interim transmission enforcement projects that maximized import capability of the existing northern New Mexico transmission lines."

Nowhere in these PNM planning documents does PNM propose building a 345 kV line, which they would have if it was critical. Instead they have focused on increased generation nearer the load, which is Albuquerque primarily and this generation consists in photo-voltaics, wind and gas-fired generation. Verde mentioned at the Hernandez public meeting that an outage would have been solved by their project and an outage occurred on March 18, 2000. In the North American Electric Reliability Council's review of selected electrical system disturbances in Northern American this outage was discussed.

During the outage the 345 kilovolt line from San Juan generating station to Ojo was out of service due to maintenance so the transmission line could not carry any power from San Juan to the main load in Albuquerque, which means the transmission line could not have prevented the outage. The report mentions that delayed restoration of the 345 kilovolt line from San Juan to Ojo did not affect the PNM restoration of customer service.

PNM spokesman Don Brown told the *Amarillo Globe News* on March 21, 2000 that PNM won't seek to renew the Ojo line extension project. PNM does not seem to need this project in the 30 years since it was initially rejected. So is the need to move power from San Juan or Four Corners to Albuquerque or to move power from the wind generation in the eastern plains to Four Corners for distribution west to Arizona and California? If it is the latter, then how does this project integrate with the other New Mexico projects to move power west identified by PNM, which are the Centennial West line, the SunZia line, the South line and the Lucky Corridor. We need this answer to even evaluate this project. That's all.

CHAIRMAN CHAVEZ: Thank you. Next speaker please. How many more speakers are left, please? Okay, please come forward. Is that as close as you can get? Okay, you're good there. You're good. Okay, sir. Go ahead.

MEL CHANEY: I am Mel Chaney. I'm a resident of El Rancho. Been there for about 50 years or more and I've grown pretty fond of the place and I object to what may be happening to it. Verde's maps show you the big picture. I've prepared some things here which show you the close-up picture. Is it possible to project these? I've made extra copies that I can give to the Commissioners here.

The first map is within the Pojoaque Pueblo land. You can see the Rio Pojoaque flowing into the north side of the map. Flowing into the Rio Pojoaque from the south is Jacona Arroyo. You will see that the public claims are on either side of the arroyo but do not extend into the arroyo, so the arroyo is Pojoaque Pueblo land. And you can see that the Verde has very carefully routed the line right down the center of Jacona Arroyo.

The arroyo, the boundaries of the claims are 100 feet or a little more than that apart. The right-of-way specified is 150 feet so their attempts to stay off of private claims, private land within the pueblo's fail. The people on either side of this, you can see

are tremendously impacted.

Let's go to the second map. This map shows the Jacona Grant. Notice that the Jacona Grant has a long panhandle reaching up to the north. After the line runs through the arroyo and gets back onto pueblo land it moves immediately west to the western boundary of the Pojoaque Pueblo, which is the eastern boundary of this panhandle of the Jacona Grant. Pojoaque High School and Pojoaque Elementary School are located in this panhandle. The students of the pueblos of all the people in the valley, the children of all the people in the valley will be at these schools. Think about it. Six hours a day, 240 days a year for ten years of their life in the proximity of the line that's producing electric fields. If you look at the literature you will find studies that say there is no effect. You will find studies that say there is an effect and they can quantify these effects.

So here's a hypothetical question for the people of the pueblo, for Verde, for the BLM, for the people in the valley, and respectfully for the members of the council. If you were faced with your child being put in this situation for this length of time with this much question, be honest with yourself. What would you choose?

Now, let's go to the last map. The last map is just immediately west of the first map I showed you and there you can see the multitude of private claims that are within range of the project that would be strongly affected by the presence of the project even though the project is not directly on their line. And I assure you, I could show you a map to the east of the Jacona Arroyo that show you the same thing.

Another comment I have to make is about the necessity for this line. PNM has operated without this line for 35 years in a very acceptable way. They initially made the claim for control of outages, system stability and for more reliable delivery of power to the Los Alamos National Laboratory and to Taos. Verde is now making the same claims – outage control, system stability. PNM has operated this system without this gap-filling line for 35 years with no problem.

The issue of renewables: There are a number of transmission lines being built to accommodate for this. They are better positioned at the lower point and at the source point than the line that this gap serves would have. A total of 9,000 megawatts of power. One of these lines is proposed to be in service by the year 2020, just four years from now. If they come into service this gap line will be obsolete and not needed. It's criminal to build a line that would be useful for such a short term of time that does so much damage to this historic and beautiful area that it goes through. Thank you for listening to me.

CHAIRMAN CHAVEZ: Thank you, sir. Next speaker. We've taken your maps, sir, and they are part of the record so we do appreciate your being here.

MICHAEL WILLIAMS: Thank you for this opportunity to speak on the transmission line. My name is Michael Williams and I have lived in Jacona since 1973. I first came to New Mexico in early 1966 and I immediately fell in love with the blue skies, scenic vistas and wonderful people. I have devoted much of my life to protecting the scenic vistas and eliminating emissions that threaten the natural beauty.

I was cofounder of New Mexico Citizens for Clean Air and Water. I spent hours on the witness stand under cross examination by attorneys representing utilities, copper smelters and other polluting industries, both in New Mexico and other western states. I've also testified before a congressional committee developing improvements to the nation's clean air laws. Most of my professional life was devoted to developing models

for describing pollution transport and visibility impairment.

Jacona and its neighbor, Arroyo Jacona are traditional communities and their Spanish heritage predates that of Santa Fe. Their pueblo heritage is likely much older and we find traces of it occasionally when we dig in our yards. For a more vivid view of these two communities' pasts one can read *Jacona*, by Eloi J. Gallegos, which is available in the history museum bookstore.

Arroyo Jacona has a wildlife management area constructed to help the southwestern willow flycatcher survive not far from the proposed route of the line. Jacona is one of the few communities to boast fireflies – few New Mexico communities I should say. The power line – I refuse to call it Verde or green – will cross the Rio Grande endangering migratory waterfowl, across the riparian habitat of the Pojoaque River with its disappearing bird populations that traverse grasslands and piñon-juniper areas. Still, there's a big footprint where you have a blind change direction. One of those will occur in the riparian habitat on the north side of the Pojoaque River. It's a scar that's there forever because they maintain it.

It will scar the landscape, diminishing its value for movie making and for valley residents. It will probably be used to encourage more coal burning in the Four Corners area. It will also probably force the BLM to downgrade the protection of BLM lands to permit scenic impairment that many county residents oppose. Thank you.

COMMISSIONER HOLIAN: Thank you, sir. Next speaker please.

MARY LOUISE WILLIAMS: My name is Mary Louise Williams and I'm here because of the very emotion issue for me. I was born in New Mexico. My great grandfather and grandfather homesteaded in New Mexico territory at the turn of – 1905 I believe it was. So I have long roots here even though I moved away and came back, I chose to live in Jacona because living in Los Alamos I had for ages been looking for some place down there because of the open space and because the integrity of the land. I moved there in 1973.

I've participated all over the state in wilderness hearings to protect land that needs to be protected for the future generations. The thing that is really worrisome to me, that is the area I know so intimately because after I retired from Los Alamos High School teaching I have spent countless hours hiking in that whole region by myself and I know it. And it cannot be replaced nor can it possibly be degraded with those power lines going across that beautiful, beautiful landscape. And I as a citizen ask you in most definite and emotional terms, don't let this happen. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am. Next speaker please.

KEITH KING: Hello. My name is Keith King. I live in southern Rio Arriba County, La Mesilla. I feel I need to do my part and be here for the people from southern Rio Arriba County, and I'm sure my words and sentiments are shared by many. I am both Pueblo and Spanish in me and I share both of my heritages. I was noticing the Thornton Ranch discussed a while ago and it was awesome to see how the pueblos are working with people, trying to work together and I hope I can do that with the pueblos too.

This project really impacts a lot us in a negative way – residential and economical. A lot of information has been given. I shall not repeat them but the impact can be damaging to the film industry which relies on our open spaces for the movies,

environmental impacts, tourism impacts. People come to see the last of our open spaces. We need to preserve that. The environmental impact of bird migration, the Rio Grande Bosque is a major migratory route for the birds to go to Bosque del Apache Corridor. We really need to protect that. It's vital, for today and the future.

Hunt Power, they say renewable energy. There's nothing renewable about Hunt Power. They are powered by dirty energy, coal and oil. That's what they specialize in. We cannot be fooled or give in to their false promises and propaganda that it will benefit us because it will not. Hunt Power and their transmission line is an old and a dying technology. They say that it will be done and ready to use by 2020. By then that technology will be dead. It should be. We need to abandon dirty energy and the technology is there for clean, renewable energy. We need to make an immediate change for our future. That's the most important thing. We need to take care of our earth.

I can't emphasize more how important that is. We need to switch to better, clean energy and there's nothing clean about Hunt Power. If you guys are into it I just set up a Facebook page, Save the Black Mesa and the Heart of Northern New Mexico. I'm trying to get our community to get together, bound together, be united and fight for our earth and fight for our future. And I'm inspired by Standing Rock in North Dakota and I hope we can all unite for the right thing here today, here in New Mexico.

New Mexico should be a leader in renewable, clean energy. The sun is our greatest asset; we need to take advantage of it. Solar energy is local. It can be powered locally. There will not be a need for these monster power lines to transmit our resources to other places. That's all. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir.

FLO PERKINS: My name is Flo Perkins and I live in Jaconita, 38 years. And I just wish to substantiate what this young man said about the clean energy and the right thing to do about the future energy. I've lived down there for 38 years. I have watched the county struggle with the Arroyo Jacona. It's a huge problem. There's been millions of dollars poured into that area and it's still not stable, and that needs to be reconsidered for sure.

There are also historic properties. My husband and I restored an old adobe house and got it on the National Historic Register, right in that area and there are four or five more properties that I can identify that are eligible for that status. And I'm going to put myself out on a limb here. I don't think ever member of the three pueblos is behind this project and I think it's very important for more solid and thorough communication to go on between the pueblos and the community. And this thing that you just showed us about Thornton is inspiring. It's important to understand these things.

There's the cultural impact of the artifacts and the sites, but there's a huge cultural impact happening in the valley now between the pueblos, the traditional rural community with the Hispanics and the Anglo population also. And the cultural impact of the present and the future people is really important to consider also. Thank you.

KAREN COOK: Good morning and thank you for listening to all of us. I know we're running out of time. My name is Karen Cook. I also live in Jacona. I'm a fifth generation New Mexican and I am going to try to not repeat anything that's been said but we're all a bit emotional I guess.

I want to bring up the timeline that was set for all of this has been really

untenable. Most of us only found out after the first two meetings by the BLM and only through our neighbors and a telephone tag. The BLM did agree to extend us slightly but if there is any input that the Commissioners can have to extend it one more time it would be greatly appreciated because now the next scoping meeting is also scheduled on a feast day for Pojoaque and the critical input by January 6<sup>th</sup> again is over the holidays and it feels like almost a deliberate disadvantage to those that are yet to be informed to become informed.

I'm an environmentalist and environmental film maker. I happen to have the pleasure of living on the property that manages the wildlife habitat that was established in 1995 to protect the southwestern willow flycatcher. It was done simultaneously to the southwestern willow flycatcher being named an endangered species. Over the years its critical habitat has been established and redrawn. There was an original critical habitat done in 2005 which was through the process challenged and in the final 2014 critical habitat a certain area was excluded that goes through pueblo lands and it was said to have happened because the pueblos were to maintain their own program to protect critical habitat for endangered species.

I would like help from everyone in understanding what their process is and whether or not they actually maintain a program that is unfortunately now excluded from the critical habitat, but very much affected by the Verde line.

The third thing I would like to address that is if not obvious, I want to state an obvious thing that it feels like there is an end-run around this becoming a PRC issue by not including PNM and it has to be obvious that the newly drawn power line path is all through pueblo land and primarily Pojoaque. And that why isn't PNM coming to the table? They are the only likely users of these substations. They are the utility. This notion that Hunt is not a utility and therefore does not have to then live by PRC guidelines is a subterfuge that someone else should go after. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am. And let me have a show of hands of those that are still waiting to speak. One more speaker. Okay. Two more.

SHARON FREEMAN: I'll be very brief. My name is Sharon Freeman and I'm a resident of Jacona and I just want to acknowledge my fellow neighbors and not repeat what they had to say. But it seems to me that what Hunt is – and this is the first time I've heard a presentation from Hunt because there has been no outreach to our neighborhood at all, as far as I can see. But there has been outreach by the County for many years. I have a copy of the County planning.

We are, according to your plans, we are a traditional community. That doesn't include high voltage, high industrial uses. So I am just very puzzled by this. It would seem to me that Hunt's premise is build it and they will come. And I don't understand. So I would just like to repeat that I hope that the Santa Fe County can help us understand, help us block this. This is a disaster for us. Thank you.

JAN BROOKS: I'm going to make this very brief. My name is Jan Brooks and I do not live in Jacona; I live in Santa Fe. However, I have a long history of professionally in the arena of cultural tourism. And as you know, New Mexico thrives on cultural tourism. It is the thing that drives our economy. Black Mesa is sacred to people beyond the pueblos. It is an unbelievable thing to see in the landscape and that particular area offers a viewshed that has been – it was photographed in the 19<sup>th</sup> century. It is part of

a kind of visceral memory that people have of that area of New Mexico and what gives us our enchantment.

I think that to allow something this grotesque to spoil that open space is not just going to affect the people who are immediately there. It will affect all of us and visitors from all over the world. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am. Next speaker and I think we have this speaker and one more speaker? Okay.

MARIAH WILLIAMS: My name is Mariah Williams. I live in the northern part of the county. No relation to these Williamses. And I would echo everything that everyone has said here along with re-emphasizing the questioning the appropriateness of a private company running a project through tribal land and public land. And I'd also like to speak specifically to the health hazards. For the last 20 years I've had a chronic illness that's made me particularly vulnerable to electromagnetic radiation and I've since healed from that illness but one I had it I didn't have the energy to testify at the Board of County Commissioners so I'm here because I know there's a lot of the children in the schools and I have elderly clients in El Rancho who I'm particularly worried about their vulnerabilities in addition to the impact on wildlife and the rest of us and the need to protect this as a sacred site.

Also, if this is a long-term project then we have time to look at green alternatives and more local power production. Thanks.

CHAIRMAN CHAVEZ: Yes. Thank you, ma'am.

DIANE KING: Good afternoon. My name is Diane King and I'm a native from the valley. I have five generations behind me there. I won't repeat everything that everyone has said. I agree with them. It's just a horrible impact to find out just days ago about what's coming to our community and I feel that it's a slap in the face that we weren't notified about this before and it's been closed doors with the neighbors of our pueblos.

I have many relatives that are in the pueblo and they don't even know what's going on here or they're afraid to speak of it. I just don't think it's right. Please rethink on this. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am. I want to thank all the members of the public for being here this afternoon. This is not standard but we do always accommodate public comment. I think we go the extra mile in doing that. That's why I didn't want to rush you in your comments. It's going to have a domino effect on us later because we do have a lengthy agenda but it is what it is. So I want to ask if there are any other questions of the Commission. I'll go to Commissioner Stefanics, Holian and then to Commissioner Roybal.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. So I'd like to ask Land Use, Penny or Robert or Vicki, anybody here. Okay, so, in terms of the County process, and I want to just say to the public this is a presentation. We're not making any decisions about anything. What is the process that's going to happen here at the County? Is this going to be a land use request that goes through? Or what's our process.

MR. GRIEGO: Mr. Chair, Commissioners, the project currently is being proposed as Santa Fe County being a cooperating agency with BLM through their public process, through their NEPA process, so Santa Fe County would participate as part of

that process. The applicant has not come to Santa Fe County for a development application at this time. When the applicant is ready to make a submittal the County would review it in accordance with our Land Development Code.

COMMISSIONER STEFANICS: So you're saying that we are agreeing, or we would have an action in front of the Commission, Ms. Miller, to agree to be a partner?

MS. MILLER: Mr. Chair, Commissioner Stefanics, we have been asked by BLM to be a cooperating agency or entity in their NEPA process. They have sent us a draft agreement to do that. I think Robert should explain what that entails. It isn't a statement of our position as a County on the process. It's being involved in the NEPA process. So that's one piece where we do have a request to execute that agreement, which would come before the Board at the December 13<sup>th</sup> meeting.

But then if there is a land use application, I believe you were out of the room earlier when this came up but Greg had said that we would have to – our position as a County and your position as Commissioners as an administrative adjudicatory body, so you would be asking as an impartial entity on any land use application that comes forward. So that's a separate process, and that would happen at the time of application

COMMISSIONER STEFANICS: So you just brought up something. Wouldn't there be a conflict, to be part of the – to be a partner and then to make a decision?

MS. MILLER: Mr. Chair, Commissioner Stefanics, it doesn't make us a partner to go through the NEPA process and be participating in the public meetings, but that is something that I think the Board – the reason because of this being a controversial project wanted to make sure that you understood we have been requested to be an agency to work with BLM on that public process. So Robert, do you want to give them a little detail of what that process is?

MR. GRIEGO: Mr. Chair, Commissioners, so in regard to the proposed MOU that staff is currently reviewing which will come before the Board next month for review, it identifies roles and responsibilities for the County as part of this process. Part of the roles and responsibilities will be to inform BLM of the County land use and zoning regulations. It will also be providing BLM with that data and information regarding how the line traverses Santa Fe County and what the impacts would be. Santa Fe County would participate in public meetings and identify issues. We would participate with them in identifying any data needs and providing data as necessary.

We would also be a participant in formulating alternatives for the line for the final alignment for the project. We would go through a process and review the draft environmental impact statement and we would have a role throughout the process when the EIS is submitted for review.

CHAIRMAN CHAVEZ: Mr. Griego, do you have that information or can you have that information available to the public online? It's a good timeline to have. I think it's good information but I think it needs to be shared with the public.

MR. GRIEGO: The draft MOU, it's currently a draft.

CHAIRMAN CHAVEZ: Right. An MOU is a memorandum of understanding between us and BLM? Between the County and BLM.

MR. GRIEGO: Yes. For this project specifically.

CHAIRMAN CHAVEZ: Right.

MS. MILLER: Mr. Chair, we just received that from BLM and so it's in Legal for review as to whether it's legally sufficient for our participation in it, and then when it finishes that process the intent was to put it on an agenda for the Board and then it would be made public for review. Additionally, I just want to reiterate that it isn't a conflict for us to participate in that process and as staff to ensure that BLM is aware of our rules and regulations. And then separately, the Board, if an application is filed in Santa Fe County it would come before the Board after it's gone through the process and staff's participation in the public process with BLM would not be a conflict of interest.

CHAIRMAN CHAVEZ: Okay. Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Robert, and I guess this is a question for either Robert or Katherine and that is as a cooperating agency, can we make a recommendation that the NEPA process be extended in time? And can we also make recommendations for what should be included in the environmental impact statement if we feel that it is not complete?

MR. GRIEGO: Mr. Chair and Commissioner Holian, in regard to providing comments to BLM, that is within the purview of the County, so we can submit comments to them in regard to the public participation process. In regard to what goes into the environmental impact statement, I'm not sure how that relates to the NEPA process but we would be involved in that NEPA process throughout.

COMMISSIONER HOLIAN: Okay. Thank you, Robert.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I just wanted to say thank you for everybody that talked today with information and also their concerns. I do want to reiterate that this was just a presentation and the County has not received any formal request or permit request, so this was just a presentation but this was really good information and I appreciate all the public being here today to share their input and I look forward to working with you in the future. Thank you.

CHAIRMAN CHAVEZ: Okay, so that concludes this order of business. I want to thank staff, the public and all those that were part of this presentation. We're going to move on to the rest of the items on our agenda. But I want to do a time check here because we have two presentations under item B. We have a presentation on the TDR bank and then we have a presentation and discussion on the Stanley Cyclone Center fee schedule. And then we have two resolutions after that. We also have Housing at 1:00. Or now.

COMMISSIONER STEFANICS: Mr. Chair, we've just taken a recess because we don't have a quorum.

CHAIRMAN CHAVEZ: Hold on a minute. We have a quorum.

COMMISSIONER STEFANICS: Well, Mr. Chair, I am proposing that we take the rest of the agenda after our Housing meeting and break.

CHAIRMAN CHAVEZ: Okay. Do we need a motion to that effect?

COMMISSIONER STEFANICS: I would so move that we recess until after the break and Housing Authority meeting.

CHAIRMAN CHAVEZ: Then we'll come back and finish our –

COMMISSIONER STEFANICS: That's right. And just continue on with

the agenda.

CHAIRMAN CHAVEZ: So we have a motion. Do I hear a second?

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: We have a motion and a second.

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

[The Commission recessed from 12:08 to 2:05.]

CHAIRMAN CHAVEZ: If I could have your attention please. We are going to see if we can get started. There are three of us. We have a quorum and the other two, Commissioner Stefanics and Commissioner Holian will be joining us shortly. We do have some items to go back to from our earlier agenda so I think we need a motion to reconvene. So I would entertain a motion to that effect.

COMMISSIONER ANAYA: So moved, Mr. Chair.

COMMISSIONER ROYBAL: Second.

CHAIRMAN CHAVEZ: We have a motion and a second.

**The motion passed by unanimous [3-0] voice vote.** [Commissioners Holian and Stefanics were not present for this action.]

**III. B. 3. Presentation on the Transfer of Development Rights (TDR) Bank Concept, Including the Benefits of Establishing a Santa Fe County TDR Bank**

MR. GRIEGO: Good afternoon, Mr. Chair, Commissioners. The purpose of this item is to provide information to the Board on the TDR bank benefits analysis report and the consideration of the TDR bank in accordance with Chapter 12 of the Sustainable Land Development Code. Earlier this year after the code was adopted last year Santa Fe County has held several public input meetings, stakeholder meetings regarding the transfer of development rights program. Meetings were held in February, August and in November. We met with property owners, developers, conservation organizations.

Since the Board established the adoption of Resolution 2016-33 to initiate the TDR program Santa Fe County has entered into a professional services agreement with Placeworks for a program for developing a TDR benefits analysis. Here to do the presentation on the analysis today and the consultants for Placeworks. We have Rick Pruetz and Steve Gunnels.

RICK PRUETZ: Thank you, Robert. Mr. Chair and members of the Board, I will briefly just fill in a little background on transfer of development rights or TDRs in general, but then get into the main event which is of course the TDR bank. Just to begin though, just for the sake of the public, a TDR is a mechanism that's currently available and in the code of Santa Fe County which aims to motivate the voluntary redirection of development out of areas that are appropriate for preservation because they

have environmental value, agricultural value, cultural value. These are called the sending areas, and redirect those to areas that are appropriate for additional growth, called receiving areas. In the receiving areas developers can build up to what's called baseline level of development without buying TDRs but once they want to exceed that they have to buy TDRs. And when they do that they pay for those TDRs. They buy them from the sending area property owners and that is of course what motivates those property owners to permanently preserve their land.

The private market is in operation. The code has set up all of the codes and procedures that are necessary. For example, the sending area property owner could come in today and talk to staff about applying for a non-binding estimate of the number of TDRs for sale. Also we'll go into the TDR bank. I think we should go back just a little bit though and show that one. And that is that a TDR bank supplements the private market. A TDR bank is nothing more than the County acting to buy TDRs for willing property owners and to keep those and sell them to developers when those developers want them. And it's the – once these TDRs are sold, those profits, those proceeds are then reinvested into buying additional TDRs.

So in other words you took what would otherwise be a one-time use of limited funds and you make it into an ongoing revolving fund for preservation. So in addition to that main function TDR banks have a lot of other benefits and I'll just quickly go through these. The private market is going to operate probably based on where developers can find the least expensive TDRs but the role of the bank might be more toward making sure that the program is achieving its primary goals of preserving the best environmental land, agricultural land, cultural resources. So for that the reason the bank can target its TDR acquisitions.

Also it can initiate TDR sales and purchases and that's important particularly at the start of a TDR program when a lot of players are reluctant to be the first ones to make the move. It can also stabilize prices, for example, if you have a well funded TDR bank it can buy TDRs when sellers want to sell and the market isn't particular healthy – let's say the real estate market, and hold them until that real estate market returns and then developers want to buy. So it smoothes out some of the economic cycles. Most importantly, it provides an alternative to developers where they can be assured of being able to find some TDRs.

So here are some of the recommendations that came out of the study. There's already an informal in-house TDR team. That should be expanded because there are still a lot of issues that need to be looked at more closely. We are looking at the possibility of forming a citizens advisory committee, possibly similar to COLTPAC to advise on what TDRs the bank ought to purchase and also to help us set up the TDR bank program. For example, what are those acquisition criteria going to be? How do you prioritize between properties that have good agricultural values, good environmental values?

But primarily one of the questions that is before us right now is how is the TDR bank going to be stocked? How is the inventory of TDRs going to be created for the TDR bank? It would be very beneficial for the County to appropriate \$200,000 or more in funding to get an initial capitalization of the TDR program. The reason why that cash would be extremely beneficial is because the bank can then go out immediately or quickly to those sending area property owners and start those transactions with those

willing sending area property owners.

But we know that without the level of capitalization we're going to actually have to have more TDRs in the bank if developers are to be assured that they'll be able to get TDRs when they need them. And so another avenue for that is to take County-owned land, some open space and some other County-owned land and sever the TDRs from that land, put it in the TDR bank, sell them and use those proceeds then to start buying TDRs from private property owners. I should emphasize that we're not looking to do that to a lot of land; just enough so that you can get enough TDRs in the TDR bank to get the ball rolling and to start making those private purchases.

So that's certainly one big benefit of being able to use that procedure but also once we have TDRs in the TDR bank to sell we can test some of the estimates that came out of the economic study that went along with this analysis.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Yes.

COMMISSIONER HOLIAN: I just sort of wanted to ask a question that's related to what you've been talking about. What if a landowner wanted to donate some TDRs to the TDR bank? Could they get a tax deduction for doing that?

MR. PRUETZ: Well, there are other ways of doing that and certainly there would be – the TDR bank would accept those – they could accept those. There's another way and yes, you could get a tax credit for donating those. Yes.

COMMISSIONER HOLIAN: Yes.

MR. PRUETZ: So that concludes my presentation. If there are any questions or comments?

CHAIRMAN CHAVEZ: Any other questions to the presenter at this time?

No? Okay.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner Holian.

COMMISSIONER HOLIAN: Can I ask you in other states or other locations where they have TDR programs, generally what a TDR is worth?

MR. PRUETZ: It ranges from anywhere from \$5,000 up to \$300,000, depending on the kind of market and how desperately the developers want those TDRs. Generally, they fall between though \$10,000 and \$30,000 each and that means when a TDR is allowed, facilitates the development of one bonus, single family residential unit.

COMMISSIONER HOLIAN: Thank you.

CHAIRMAN CHAVEZ: Robert, Mr. Griego, did you have anything else that you wanted to add at this time?

MR. GRIEGO: Mr. Chair, Commissioners, I just wanted to inform you this is a presentation only at this time.

CHAIRMAN CHAVEZ: Yes. Thank you.

### **III. B. 4. Presentation and Discussion on the Stanley Cyclone Center Fee Schedule**

ANNA BRANSFORD (Community Services): Good afternoon, Commissioners. This afternoon we are making a presentation. We are all awaiting the

opening of the Stanley Cyclone Center. As part of this preparation we have been working at CSD on developing a fee schedule for the rental and utilization of the center. So we are here today to have a discussion and possibly get feedback from you with regard to the fee schedule.

As you know, we are getting ready to complete the construction of the 41,491 indoor facility. It's located on an 11-acre site in Stanley. The center will be utilized for various events that are not currently available in the county such as roping, steer wrestling, barrel racing, bronc riding, bull riding and of course to have the center host events for 4-H clubs and FFA programs. In addition to the fee schedule the department has also been working on drafting policies and procedures as well as a lease agreement for the use and rental for the center.

We have also budgeted \$100,000 for an event coordinator. We are right now in the process with that contract. This event coordinator will manage the events as well as handle marketing and advertising for the center, develop a website, also handle some general maintenance and will be preparing and maintaining reports that will come back to the department of the events held.

With that we will go to the fee schedule. In developing this fee schedule one of the things we did and you will see that you have a matrix of other facilities. We sort of looked at what other facilities that are similar do and also in addition to other arenas. We kind of just looked at the Genoveva Chavez Community Center as that is a public community center who has different sort of things like open skate. They have their ice arena which is different from a roping arena but just sort of for a comparison.

So with that, for our fee schedule we looked at having any NMSU sponsored, County Extension, 4-H or FFA revenue generating events. So something like that will be if the 4-H clubs of the FFA wanted to have something like a rodeo or a horse show where they would actually be charging for people to come in. So for use of the roping arena we are looking at charging \$100 for that. For the classroom for an event like that it would be free. For any County, NMSU sponsored, 4-H or FFA events that are non-revenue generating we are not looking at charging anything for that.

For any big commercial event, for a full day we are looking at charging \$1500 for the arena and \$75 for the classroom. For a big commercial event, half-day, we are looking at charging \$750 for the arena and \$75 for the classroom. Any riding with livestock for a full day, we are looking at \$500. Riding with livestock for a half-day, \$250. Private riding \$100 for a full day. Private riding for a half-day, \$50.

And then we looked at having an open riding for people who just want to go maybe exercise some horses or just go for a couple of hours. We looked at having that price as being \$20 per horse with a limit of six horses. And then we have just the cleaning and damage deposits that people would give us and then so long as there's no damage or anything like that, that would be returned. For any NMSU sponsored revenue generating events that deposit would be \$50. For any County sponsored, 4-H, FFA, non-revenue generating events, that's zero. Commercial events for a full day at \$750, commercial events for a half-day would be \$750. Riding with livestock, a full day is \$500. Riding with livestock, half-day, \$250. Private riding, full day \$100 and private riding a half-day at \$50.

So the other facilities that we looked at were the Curry County Event Center.

They have a base of about \$1,500 a day for their rental of their arena. You'll see I have some asterisks there and the reason why is they also have other ancillaries that they charge for – additional bleachers, security, those types of things, so it could cost well in excess of \$1,500 a day to use that arena.

The Bernalillo County Sheriff's Posse, which is much smaller than our arena is \$500 a day per event. Tingley Coliseum, which as you know is a huge venue, is \$5,500 a day plus 12 percent ticket sales and numerous ancillaries. They also have an indoor horse arena where they charge \$660 a day with \$100 setup fee for any roping events, and an outdoor small horse arena that's about \$275 a day. With that I stand for any questions.

CHAIRMAN CHAVEZ: Questions for staff? I'm going to start with Commissioner Stefanics then go to Commissioner Anaya, then Commissioner Roybal and Commissioner Holian.

COMMISSIONER ANAYA: Mr. Chair, I'd like to – I have several comments. I'd like to listen to the feedback of my colleagues and go last if that's okay.

CHAIRMAN CHAVEZ: Your call. Okay, so let's go to Commissioner Stefanics and then we'll do Roybal and Holian.

COMMISSIONER STEFANICS: So Mr. Chair, I appreciate this comparison chart because I do not believe that we have built a multi-million dollar facility to be a free facility, number one, that we, in our other community centers we do have policies regarding non-profits and other entities. How does that reflect in what is being proposed here?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, that's one of the things that we were looking at. Currently, with our community centers, it doesn't matter if they're not for profit. They still pay the same rental fee, \$50 plus a \$25 insurance fee plus a \$50 cleaning deposit. That's at the centers. We have a different fee schedule for the fairgrounds.

COMMISSIONER STEFANICS: Okay, wait a minute. Before you go on. Then those community centers, the space is about how many square feet compared to how many square feet here?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, much, much less.

COMMISSIONER STEFANICS: A couple hundred square feet to several thousand square feet?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, yes. The roping arena is \$41,497 square feet. A community center is much small. I think the largest community center we have has an occupancy of about \$140 people without tables and chairs. So it's much smaller, about 100 square feet, 200 square feet.

COMMISSIONER STEFANICS: So the capacity, the people capacity for the Cyclone Center would be how many?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, at this understanding is we don't have a certificate of occupancy with that number as of yet from fire.

COMMISSIONER STEFANICS: Okay. And the other centers are approximately 100 to 150?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, with our most

recent Max Coll, I actually went out with Fire and it usually depends if you have tables and chairs. If you don't have any tables and chairs, at Max Coll is about 140.

COMMISSIONER STEFANICS: Okay. That's what I'm asking.

MS. BRANSFORD: And that's probably our biggest one. Nancy Rodriguez probably being the next one, about that size. La Cienega, maybe about 85 to 90. El Rancho, much less, about 65. Nambe about 70, around there. They're much smaller.

COMMISSIONER STEFANICS: Okay. I recognize that this is quite a different facility and my only concern, Mr. Chair, is that we do set up the fees so that it's appropriate for the facility and the venue, that it's really not the same as a small community center. That's all I had. Thank you.

CHAIRMAN CHAVEZ: Thank you. I think it's safe to say that this will be one of our newest facilities in the county as well. So as far as the age and the condition of this facility it's going to be much different, or somewhat different than some of the other facilities. I would just make that as an observation, just my own point of view. But you did mention the deposits and the cleaning fees. Those are returned, are they not? If the spaces are left clean:

MS. BRANSFORD: Mr. Chair, the way that we work, it's similar to the community centers. We get a deposit there. So long as there's no damage or cleanup, something really bad cleanup, deposits are returned. If there's something damaged, if there's no cleanup they do forfeit that deposit and they are well aware of this. That will be included in the lease agreement language.

CHAIRMAN CHAVEZ: Okay. Thank you. So Commissioner Holian, why don't you go ahead.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just have a few comments to make. I just think that it's really important for the County to set up a professional process for managing the Cyclone Center, and a reasonable fee schedule. It's really somewhat different than any other public facility that we currently manage and we – that is we, the taxpayers spent quite a bit of money on constructing this center and it should not just be used by the Stanley area residents in my opinion, and we need a professional process for marketing it and for managing it.

So again, I just want to say that it's important for the County's reputation to make sure that it benefits everybody in the region, and that the County manages it professionally. So thank you very much for your presentation. I'm really in agreement with what you propose. Thank you.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Anna, for your presentation. I would like to say that my biggest concern is that it is affordable to the public, so I think that you guys have probably done some comparisons to other counties. I'm thinking that gives us kind of an idea of how they're running theirs. But my biggest concern is that it is affordable and we don't put it to a place where it's out of reach for some of the community members to utilize. Thank you.

CHAIRMAN CHAVEZ: So I have a few questions then I'm going to go to Commissioner Anaya. You mentioned earlier that you are contemplating a hiring a facility manager for this facility?

MS. BRANSFORD: Mr. Chair, yes. We did budget \$100,000. We are currently in the process. We went through the RFP process and did select a contractor. Purchasing has sent the draft contract out. So it is just going through the process right now of getting that finalized.

CHAIRMAN CHAVEZ: So I guess that's a little deviation because I think this will be the only community facility where we actually have budgeted to pay a manager to be responsible for that facility.

MS. BRANSFORD: Mr. Chair, that is true. Right now, with the community centers we have trustees who are volunteers who manage the schedules and report to us. Then with our fairgrounds, the County Extension Office director, Jackie Baca, sort of serves as that trustee who manages the calendar for the classroom there and the exhibit hall and those facilities there. So this is the first time that we are contracting it out and it was mainly due to the size and all the things that need to go in it such as the marketing and advertising and development of a website and such.

CHAIRMAN CHAVEZ: Okay. So I think that's a distinction to draw. Do we have any idea of what the O&M on this facility might be in the next two or three years? Or maybe even five years?

MS. BRANSFORD: Mr. Chair, I am not sure at this point. I have received lots of calls from people who want to utilize it for – I've received calls for 4-H rodeos and horse shows. I've received calls about dog shows. I've received calls about just exercising their horses. I have received calls for just using the facility to do the private riding as well as roping events.

CHAIRMAN CHAVEZ: Okay. Those are a few questions that I have. I do think that having the matrix and having comparables is probably the best way to go. So I do appreciate that. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I'm going to work my way backwards and I appreciate you allowing me the opportunity to go last. Mr. Chair, I appreciate your comments associated with the fact that it's a different facility and there's a manager that's going to be budgeted to help operate the facility and that it's different than others. I couldn't agree more. It's a different type of facility and it warranted some extra or different considerations.

That being said, Mr. Chair, on your comments, I would just add that I think there absolutely is a public use piece and a private use piece and we need to be careful not to mix the two together, that there is a private accommodation need for private events but that the intent of the facility from day one before it was ever built was to assure that we had facilities for our youth and other public members. I would go to Commissioner Holian's comments and couldn't agree more that it's very essential and important that we put a good foot forward and have a professional operation.

What I would say relative to public use is I have many horse people that are going to use the facility among others that are not from Stanley but from the entire region, including all of Santa Fe County, parts of Bernalillo County, Torrance County, our neighbors to the east, our neighbors to the north. A lot of people for a public purpose, not for a private purpose to generate revenue or make a buck want to be able to exercise their horses. So I want to go specifically to that item and say that we need to take another look at that cost because going to Commissioner Roybal's point, we don't want to have a

public facility that is out of reach and can only be utilized by people that have money to pay \$20 every time they show up.

So I think we need to absolutely differentiate private use from public use and make sure that we're affording the public the same opportunity that we would offer somebody going to a dog park to walk their dog. They shouldn't have to – because they're going to walk their horse or use the arena, they shouldn't have to be constrained fiscally to be able to utilize that particular public facility.

But I very much appreciate the comments associated with professional process and the fee schedule and marketing and management.

Commissioner Stefanics, I appreciate that you brought up multi-million dollar facility. We have many multi-million dollar facilities throughout the county. Almost every public structure that we've constructed in the time that I've sat on the Commission and even before then is a multi-million dollar facility. A lot of our fire stations are multi-million dollar facilities. Our senior centers with all of the improvements that we've made, especially to places like the Eldorado Senior Center are very much public, multi-million facilities that are accessed and utilized by the public.

So the cost of a facility doesn't necessarily equate to a need to generate revenue on every case. So once again I'm going to go back to my point of having a separation between public use and private use. And there are many public uses. You noted 4-H. You noted FFA, but there are other veterans organizations that might be able to utilize this facility, other non-profit entities that I'm sure will want to utilize the facility. I just had a veterans group – Commissioner Roybal, you referenced a matanza that they do at the County fairgrounds. It's a very successful function that happens. It's more of a public, non-profit oriented use than a private use.

So I want us to be careful as we generate that structure to be fair and cognizant that we have many other facilities, including a very nice multi-million dollar baseball facility that we have in northern Santa Fe County that provides access to the youth.

Those were specific comments that I made based on what the Commissioners said, but I want to read some other comments that I wrote and provided for the record that I provided to our manager. I said, Ms. Miller, I'm not comfortable with the rates at all, with the high rates and not specifically on the private side but on the public side, I'm concerned. I'm also concerned when we compare a facility like the Curry County Event Center that if you saw it – have you ever been there to that facility?

MS. BRANSFORD: Mr. Chair, Commissioner Anaya, I have not been there in person. I've only seen their website and spoke a lot with the management company that they have there.

COMMISSIONER ANAYA: It's an awesome facility but it's right in the heart of Clovis, New Mexico. A large – for New Mexico standards, an urban area that has a lot different population and demographics than a place like Stanley and so I think comparing those two and the costs side by side is probably a little unfair, given the size and the magnitude of the facility.

I think the other thing to keep in mind as we're trying to market the center early on is we don't want to match up our facility and compare it to a Clovis type facility when there facility is quite a bit larger and has more access to other facilities. When we're trying to draw in business I would prefer we try and, where we can, keep the market

lower so we draw in those extra private business components.

I mentioned again in this note I did not want to have a fee for open riding. We got a lot of feedback from people that couldn't afford to go to a private indoor arena and pay the \$20 to \$25 amount to be able to ride each time. I think that goes completely away with the intent. And then I wrote here the idea was a public space for a public use. Private events, we can review additional options and I'm hoping having come comparisons that are a little more in line with the size of facility we have as opposed to a Tingley Coliseum or that Clovis Event Center. And then I wrote but I strongly feel they need to be lower than these, competitive but lower than those larger facilities.

The other thing I wanted to read in that I also provided to the Manager was beyond just County Extension groups and 4-H, we've talked numerous times in this public forum over and over again about other public entities. The Moriarty-Edgewood School District, charter schools, non-profits, as I've mentioned, senior groups, people with disabilities. We do a lot of work with the Special Olympics at the County fairgrounds that we want to continue to do that I know you work with and you're aware of, and I also want to be able to reach out to those public uses and have discussions, especially in that region as to feedback from them as well.

So I wrote I want to be able to meet with schools, non-profits and others before we finalize the fee schedule. I think that's it for now, but I appreciate the work. I appreciate all the comments from the Commissioners and the help building the facility, and to go to Commissioner Roybal's comments, I want to be able to -- I think we're going to be able to generate some good revenue and have some good private events, but the core purposes are youth and public access to a public facility. So thank you, Mr. Chair. I very much appreciate the time.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya. So this is just a presentation and discussion. No action item this afternoon, but when -- and maybe this is a question for others, but when do you contemplate finalizing this fee structure because I would anticipate that the facility needs to be opened. It needs to generate some revenue to offset the costs and so what are your thoughts on that?

MS. MILLER: Mr. Chair, part of the reason we brought this forward for discussion at this meeting is we were hoping to have a fee schedule approved before the end of the year since the facility will be coming on line, the estimated date's in early January. So we wanted to make sure once we open it we actually have a fee schedule so we're not guessing at what to charge people, or not charging when we should be charging.

So that was the rationale behind putting this up for discussion and getting feedback today with the intent to bring it back to the Board on the 13<sup>th</sup> of December. But Commissioner Anaya just stated he wanted to have other conversation so the balancing act is can't really open the facility without a fee schedule. We also, as I said, and Anna said, we're going to be awarding the contract for the operator and we need to be able to give the operator the fee schedule.

So it's a bit of a balancing act getting all the pieces in place by the time the facility is available to be used.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'll be here in December 13<sup>th</sup> and

I'll be here after January as well so I think if you want to try and get a fee schedule done I'm hopeful that you're going to take in all the comments that the Commission made and maybe come up with an option for December 13<sup>th</sup> to get us going, but that we will continue the dialogue with other entities and have more dialogue with the new Commission new year. So I think we can accommodate both. I'm not trying to hold up the project but I'm also trying to make sure that when we do comparisons that they're fair and that they're consistent with the intent from the onset. And so that's my stand, Mr. Chair. I think we can do both in short order and then have some additional feedback down the road as well, like we do with any of the other facilities that we manage.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Another idea might be to have a phase-in of fees with discounts for the first three to six months in order to attract business. So that might just be part of a future discussion. Thank you.

CHAIRMAN CHAVEZ: Okay, so we've had discussion. It sounds like we're going to have this placed on our December 13<sup>th</sup> agenda for action, hopefully. Manager Miller, did you want to add to that?

MS. MILLER: Mr. Chair, I just wanted to get some clarification. So from the comments that I hear, one of the areas that you'd like us to look at is kind of the open riding time that's there for the public, not being at \$20 per horse. I did want to say the private riding, half day of private riding, full day, if a group wants to come in, \$50 for a group of people for the day or for half a day, was I think – we wouldn't be saying, well, you can only come in one horse at a time. That would be whoever that group is. So that would be a collection of the people who would be riding.

And that's the same intent with the private riding. Also my understanding with the livestock, the higher rates with livestock is you're going to be bringing in several cattle as well as several riders and that there'd be the opportunity for all individuals who are coming in that group to contribute towards that total cost. If those are perceived as too high, I think those are the ones we would probably look at as well as possibly the commercial events in comparison to Curry County. I think the difficult has been trying – we're kind of guessing who will utilize it and how many in a private group would be inclined to utilize it? Sure, if it's one person that might seem pricey but typically somebody doesn't bring a lot of cattle to an arena if there's only one person. They would be bringing a group of people and the thought was that cost would be spread out over that group of people.

So I guess maybe if there's any additional feedback, rather than on which prices you want us to take a look at, because I don't know that Anna is going to – based on the discussion I want to give her maybe a little more guidance on where you'd like us to look at curbing those costs in that fee schedule.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I'll just say that I think that as far as I'm concerned, personally, I'm just speaking for myself, I think the fee schedule sounds reasonable. So I don't have any specific direction about how to change it.

CHAIRMAN CHAVEZ: Commissioner Stefanics, do you have anything

that you want to add at this point?

COMMISSIONER STEFANICS: Except for the comment I made earlier about a phase-in. I do think that you want to look at, as you mentioned, Mr. Chair, the operations and maintenance and if we have either a full-time employee or a management company, we look at utilities, we look at upkeep. I recognize this is a rather special facility so I don't have any other comment except I'm not appalled by any of these figures.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics.  
Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have any other comments other than the ones that I stated earlier. Thank you.

CHAIRMAN CHAVEZ: Okay. I think that if you want more specific direction I know that a free lunch is better than something that you have to pay for but again, I think we have to be responsible to our taxpayers and I think that the cost for this facility and all of our facilities are shared by all of the taxpayers in Santa Fe County, whether they use those facilities or not. So I am in support of the fee structure that's been presented. I think it's a starting point. I don't see that it's anything unreasonable. I think that the phased-in approach would be good. I really think that this is a starting point and things can be amended and changed as the County moves forward. So again, I think this is a good starting point for us to move forward. It will get us to the opening date. It will help us address the O&M costs. The manager, the contract, that's really not a guarantee. That manager, he or she may stay around for a year or two, depending on how they feel in that position. I don't know how that's going to play out but we'll find out. So those are my, I guess, observations and my support for moving this project forward and for addressing the liabilities as far as the operations and maintenance are concerned.

So I think that concludes this item and we'll see what we do on December 13<sup>th</sup>. We'll move on not to two resolutions but I want to take a minute that we have David Coss, former Mayor in attendance. I just want to recognize you, Mayor. Thank you for being here.

## V. ACTION ITEMS

### A. Resolutions

#### 1. **Resolution No. 2016-\_\_, a Resolution Adopting a New Logo, Taglines, and Brand Statement for Santa Fe County**

KRISTINE MIHELIC (Public Information Officer): Mr. Chair, Board of County Commissioners, you have the resolution to approve the new logo. Last time I was here in front of you we did some follow-up. I sent the additional emails requested to the focus groups, both the business and the residential. We reached out to the pueblos and then I also spoke with the ACCT Chair, Jayne Levant She was here earlier, and got some feedback, and basically, as you have in your exhibits and I also have them – it's up on the screen so it should be in front of you as well.

Just the final two designs that came out of the process and the changes. So last time we took feedback from the survey and what we did was we softened the corners of the logo. We made it more flowing and then we altered the colors and provided two

different color variations for use. So we had a lot of positive feedback on it. The ACCT Chair, as I said, Jayne Levant, was in support of and felt like the changes were very appropriate and she was very appreciative that we had come this far in this process and was excited to start seeing the new logo implemented in various locations.

I'll stand for questions, if you have any.

CHAIRMAN CHAVEZ: Thank you. Questions to staff?

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I really liked the taglines on here. I still – I'm not sure if it's because I can't see the art in this as much, but I do kind of have some questions as far as the image that's here and the previous image that the County had. I don't really see the cultural and traditional and historic aspect but maybe it's because I don't have the eye for this art, exactly, but I do like the taglines but I'd like to see what my fellow Commissioners say but I expected a change in the image but I was thinking it was going to be somewhat sort of similar to the traditional image that we had.

But I'd like to hear from my fellow Commissioners as well.

CHAIRMAN CHAVEZ: Do you want to respond?

MS. MIHELIC: Sure. Commissioner Roybal, what we kind of went with and this is addressed is we went with a more modern image of the County to kind of represent the progressive government and unique destination that we've become but we really simplified the logo. The lower triangle – it represents the tri-cultural and then we blended that with the mountains. So that was where we pulled in a bit of the historic. But really it was that the current logo just didn't really – no longer conveyed the modern kind of services that we're providing at Santa Fe County and that was the goal. And that was actually a lot of the feedback that we received was that the public was really happy with the simplistic logo, something that capitalized on the beauty of Santa Fe County and then also with the new colors we received more feedback that it was a little bit more artistic in nature and more representative of Santa Fe County. It seemed more flowing is some feedback that we heard. We had lots of good descriptive words though, that we discussed.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Well, thank you, Kristine. Thank you to you and the consultants for your work. I really love it. I think that the new logo is fresh and modern and youthful and it uses very simple images but it still really managed to capture what's important about this place where we live and this place that we love. So I'm totally on board.

MS. MIHELIC: Thank you, Commissioner.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Kristine, refresh my memory, who was our consultant and how much did we pay?

MS. MIHELIC: Gumco was our consultant and I would have to check where we're at on invoicing.

COMMISSIONER ANAYA: Just a ballpark. What was the contract?

MS. MIHELIC: The logo – I'll have to get back to you, Commissioner, because I know we did the consulting implementation style guide and then the transition.

So I'll get back to you on that, Commissioner.

COMMISSIONER ANAYA: Is there someone that can answer it? Finance? Tony? Does anybody know?

CHAIRMAN CHAVEZ: Okay, while we're waiting for that information, Commissioner Anaya, did you have any other question or comment?

COMMISSIONER ANAYA: Actually I did. At the last meeting we had a discussion where we moved it to the meeting about exactly what Commissioner Roybal was talking about, linkage to our traditional communities and outreach to traditional communities. Did we do any of that?

MS. MIHELICIC: We did, Commissioner. That's when we did the additional outreach to the pueblos. We resent out an email that had an explanation of the logo to our distributions again, and then that was also when we reached out to the residents that sat on the focus groups and some of our neighborhood associations. So we did do the redistribution per your request of the logo and explanation of it, the process of it, how we started with the focus groups, with the in-depth steering committee, with the stakeholder interviews. We kind of outlined the entire process and then also went to the survey results, survey feedback and how we came up with these two. So yes, Commissioner Anaya.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I still don't like it as a logo. And since we had our last meeting I read some article about how a seal and a logo with branding should not be confused with each other. I do see our – what people are calling our old logo as something that should not be discarded. I do see that we could project a more modern image and I'm wondering if we have room to use the old logo as a seal, the new logo with the branding statement on letterhead, because that's going to be the bulk of our materials that we send out. So I'm just putting that out as an idea.

COMMISSIONER ANAYA: Mr. Chair, on this point.

CHAIRMAN CHAVEZ: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I was just having a conversation yesterday I think it was, regarding this very point is I want to know how much we spent on it and then I wanted to know if we could do a hybrid of utilization, whether it be on the lodgers tax side or the economic development side or see if there might be some beneficial use to it given some of the concerns that were raised. So I would just echo those comments. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Okay, so for my part, I see two pieces – actually three pieces. We have the logo, we have the tagline and we have a brand statement. And I see the tagline and the brand statement a little more important than the logo, because a logo, any logo, no matter what it looks like, can be interpreted in different ways. You can try to explain what you would like it to interpret, but anyone can interpret that the way they in their own mind.

So personally I would focus more on the tagline and the brand statement. And on both sides, on economic development and promotion of tourism. I think that the taglines in those cases, especially in the promotion of tourism is more important in what those taglines say, the message that they're conveying to someone who is planning a visit here. Maybe it's their first time. Maybe they've come more than once. So I see that as more

important, but what's even more important is the experience that we can provide to the first time visitor when they are here that's different and unique than anywhere else in this United States. I think that's what we have to offer more than just how does the logo look? What does it look like? What does it mean?

So I would be more interested in the tagline. Right now you're proposing To stand on higher ground, Step outside the limits. Santa Fe County, Santa Fe, New Mexico, predates our US history. I think we can highlight that as we promote our tourism. Economic development might be different and I think that's where the brand statement comes in.

So I'm in general support of the taglines, the statement. The logo, I think it's going to be hard to change from that because that's what we're so used to and change, no matter what it is we just don't like that change. It's very hard to move from where we are now to something that's different and new. I think that having a two-phased approach of having maybe the old logo being placed somewhere and having another logo might be okay but I think that could still confuse some of the public, so I think that that needs to be maybe really vetted.

But in general I'm seeing support of this. I think that it's time for the County to move in this direction. We really have not done a lot in the promotion of especially tourism, advertising. Economic development I think is a little bit different. We're getting stronger in that area. So I see this as a need for those reasons. So I hope that in the meeting in December that we can approve this in some form and move forward on this also.

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I'd also like to ask about the Clerk's seal and how that would be affected.

MS. MIHELIC: Commissioner Roybal, the current seal?

COMMISSIONER ROYBAL: The Clerk's seal.

MS. MIHELIC: The Clerk's seal?

COMMISSIONER ROYBAL: Yes.

MS. MIHELIC: This was specific to just the logos so the seal would not be affected by this or how it was utilized, nor would the Public Safety logos. This was basically in exchange for the current logo, the wagon, pottery and church.

COMMISSIONER ROYBAL: Okay. Thank you.

CHAIRMAN CHAVEZ: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Kristine, could you bring us some samples of the logo on letterhead and different uses? The proposed logo, and give us an idea if we're going to be making a decision next meeting so we could see how it interfaces with the different tools you're going to use it on, how you're going to use it on the internet, or whatever examples you might have where it would help us to evaluate it and make that decision.

CHAIRMAN CHAVEZ: So Commissioner Anaya, you had a question related to the financial impact, fiscal impact.

COMMISSIONER ANAYA: How much was it?

CHAIRMAN CHAVEZ: Do we have that?

MS. MIHELIC: We have a budget. We've budgeted \$99,000 for the process, research and implementation of it.

CHAIRMAN CHAVEZ: And this is out of economic development funds?

MR. FLORES: Mr. Chair, no. It's actually out of the County Manager's budget.

CHAIRMAN CHAVEZ: Okay. Just wanted to have that specific information in case somebody was wondering where – because we're asking how much and the next question is where's the money coming from. Okay. Thank you. So we'll move on then. We have a resolution but it sounds like we're not going to take action on this today. We need a motion to table or postpone, I think, to a date specific.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move that we postpone a resolution adopting a new logo, taglines and brand statement for Santa Fe County to our December 13<sup>th</sup> meeting.

CHAIRMAN CHAVEZ: Okay, there's a motion. Do I hear a second?

COMMISSIONER STEFANICS: Mr. Chair, I have a question for the sponsor of the motion.

CHAIRMAN CHAVEZ: Okay.

COMMISSIONER STEFANICS: Commissioner Holian, would you consider allowing the next Commission to decide?

COMMISSIONER HOLIAN: Yes. Yes, indeed.

COMMISSIONER STEFANICS: I don't know how the rest of the Commission feels about that.

CHAIRMAN CHAVEZ: I could go either way.

COMMISSIONER ANAYA: I'm fine with that.

COMMISSIONER ROYBAL: I'm fine with that also.

COMMISSIONER HOLIAN: So I'll amend my motion to postpone it until the January meeting, the first meeting in January.

COMMISSIONER STEFANICS: I'll second that.

CHAIRMAN CHAVEZ: There's a motion and a second.

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

- V. B. 2. **Resolution No. 2016-130, a Resolution to Actively Protect Public Lands in Santa Fe County that are Used by Recreationalists from Body Gripping Animal Traps** [*Exhibit 7: Letters of Support*]

CHAIRMAN CHAVEZ: Commissioner Holian is sponsoring this resolution so I'll have Commissioner Holian present that to us. I will allow public comment on this. We do have a lengthy agenda so I'm asking – first let me see a show of hands of those here this afternoon that would like to speak on this issue. Okay, if you would all come forward and fill in the first two rows so that we can move the proceedings

a little bit quicker. I'm going to ask that you keep your comments rather brief, to about two minutes. Also in the interests of time, and if could try to not repeat what the others have said so that we have new information. So Commissioner Holian, if you want to go ahead and start your presentation.

COMMISSIONER HOLIAN: Thank you, Mr. Chair, and Mr. Chair, I will tell you that I am not going to make a motion to postpone this particular resolution.

CHAIRMAN CHAVEZ: Why wouldn't you?

COMMISSIONER HOLIAN: Well, I do want to be here when it's voted on. In any event, in the past Santa Fe County has passed a resolution in support of banning the use of cruel animal traps in New Mexico. This is a horrendous way that wildlife are killed in our community. Some animals die by strangulation. Some are trapped for days to die of thirst. Some animal will chew off their legs in order to free themselves from these traps. It's barbaric and it's indiscriminant. It often kills animals that are actually not the original target of those traps.

And I just feel that it does not speak well of us as human beings that we allow this to happen in our state. Another really, really important to bring out as to why it's important to ban these traps is it's common for pet dogs to get caught. The traps are often set too close to trails in the national forests or on BLM land and dogs go running off and they manage the find the traps, get trapped and unless the owner knows how to actually disable the traps the dog can actually get stuck there. It's just a frightening thing.

We as a community really enjoy our outdoor activities and many of the people who visit here, many of the tourists who visit here love to hike. They also love to bring their dogs and in many cases, people who go out there don't know that these traps are a danger just off the side of the trails that they're hiking on. Unfortunately, in Santa Fe County – well, we can regulate the use of traps on our open space lands in Santa Fe County, but on federal lands or state lands they can only be regulated by either the federal landowning agency or New Mexico Game and Fish. We in Santa Fe County do not have the ability to regulate trapping on federal lands, or on state lands for that matter.

So what this resolution asks and I'll just read it, since it's fairly complex. It says Now, therefore be it resolved that the Board of County Commissioners of Santa Fe County pledges that its staff shall work toward prohibiting trapping on federal public lands within the county, including by engaging with the United States Forest Service and the United States Bureau of Land Management, seeking relevant information from those agencies related to trapping practices on public lands, researching applicable state and federal law, and advocating for prohibition on public lands before state and federal agencies, elected state and federal officials, and in any other venues where the citizens of Santa Fe County can be protected.

So with that, Mr. Chair, I think – I don't know how you want to do this but maybe we want to go to comments from the Commissioners first and then public comment.

CHAIRMAN CHAVEZ: We can do that. Let's take questions from the Commission and then we'll go to public comment. Commissioner Anaya, do you want to start?

COMMISSIONER ANAYA: So Commissioner Holian, you mentioned the other ordinance that the County adopted. How is this different than that other ordinance? Or not ordinance – resolution.

COMMISSIONER HOLIAN: That was a resolution. It was really just mainly stating our position that the County government is in support of banning cruel animal traps in New Mexico. It didn't ask for any action on the part of our staff in going forward and trying to figure out how we could effect a change in our county or our state.

COMMISSIONER ANAYA: And I guess that's the part I wanted to see if I could get more clarification from you or from staff. What does that mean? What does that mean as far as staff person and who and how much time and is this advocating for a position or how are we going to differentiate that or provide direction or what are we talking about when you see a staff person to research and to advocate and all those other things?

COMMISSIONER HOLIAN: Well, Mr. Chair, it isn't a specific staff person. I don't think it really says that we would hire somebody to do this, but it would be directing our staff to investigate how we might be able to accomplish this. That means talking to people in the federal agencies, in the National Forest Service, in the state agencies and so on, and then researching the laws that exist and seeing how we might actually make this happen. Maybe only in Santa Fe County but maybe we could effect it in the entire state.

COMMISSIONER ANAYA: So the intent of the resolution I don't have any problem with. What I'm trying to figure out is we're constantly putting forth resolutions that put staff in a position to basically do work, and we have traditional communities that we're working with and other things. I just want to know how the Manager or whoever would be responsible for that would deal with that and what's that going to equate to as far as who's that person or how is staff going to deal with that?

COMMISSIONER HOLIAN: Mr. Chair, well, I think it would be up to our County Manager and our Legal Department to figure out how this would actually be accomplished within the county. I'm not specifying – I don't want to micromanage this particular process.

COMMISSIONER ANAYA: Okay. Thanks, Mr. Chair.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I see this totally in line with our environmental tourism goals for Santa Fe County and I would think that having conversations with our federal partners, helping them understand how important it is for the people coming to visit Santa Fe County being able to enjoy the out of doors without danger. So thank you very much.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics. So now we'll go to the public and you can sort of release your order and kind of arrange yourselves and just prepare your thoughts and share your thoughts with us.

CHARLES FOX: Thank you, Mr. Chair, and I want to thank the Commission for addressing this issue of traps on public lands. As we have seen repeatedly, has been reported in the Santa Fe *New Mexican*, *Albuquerque Journal*, and as newspaper in Taos, traps on public lands are a danger to the public. They frequently catch and injure companion animals such as dogs, and people are often injured trying to free those dogs. They often bite hands and people even have their faces bitten by panicked dogs. The vet bills for these incidents can run into the thousands of dollars, especially

when bones and teeth are broken.

Wildlife is killed indiscriminately and cruelly in traps. More than 100 countries around the world have banned leg-hold traps. The United States has lagged in that regard. Many people live in or vacation in New Mexico specifically for the outdoor recreational opportunities and we should try to make public lands safe for everyone. Removing these hidden baited traps from public lands will help improve public safety. Outdoor recreation is critical to our economic development here in Santa Fe County. Neighboring states such as Colorado and Arizona have realized this and they have banned traps on public lands and we should do the same. Thank you.

CHAIRMAN CHAVEZ: So if each speaker would give the recorder your name before you start, that would help. Next speaker please.

DAVID COSS: My name is David Coss and I live here in Santa Fe and it's great to see all of you again. I don't do this that often anymore. I want to thank Commissioner Chavez, Commissioner Holian, Commissioner Stefanics, for their service and thank all of you for your service. I just came to support this resolution because I think it's important. I have a bachelors and a masters in wildlife science and I've always thought trapping doesn't really play a part in wildlife management. In the cases I've had a career in wildlife science and I just don't see it. I think it's cruel and I think the danger to the public in this area where so many of us are dependent on public lands for our recreation, for our lifestyle, for our – many times just for our livelihood, it's so important that we move away from this practice because – my primary reason is because I think it's cruel.

A secondary reason is trapping is really to get the pelts to sell. It's a commercial activity. I hunt and I fish. If my son-in-law was out hunting, if he gets an elk, he doesn't sell it to Smith's. He shares it with his family. If you kill a bobcat you sell that pelt. It's a commercial activity and we need to move away from that. In my opinion, one of the most important uses of public lands, and our public lands are going to be under assault. They are have been and they're going to be even worse but one of the most important uses is maintaining that part of our heritage which is healthy wildlife populations and trapping doesn't play a role in that. Trapping is cruel. In the situation like Santa Fe County trapping is dangerous for human beings and for their domesticated animals. So I thank you, Commissioner, for bringing this forward and as the Chair of the Rio Grande Chapter of the Sierra Club I'm in full support. Thank you.

CHAIRMAN CHAVEZ: Thank you, Mayor.

DENISE FORT: I'm Denise Fort, also here with the Sierra Club. I want to thank all of you and especially Commissioner Holian for bringing this forward and with respect, Commissioner Anaya, to your questions about the staff time that will be required for this, as Commissioner Holian described, this is not an area directly within the control of the County but it is within the Santa Fe National Forest which is engaged in a forest planning process now. A number of people have brought forth concerns, especially the Caja del Rio area where there are national forest lands where pets have been caught, so that's a planning process that's underway that we hoped there'd be some participation in. Similarly with respect to the Bureau of Land Management lands where there is the ability to address commercial uses of those lands.

We expect legislation to be introduced in the state legislature. I think your

resolution a few years ago indicated opposition to trapping. Who knows the fate of that legislation? Who knows whether it will be signed into law but it would be great to have a county that says, as Commissioner Stefanics said, we recognize the importance of wildlife. People travel long distances to see wild animals. I am in love, have always been in love with New Mexico in part because of the magnificent wildlife we can see.

We've had a 50 percent decline in wildlife over the last 20 years so we're going to have to, as was said, not just protect the wildlife we have but we're going to have to restore habitat and make it possible to have more wildlife within this county and I think that will be a great benefit. So I've never spoken for only 22 seconds. We will do everything we can to help County staff with this and thank the five of you. Thank you.

CHAIRMAN CHAVEZ: I want to thank you for being sensitive to our time constraints. Go ahead, ma'am.

MARTHA MARX: Mr. Chair and Commissioners, my name is Martha Marx and I am a resident of Santa Fe County. My husband and I came here as tourists from Illinois in the early 90s and quickly fell in love with Santa Fe and its county and the whole state. And I will tell you that we have hiked and camped and fished all over the state and all over this county and it is still a wonderful, spectacular place to be. One of the things that we treasure here is the sighting that we have of wildlife everywhere we go, but unfortunately we have also seen foxes caught in traps out on BLM land on the west side of Santa Fe. We have seen animals that clearly have had their paws cut off or torn off, hopping away, trying to get away, and we know friends, we have friends whose dogs have been caught in them. One couple had a dog and another had one almost caught, and they barely got it away.

We really support this resolution and we encourage you and thank you very much, Commissioner Holian, for introducing it.

COMMISSIONER ROYBAL: Thank you for your comments. Can we have our next speaker?

BARBARA MCINTIRE: Good afternoon. My name is Barbara McIntire and thank you for bringing this resolution. I'm a member of the Santa Fe meet-up hiking group and we have over 1,000 members. We hike multiple times a week. We hike with our dogs. The practice of trapping is endangering all of us and the question I'd have to ask anyone who would support continuing it is who is it benefiting? So it benefits very few. It's barbaric and cruel and we think it should stop. Thank you.

COMMISSIONER ROYBAL: Thank you.

EVELYN BEMIS: My name is Evelyn Bemis. First I have to ask everybody for a very quick round of applause for Commissioner Holian. I think this is maybe your second to last, or closing in on your very last meeting. We've been very blessed to have you as a Commissioner. I have – I'm in full support of this. I think you'll find many great people who will help the staff in any way to liaison, whether with BLM, the Game and Fish Department, or we'll be all happy volunteers how widespread we can show the leadership of Santa Fe County. And it's really true what everybody said so far. We're known internationally for the beauty of where we live and for me, that most importantly is the wildlife.

I had the misfortune once of finding a coyote underneath a neighbor's tree that had been caught in a trap for a month. The chains had broken. She had been struggling

that long, almost dead and the very end of her paw was only held by a tiny strand of tendon. And luckily, a wonderful Game and Fish officer came and darted her and took her to the wildlife center where they were able to save her life. But it's certainly a gruesome sight and what was the point? It was for somebody's fur collar. So I hope you can pass this.

And now I'm going to stand up as a Janie Chodash, if you want to restart it. She was here but had to leave to pick up her daughter. She said I am a teacher and writer in Santa Fe and I am against trapping on public lands. I hope the Commissioners will adopt a resolution to ban it. Trapping is under-regulated, outdated, and cruel and I personally know three people whose beloved pet dogs have been caught in traps. We need to help wildlife, not kill it. Thank you.

COMMISSIONER ROYBAL: Thank you. Next speaker.

ANDREA SHAFER: Hi. My name is Andrea Shafer. Exactly two years ago on this very day, November 29, 2014, my two small children, my husband and I went for a walk in national forest past Canoncito in Santa Fe County. We were exploring a beautiful cliff when the fun was interrupted by a horrible sound. It took us a moment to realize that it was our dog, Willie. He was in a very dark, cave-like area of the cliffs but we could see that each paw was caught in a trap. Screaming is the best word to describe the sound he made. Both of my children began to cry in fear. My husband and I got to work at releasing the traps. Unfamiliar with traps, in the dark, we struggled.

Willie was yanking on his paws and biting at the traps and at us. A dog that has never heard a fly broke the skin on my hands. Thankfully, my husband finally figured out the release mechanism and we grabbed the dog and we ran to the car. Because we didn't let Willie yank on his paws and he was released within ten minutes he only suffered bruised and swollen paws. Later, a game warden checked on the area and found eight more traps. He was upset by the evidence showing that the trapper hadn't checked his traps within 24 hours.

Having witnessed the pain, fear and trauma suffered by a dog held in a trap for only ten minutes I cannot imagine what a wild animal suffers over a day or more. Thank you so much.

COMMISSIONER ROYBAL: Thank you for your comments. Next speaker.

BARBARA DUNO: My name is Barbara Duno and I'm a private citizen who lives in Santa Fe County. If you didn't get it, Barbara Duno. I'm a long-time volunteer at the animal shelter, over ten years. We get lots of dogs that are tripods, or only two legs, and not all of this is caused by trapping but some of it is and it's very cruel. Mainly I'm here because I feel that this is an extremely cruel practice to let an animal suffer as she said, sometimes days and days and days, trapped in a very painful situation.

As far as the animal shelter, I'm not representing the animal shelter; I'm just a volunteer saying what I've seen there. It costs them thousands of dollars and this is all private money donated to the shelter that could go to something else such as getting a dog adopted or their behavior or whatever. But the shelter does take in any animal that is brought in and there are many stray dogs in this county who could get trapped in these horrible mechanisms. And I want to thank you very much for your positive attitude

toward this resolution. I think it's really wonderful that you brought it. I just have tears in my eyes thinking about it, but thank you very much.

COMMISSIONER ROYBAL: Thank you, Barbara.

CHAIRMAN CHAVEZ: If I could, before you start, sir. How many more people are waiting to speak? Okay. Go ahead sir.

GERARD MCGILL: Hi. My name is Gerard McGill. I'm just adding my voice in support of the resolution. If I just might just address Commissioner Anaya's fairly justified questions about practicality of the resolution. Any and every message is worth a pot of gold, I would have thought and to add to that maybe the money you spent on the new logo, some of the design could maybe incorporate Santa Fe's good will towards all the living things in the community. Yes, I think I'll leave you with that point.

ELIZABETH DESHERRY: My name is Elizabeth Desherry. Thank you very much for considering this resolution. I'm a registered nurse and I also volunteer for multiple wildlife organizations. I live in Valencia County. I've lived in this state for many, many, many years and I've seen a lot, including things in the emergency room. I use public lands. I hold a New Mexico fishing license. I'm a backcountry horseperson. My family and I frequently visit Santa Fe's beautiful county and we use their beautiful public lands. Traps are dangerous. They're dangerous to animals; they're dangerous to humans, and I think they're dangerous to our economy as well.

You've heard all the other things. You've heard about how they're barbaric. I also want to remind everyone that this is a year-round tourist Mecca for many, many people from all over the United States. We have hikers, we have anglers, we have cross-country skiers, we have photographers, we have wildlife watchers and other outdoor enthusiasts. Please vote in favor of this resolution. Thank you very much.

CHAIRMAN CHAVEZ: Thank you.

RITA GENTRY: Good afternoon. My name is Rita Gentry and I live in Santa Fe and I'm here to ask all the Commissioners to support the resolution on trapping. I hike with my dog on our public lands in northern New Mexico and Santa Fe County and I very much appreciate all that the County does to treat our pets humanely. And I think that we in the county now must begin to work together for the humane treatment of all animals, including wildlife and I believe this resolution goes in that direction. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am, and I want to thank all of you for being sensitive to our time.

LESLIE BARNARD: Good afternoon, Mr. Chair, Commissioners, my name is Leslie Barnard. I live in the same area as this young lady was referring to, Canoncito and my land backs up to national forest and I have four children who like to roam and dogs and such and I was perusing the Department of Tourism website and I noticed that one of their top two objectives is to grow visitation to New Mexico's unique natural and cultural attractions and to grow visitation to New Mexico's outdoor recreational attractions. Embedded in that, of course, is increasing visitation to our national parks, to our federal lands and so it seems to follow to me that it's only a matter of time before – if trapping is allowed to continue, it's just a matter of time before someone meets a trap. Although we'd like people to stay we don't really want to do it that way.

I want to thank you, Kathy, very much for bringing this resolution forward, and

Commissioner Anaya, I will work for free. I'm happy to help in any way I can to further this and I'm hoping that we can also bring about some sort of state legislation with regard to this. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am.

TERESA SEAMSTER: Thank you, Commissioners. My name's Teresa Seamster. I'm chair of the Northern New Mexico Group of Sierra Club. Our club puts on about 270 outings every year, which means about every day and a half there are groups of people going out and basically utilizing the public lands that are under discussion today. I think the concern of our members in the northern part of the state is first of all, we have a lot of public land. Second of all, the situation with trapping is that it is one of the very few things that has to do with wildlife that is completely unregulated. If you're a hunter you have to verify a target before you shoot. If you are a hunter, you have to pack out all the meat and either utilize it or donate it. If you're a trapper, you can set out 40 or 50 traps in a day. You have to go back and check them but there's no one checking on you to see that you do that.

A lot of the stories that we've heard come from this kind of unregulated activity where you have a lot of traps and people not able to get back out and check them and see if they have caught anything or not, whether it's a legal catch or illegal catch. And here are a couple of facts that I think Commissioner Holian is very aware of and is trying to get out into the public consciousness. About a third of what winds up in these traps is an illegal catch. There have been a couple of studies where people have checked to see what's in the back of people's pickups during some checkpoints and you'll have two legal animals, say like a raccoon and a coyote that are caught in a trap, and then they'll find either a bird, a raptor, a squirrel, a chicken, a duck. These are all illegal catches. You're not allowed to trap these animals. You're also not allowed to trap juvenile animals, like juvenile bobcats and juvenile cougars.

So a lot of what winds up is illegal. The practice needs to be carefully looked at. It needs to be carefully regulated, and just another fact, financially, this is a complete loss from the standpoint of the state and the counties. A trapper pays \$8 and for that there is no bag limit. He can take as much as he wants. So I think this is a very important resolution and our members strongly support it and we hope the Commission will. Thank you very much.

CHAIRMAN CHAVEZ: Thank you, ma'am. Let's see if we can move this forward. How many speakers left? We're down to two. Going once or twice – do I see three?

TOM GORMAN: Mr. Chair, members of the Commission, my name is Tom Gorman. I am also a volunteer with the Sierra Club and I fully support this resolution and thank you, Kathy, for bringing this to our attention. I'd also like to just spend a couple minutes in recognizing Liz Stefanics as a great Commissioner and now moving on to the state senate so I would like to ask for a round of applause for her.

Since my friend Teresa used more than two minutes I will use less than two minutes but I am fully in support of this resolution and I've personally heard the stories of people whose pets have been caught in these traps. So I think it's time for the County to move forward and pass this resolution and do everything they can to get rid of this terrible practice. Thank you very much.

CHAIRMAN CHAVEZ: Thank you, sir. Okay, so if the remaining speakers could come closer I'd appreciate that. Go ahead sir. I think we have two other speakers left.

BOB MCPHERSON: Good afternoon. My name is Bob McPherson. I'm a retired scientist. I've lived in the county for three years and I'm in strong support of this resolution and in my background when I was a kid I ran a trap line. I caught a lot of animals. I witnessed the cruelty personally. I no longer trap. I'm very much against trapping. I think it is unethical and immoral. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir.

LEE HUDESEC: Hi. My name is Lee Hudesec. Good afternoon, Commissioners. I live in Tesuque. I've been here eight years. I came from Ohio. I love this place. I can imagine living here the rest of my life and it is very sad that this practice is going on. It's archaic and cruel and indiscriminant. Children, pets, tourists, myself, my dogs are all at risk. I know people who are called mountain goats that just – they don't even take trails. Their idea of a hike is just to blaze a trail. And we all have a fear. There's a fear there that we'll run into a trap like that or someone we love will or our pets. And it's just not necessary. It's the 21<sup>st</sup> century and I think it would be nice if we could move forward with compassion and consciousness. Thank you. I support the resolution.

CHAIRMAN CHAVEZ: Thank you, ma'am.

SANDRA JACKSON: Good afternoon. My name is Sandra Jackson. I live in the Eldorado area, south of Santa Fe and I do a lot of hiking with my dogs. I'm here today in support of the Commission's adoption of the County's resolution to eliminate body-gripping animal traps on public lands used for recreation in Santa Fe County. I can echo everything everybody else has said but something that people haven't brought up is the fact that there are search and rescue dogs and teams out there looking for people who are lost and those dogs are ranging back and forth and they will get caught in traps as well. The traps are inhumane, they're barbaric, they're cruel, and I urge you to pass this resolution. Thank you.

CHAIRMAN CHAVEZ: Thank you, ma'am.

ANNA HANSEN: Mr. Chair, Commissioners, my name is Anna Hansen, Santa Fe County Commissioner-elect, District 2. Thank you, Kathy Holian, Commissioner, for presenting this resolution. It's a great benefit to the county. It is something we should all support. I am completely opposed to any kind of trapping and as a new Commissioner I will work to move this resolution forward. Thank you.

CHAIRMAN CHAVEZ: Okay. How many more speakers? Give me a show of hands.

L.C. SHANK: Just one. I was waiting to see if the issue would be covered. I'm L. C. Shank. I'm a sculptor but I have a degree in zoology. I think we should address the issue of the balance of nature. Traps being unregulated and indiscriminant are a risk in that respect. I was talking to a rancher in the White Mountains in Arizona about this issue. I said, so if you trapped all of the bobcats and the coyotes what would be their prey which then would flourish and become a problem and he thought for a minute and he said, well, the banner tail rat. And the banner tail rat is a problem for them. They dig a hole that breaks horses' ankles and they eat plants from underneath as far as he was

concerned because the grasses do not regenerate.

Now, here, we might not have to worry about that quite so much as we do the nuisance of rodents or the spread of disease but it's a concern that we also should address when it comes to this issue of trapping and that is the biodiversity, the natural ecosystem and the balance of nature that's violated by the use of traps. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Mr. Chair, first of all I want to thank you for all your comments. They really, I think, express very well and very completely what are the problems that we have with these cruel animal traps and so with that I would like to move for approval of the resolution.

COMMISSIONER STEFANICS: Second.

CHAIRMAN CHAVEZ: We have a motion and a second. Any further discussion?

COMMISSIONER ANAYA: Yes, Mr. Chair, I have a question of Commissioner Holian.

CHAIRMAN CHAVEZ: Yes. Go ahead.

COMMISSIONER ANAYA: Commissioner Holian, we got a lot of feedback. I appreciate the feedback that we did receive, but the resolution before us speaks to invasive trapping mechanisms. Correct? Or is your intent to ban any and all trapping?

COMMISSIONER HOLIAN: If you read the resolution it says body-gripping animal traps.

COMMISSIONER ANAYA: So the intent of the resolution isn't to eradicate all trapping but to eradicate those mechanisms that are cruel and invasive, correct? And the reason I'm asking this question is because in the prior resolution I did not support the prior resolution. There was a lot of discussion. I've had a lot of discussion with people since then relative to the invasive trapping mechanisms. But I just want to get clarify because we heard a range of comments of everything from the mechanism to trapping completely eradicated so I just want to clarify that your intent deals with the invasive mechanisms used in trapping.

COMMISSIONER HOLIAN: That's correct. But I can actually elaborate on that a little because it states in our resolution that the resolution that we passed in 2011 was a resolution to support banning inhumane animal trapping on New Mexico public lands through the use of strangulation snares, steel-jawed traps and other body-gripping animal traps. So in fact it did deal with those kind of traps.

COMMISSIONER ANAYA: No, I know it did and I voted against it last time and I'm going to vote for it this time if we're dealing with the body-gripping invasive traps but not stating the resolution eradicates all trapping. That's why I asked the question and if I'm not clear on the question please clarify it for me because I am opposed to the invasive traps but I'm not opposed to just today saying we're going to eradicate all trapping of any kind anywhere. And that's why I asked the question.

COMMISSIONER HOLIAN: Commissioner, yes. That is true that this has to do with body-gripping animal traps but I did want to clarify that the resolution in 2011 also did.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Okay, so we have a motion and a second.

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

V. C. Miscellaneous

1. **Request Approval of Amendment No. 1 to Agreement No. 2016-0104-PW/BT Between Santa Fe County and Spears/Horn Architects in the Amount of \$420,134.23, Exclusive of NMGRT, for Additional Design Services for the New County Administration Building and Restoration/ Renovation of the Old Administration Building and Authorizing the County Manager to Sign the Purchase Order**

MR. TAYLOR: Thank you Mr. Chair, Commissioners. We're here before the Board to ask approval of amendment 1 to the agreement which increases the fee amount to Spears/Horn Architects for an additional \$420134.23. This is a result of an increase to the maximum allowable construction costs. With that I'll stand for questions.

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval.

CHAIRMAN CHAVEZ: I'll second that motion and Mr. Taylor, approval of this will allow the County to renovate the building that we're in currently?

MR. TAYLOR: Mr. Chair, that's correct. It includes the new administration building and renovation of the current County Administration Building.

CHAIRMAN CHAVEZ: And it will take this building, the restoration of this administration building, will go back to its free 1976 footprint.

MR. TAYLOR: Mr. Chair, that's correct.

CHAIRMAN CHAVEZ: It's a highlight again the County is moving forward with their facilities plan. Once these two projects are done the County is going to be in a really good position as far as downtown facilities, so I think it's a good place to be for the County. So we have a motion and a second.

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

- V. C. 2. **Approval of Agreement No. 2016-0104-A-PW/BT Between Santa Fe County and the New Mexico Department of Cultural Affairs Office of Archaeological Studies to Provide an Archaeological Survey, Testing, and Monitoring at the Site for the New County Administration Complex in the Amount of \$640,594.29, Exclusive of NMGRT, and Authorizing the County Manager to Sign the Purchase Order**

MR. TAYLOR: Thank you, Mr. Chair. We're before the Board for approval of an agreement. This is a government to government agreement with the New Mexico Department of Cultural Affairs, Office of Archaeological Studies to provide the necessary surveys and testing and monitoring of the site of the new construction. This

will be pre- and during the construction of the new administration facility. The amount of the contract of course requires Board of County Commissioner approval. With that I'll stand for questions.

CHAIRMAN CHAVEZ: Questions of staff? Mr. Taylor, I know at some point the intergovernmental component will also include the pueblo input. Is this part of this?

MR. TAYLOR: Not that I'm aware of, Mr. Chair. There may be, if artifacts are located of course, and maybe Mr. Hogan or someone can speak to that, but as far as I –

CHAIRMAN CHAVEZ: Because I know we have intentions of doing some consulting with the pueblos as well during the construction phase of the new administration building.

MR. TAYLOR: That's more project-specific. I would defer to Mr. Hogan.

MARK HOGAN (Public Works): Mr. Chair, Commissioners, today we have our archaeological expert with us so I'm going to have him field that question.

CHAIRMAN CHAVEZ: Okay. Good.

ERIC BLINMAN: The tribal input on archaeological projects and construction projects like this are built into our permit application process, and so all of that has been dealt with substantively and all of the communications are set up for continuous communication with the Pueblo of Tesuque during our archeological work. In this particular case we have a very different set of archaeological remains expected than we're expected right across the street, you'll be happy to know, and so most of the archaeology we'll be dealing with will be Spanish Colonial and more recent.

CHAIRMAN CHAVEZ: Good. Okay, thank you. Do we have a motion on this?

COMMISSIONER STEFANICS: I'll move for approval.

CHAIRMAN CHAVEZ: Okay, we have a motion. Do I hear a second?

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's a motion and a second.

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

- V. C. 3. **Request Authorization to Publish Title and General Summary of an Ordinance Amending Ordinance No. 1991-6, the Santa Fe Animal Control Ordinance, to Increase Fees; Prohibit Fixed Point Tethering; Conform Rabies Vaccination Requirements to State Law and Regulations; Set Forth a Process for Revocation of Permits Issued; Incorporate the Dangerous Dog Act, NMSA 1978, §§77-1A-1 to -6; and Establish Penalty Provisions that Comport with State Law**

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Yes.

COMMISSIONER STEFANICS: I would move the authorization to

publish title and general summary.

CHAIRMAN CHAVEZ: Okay.

COMMISSIONER ANAYA: Mr. Chair, I'd second and I have a comment under discussion.

CHAIRMAN CHAVEZ: We have a motion and a second. Discussion. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, this resolution conforms with the recommendations we had at the last meeting to use the existing ordinance and make modifications necessary to get into compliance with state law as well as the other items relative to tethering that we talked about. Is that correct, Mr. Shaffer?

MR. SHAFFER: Mr. Chair, Commissioner Anaya, yes, that is my understanding as to the product that staff produced in light of that direction.

COMMISSIONER ANAYA: Thank you. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: So we have a motion and a second with some discussion.

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

## VI. MATTERS FROM THE COUNTY ATTORNEY

### A. Executive Session

#### 1. **Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:**

- a. *The Board of County Commissioners of the County of Rio Arriba, et al., v. the Board of County Commissioners of the County of Santa Fe, State of New Mexico, County of Santa Fe, First Judicial District, Cause No. NO. D-101-CV-2016-02243*
- b. **Rights-of-Way for County Roads**
- c. **Water Rights Adjudications**
- d. **Arbitration involving Santa Fe County Firefighters Association**
- e. *David Trujillo and Ted L. Peperas v. Board of County Commissioners for the County of Santa Fe, No. D 101-CV-2014-01054*

MR. SHAFFER: Mr. Chair, the items that are proposed to be discussed in executive session and the statutory basis for it is as follows: threatened or pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1(H)(7) NMSA 1978, and discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1(H)(8) NMSA

1978, including the following specific items of business: *The Board of County Commissioners of the County of Rio Arriba v. the Board of County Commissioners of the County of Santa Fe*, State of New Mexico, rights-of-way for County roads, water rights adjudications, arbitration involving Santa Fe County Firefighters Association and the matter of *Trujillo and Peperas v. Board of County Commissioners for the County of Santa Fe*.

I'd just request that the motion to go into executive session incorporate those items and the statutory basis by reference.

CHAIRMAN CHAVEZ: So I'll call for a motion to go into executive session.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we go into executive session as allows by Section 10-15-1(H)(7) NMSA 1978 and 10-15-1(H)(8) NMSA 1978 for the matters referenced by the County Attorney.

COMMISSIONER ROYBAL: I second.

CHAIRMAN CHAVEZ: Roll call please.

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2, 8 and 5) to discuss the matters delineated above passed by unanimous roll call vote as follows:**

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Not Present
Commissioner Roybal	Aye
Commissioner Stefanics	Aye

[The Commission met in closed session from 3:55 to 6:25.]

COMMISSIONER ROYBAL: We're going to come out of executive session so I'll entertain a motion to come out of executive session.

COMMISSIONER STEFANICS: Mr. Chair, I move we come out of executive session having only discussed threatened or pending litigation and purchase, acquisition or disposal of real property or water rights according to Section 10-15-1 (H)(7) NMSA 1978 and Section 10-15-1 (H)(8) NMSA 1978 for the purposes noted on the agenda and present were the five County Commissioners, the County Manager, the County Attorney, the Deputy County Attorney and legal counsel for one of the law suits.

COMMISSIONER HOLIAN: Second.

CHAIRMAN CHAVEZ: Okay, we have a motion. We have a second. Any further discussion? Hearing none.

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

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would request that Matters from the County Manager be left to the end of the meeting.

CHAIRMAN CHAVEZ: And that is the miscellaneous updates on the 2017 legislative session?

COMMISSIONER STEFANICS: Right. And Mr. Chair, right now I will apologize for leaving at 8:00 pm and I will try to get on the phone after that time.

COMMISSIONER HOLIAN: Mr. Chair, I just want to let the Commission know that I have to leave at 9:30 pm.

CHAIRMAN CHAVEZ: Okay.

## VIII. PUBLIC HEARINGS

### C. Ordinances

#### 1. **Ordinance 2016-\_\_\_, an Ordinance Amending and Restating in its Entirety Exhibit A to the Fee Ordinance of Santa Fe County, Ordinance 2015-10 (First Public Hearing)**

CHAIRMAN CHAVEZ: Ms. Ellis-Green.

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair. On October 25<sup>th</sup> the Board gave approval to publish title and general summary of this ordinance. The new Exhibit A of the fee ordinance is in your packet and it includes lower fees for residential remodels with a valuation of up to \$25,000, and for non-residential remodels with a valuation of up to \$50,000. It also includes addition of a new line item for minor amendments through a conceptual site development plan and clarification that the variance fee is per variance and the fee for a third party review is again, per review.

The ordinance and the exhibit are in your packet and I would stand for questions. I would say this is only the first public hearing so no action is required. The second public hearing is scheduled for December 13<sup>th</sup>.

CHAIRMAN CHAVEZ: Thank you, Penny. Questions to staff?

MS. ELLIS-GREEN: Mr. Chair, this is a public hearing.

CHAIRMAN CHAVEZ: Oh, it's the first public hearing. I apologize. So we have no questions to staff? Then we'll go ahead and go into the public hearing portion. Can I ask for a show of hands of those here this evening that want to speak to this issue? Going once, going twice. This is an ordinance amending and restating in its entirety Exhibit A to the Fee Ordinance of Santa Fe County, Ordinance 2015-10. Okay, I'm going to go ahead and close the public hearing portion. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, the lack of comments is not without public interaction and discussion that we've had on this item over several years and recently several months to make the fee ordinance as fair and palatable as possible. So I just wanted to say that on the record. We did receive a lot of feedback and this Commission made some additional adjustments in recent months to reduce the fees that Ms. Ellis-Green just stated. Are we going to do another public hearing on this, Mr. Chair,

or is this the only one?

CHAIRMAN CHAVEZ: The agenda indicates that this is the first public hearing; that would lead you to believe that there's a second public hearing and usually that has been a standard in most cases.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, the second public hearing has been noticed for December 13<sup>th</sup>.

COMMISSIONER ANAYA: Excellent. So people still have an opportunity to review the fee ordinance, to get copies of it. They can get it on our portal online.

MS. ELLIS-GREEN: It is on the webpage.

COMMISSIONER ANAYA: On our webpage. So anybody interested in providing feedback, you don't have to come to the meeting to provide that feedback. You could provide it in writing to us. Correct, Ms. Ellis-Green?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, that is correct.

COMMISSIONER ANAYA: Excellent. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Anaya.

**VIII. A. 2. Ordinance 2016-\_\_\_, an Ordinance Amending and Restating in its Entirety the Santa Fe County Sustainable Land Development Code (SLDC), Ordinance 2015-11 (First Public Hearing) [Exhibit 8: Staff Memo; Exhibit 8: Herdman Revisions]**

MS. ELLIS-GREEN: Thank you, Mr. Chair, Commissioners. Again, on October 25<sup>th</sup> the Board gave approval to publish title and general summary of this ordinance. This is the first public hearing of this ordinance. As part of the review process for the six-month changes staff held four area meetings for feedback from the community, and we also had a public hearing on October 20<sup>th</sup> to the Planning Commission. They reviewed the amendments and made a recommendation to approve the amendments.

If I could enter my entire member into the record but I would like to point out is at the last meeting I did present four additional changes that you hadn't heard before that had been approved by the Planning Commission related to the effective date of the ordinance and connection to community water and community sewer systems for certain zoning districts including the PD zoning district, and an amendment to definition of public or publicly regulated water and wastewater systems.

In addition, in the last few weeks we have looked again at the setback changes of Chapter 9. We found a couple more sections in San Marcos and Galisteo that had fairly excessive setback requirements and our concern was the same that we had explained in the areas like La Cienega that had large setbacks and yet narrow lots were allowed, and that could have prohibited development so again, we're doing what we did before by referencing back to Chapter 7 for the lesser setbacks.

We also refined some of the TDR language just as we're in the process of setting up the TDR bank. We wanted to make sure we had that language correct. Again, if I could enter the memo into the record, and this is the first public hearing and the second public hearing is scheduled for December 13<sup>th</sup>. And I stand for questions.

CHAIRMAN CHAVEZ: Questions for staff? Okay, we'll go to the public hearing. Is there anyone here this evening that would like to speak to this ordinance? This is the SLDC, the County Sustainable Land Development Code. Okay, please come forward anyone that would want to speak. And we're going to put a time limit because we do still have a lengthy agenda and we're getting behind. Do they need to be sworn in, Madam Clerk?

[Those wishing to speak were placed under oath.]

CHAIRMAN CHAVEZ: Okay, so in the interests of time I'm going to ask again that we set some ground rules and if you could collect your thoughts and present your statements in two to three minutes, that would be very helpful. So first speaker, please approach.

[Duly sworn, Steve Shepherd testified as follows:]

STEVE SHEPHERD: Good evening, Chairman, County Commissioners. My name is Steve Shepherd. I live at 2770 State Highway 14 North in Madrid. I am a Madrid landowner and a volunteer firefighter since 1999. I strongly support the following changes to the sand and gravel extraction sections of the SLDC as defined by the Turquoise Trail Alliance. Number one, that the mining setbacks of only 200 feet from property lines, public road rights-of-way, public recreation easements, and environmentally sensitive lands with no reference to rural residential areas are not adequate for the protection of rural residents' health, safety and welfare. There are technical evidence and precedent for a minimum of 1,000 feet.

Two, that a two-year duration is necessary out of consideration for rural residents who value the quiet life our very unique county affords.

Three, that that clearly marked mine zone of the affected area must be confined to under five acres. Under five acres is a better fit and more compatible with the specified limits of tonnage; environmental and reclamation concerns could be better focused and managed. Designing and operation will consequently be more practical for the mining companies to envision and follow and for the County to enforce.

Four, that DCI mines must also have a greater buffer of at least 1,000 feet from all public road rights-of-way, public recreation easements and environmentally sensitive lands, and one half mile setbacks from parks.

While all of these are positive steps in the right direction there is a bigger issue at stake that would require both state and County action to resolve. Highway 14, the Turquoise Trail scenic byway has become a major truck route for those wishing to bypass the scrutiny of commercial vehicle inspections on the interstate. We typically see eight to ten fully loaded tandem trailers a day traveling through Madrid. The stink of overheated truck brakes is a common occurrence.

We recently had an overloaded tandem trailer lose its brakes and enter Madrid at a high rate of speed. The truck was unable to navigate the first turn into Madrid and crashed into the arroyo, killing the truck driver. We were lucky that this was a single fatality. If the driver had made the turn he would have careened uncontrolled through Madrid and it would have become a horrible mass casualty incident. Why this has not happened more often is pure luck.

I've been working with the New Mexico State Police Commercial Vehicle Enforcement Bureau to set up a temporary inspection station on Highway 14 to

discourage commercial operators. I will continue to pursue this course of action.

The Santa Fe County Sustainable Land Development Code doesn't address the pre-existing sand and gravel operations that put overloaded tandem trailers on our scenic byway, but it can reduce the future growth of these trucks, specifically, the SLDC sections 10 and 11 should be modified to exclude any new permits for sand and gravel extraction that will require the use of Turquoise Trail Scenic Byway. I respectfully request that you give this matter serious consideration. Preserving the beauty of the Turquoise Trail Scenic Byway is something that we can hand down to our children. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir. Next speaker please, and again, I want to ask you to, if you can, keep your comments to about three minutes. We have a lot of people behind you and we have some other items that we have to get to before too long. So next speaker please.

[Duly sworn, Paul Grand testified as follows:]

PAUL GRAND: My name is Paul Grand. I live at 629 Calle de Valdez here in Santa Fe and I acknowledge that I am under oath. I want to address a section of the ordinance. It's Section 7.17.11. It's only a single sentence that I'd like to address. It talks about development above 7,800 feet in elevation. I own a piece of property in the county that I've owned for more than 40 years. I've now come to the point where I'd like to build a home on that land. The entirety of the property sits at above 7,800 feet in elevation.

The ordinance as it reads states that proposed development in this area shall not be visible from a major arterial road. I'm asking that that sentence be deleted from the ordinance. The reasons are as follows: The purposes of this ordinance are, among other things, to protect the natural character of the land, to protect the terrain, to minimize soil and slope instability – all of the purposes of the act, they apply just as well to developments below 7,800 feet.

I can build a home above 7,800 feet that might be visible for one second from one portion of the road, and you can barely see it and it fits in perfectly with the environment and it's beautiful. I can build a home below 7,800 feet that can be entirely offensive to all of the purposes of this statute, yet for the latter, visibility isn't a factor, and for the former, there's an absolute prohibition against visibility.

There's no basis upon which to make this distinction. You have to look at every situation individually. In some cases, there might be development below 7,800 feet that's very offensive, and others above 7,800 feet that are barely visible, maybe just a little bit, and fit in beautifully with the natural character of the land.

So, number one, there's no basis to have two standards and impose a stricter prohibition upon properties above 7,800 feet. Nothing happens – there's nothing natural about that elevation. It's not like the trees stop growing there or something happens where there's a reason for 7,800 feet, and that dovetails with the second argument. So the first one is there's no reason to have two different standards, a tougher standard for those properties. The second reason is that number is entirely arbitrary. Why not 7,267 in elevation? Why not 7,949 in elevation? It's entirely arbitrary.

The third thing is that the way it's written it gives no discretion to the planning people. This whole ordinance is filled with discretion. It's throughout the ordinance. Yet

in this specific thing it's one area where they're not even – they don't appear to give any discretion to the planning people. If this is deleted from the ordinance, visibility is throughout this whole ordinance. It will still be a factor to be considered. The planning people are going to look at it and say, well, this is way to visible or this is not visible enough, it fits in or it doesn't. All I'm saying is give them the discretion. They will consider visibility as part of their analysis. I'm just saying give them the discretion.

And the last think I'd like to say is I think because it's arbitrary in terms of the elevation they've chosen and because they're making a stricter standard where lower elevations can be more offensive, I think it may not pass legal muster also. I'd ask you to seriously consider suggesting this be deleted. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir, and what I'm going to do, while the next speaker is coming up. Your comments are well taken. They're on the record. I want to get the next speaker up, but I'm going to have staff respond to comments or suggestions that are made during the public hearing portion. Go ahead, sir.

[Duly sworn, Oscar Hubert testified as follows:]

OSCAR HUBERT: My name is Oscar Hubert. I live at 508 Paseo del Bosque in Albuquerque. I just wanted to voice my feelings on your setbacks on the sand and gravel operations. I think they're fine where you have them, even though I think they're a little stringent. They could be relaxed a little bit. Other than that I wanted to oppose any setbacks on your diligent dot on commercialized business with your areas that you're talking about. So thank you.

CHAIRMAN CHAVEZ: Thank you, sir.

[Duly sworn, Frank Herdman testified as follows:]

FRANK HERDMAN: Mr. Chair, members of the Commission, I have a handout if I may approach. Mr. Chair, members of the Commission, I represent various property owners that own lots that are above 7,400 feet in elevation. The Sustainable Land Development Code has terrain management regulations that are unique to that elevation and higher, and on behalf of the owners I represent I'm asking for a minor but important amendment to the regulations. For the record, my name is Frank Herdman. My address is 123 East Marcy Street in Santa Fe.

For development above 7,400 feet the code has various requirements for restrictions that are intended to limit the visibility of new constructed homes. One of the prior speakers spoke to some of those restrictions. For example, any new construction above 7,400 feet requires a visibility analysis to determine the extent to which the proposed home would be seen from the nearest arterial road. There are also setback and screening requirements that apply to new construction above 7,400 feet. The terrain management regulations for lots above that elevation also restrict and prohibit development on steeper slopes.

So in order to comply with those restrictions, the owner of a lot that wants to build a new home above 7,400 feet is required to identify a suitable building area on the lot that limits the visibility and avoids steep slopes. And that will obviously vary from lot to lot but the restrictions require a fair amount of flexibility in finding a suitable location in order to meet the goals of the regulations. The regulations also include a restriction on the amount of disturbed area that can be created on any lot, and Section 7.17.10. 2, a copy of which I've provided to you, has a restriction stating that the disturbed area on any lot

cannot exceed 1,200 square feet. The disturbed area when building a new home would include the area that's devoted to driveways and vehicular turnaround areas that the Fire Marshal requires. The flaw in the restriction on the amount of disturbed area is that it inhibits the flexibility in placing the home in the most desirable location on the lot because you need to avoid – you want to put the home in an area where you're limiting the visibility.

For example, I have a client who owns a lot in the Los Cerros Subdivision and his lot, in order to limit the visibility it requires a driveway that will consume almost all of the 1,200 square feet of disturbed area. So as is often the case with these higher elevations, the driveways are not straight, they're circuitous, in order to avoid the steep slopes.

So what we're proposing is an amendment that would omit the driveway and turnaround areas from the definition of a disturbed area, so that you could have the greater flexibility and staff would have the discretion in appropriately determining where the home should go to limit visibility and limit development on steep slopes, but at the same time we're proposing a revision in the handout that I've shown you. The proposed revisions are in red. We would simultaneously propose that you limit the width of the driveway to the greater of 14 feet or the width required by the Fire Marshal, and also limit the area of turnaround areas to what is required by the Fire Marshal. This overall would provide the flexibility to site the home in the appropriate location without consuming the 1,200 square feet through the driveway and turnaround areas. That would better allow staff, as well as the property owner, to meet the goals of those terrain management regulations.

So we respectfully ask that you adopt these particular amendments shown in red to the two sections that are in the handout. I stand for any questions. Thank you.

CHAIRMAN CHAVEZ: Thank you, Mr. Herdman. Next speaker please. And if I could ask, how many speakers are left on this issue. Okay. Go ahead, ma'am.

[Duly sworn, Martha Trujillo testified as follows:]

MARTHA TRUJILLO: Good evening. My name is Martha Trujillo. I live on 39 El Callejoncito Road and I am under oath. I just wanted to let you all know that I did work on the SLDC plan in our community for Pojoaque and we were very deliberate in wanting to make sure that there was a way that the young person, businessman, could develop their private land so that they could have a business for their future, so that our community could have businesses on the traveled corridors.

However, now, I just wanted to point out that now we are looking at water restrictions and the fact that we cannot have another permit issued to us to drill a well without having a water right, that's a huge restriction and I think a discouragement to our community. And I also feel that it's very unfair. I know that there's an alternative to potentially tap into a potential regional water system but at this point I think that there's been a section of our community that has been put aside and their future dreams are now not possible. And I just wanted to bring that up to the Commission, Mr. Chair, and now that we're talking about the SLDC to be able to – we will have to go in and review this and see what it is that we can do now for the Pojoaque area. Thank you.

CHAIRMAN CHAVEZ: Thank you. So again, this is the first public hearing. No action required at this time. We're hoping that the second public hearing on

this item will be scheduled for December 13<sup>th</sup> as well, but I want to give staff a few minutes now to respond to the amendments that you're suggesting and then we have additional amendments that the public has brought forward during their presentation. So I want you to summarize both of those, your amendments and the amendments that were brought forward by the public.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, in relation to the public comments, the Chapter 10, I believe 10.19 is regarding the small-scale sand and gravel. We are proposing the 1,000-foot setback to an existing residence, and the two year duration. The speaker did talk about supporting the mine zone being five acres. We did not get direction from the Board to change it from ten acres to five and at the moment we have not proposed changes to the DCI section. He had requested a 1,000-foot buffer to the roads. At the moment it's 500 foot, and it's a half-mile setback to existing residences, but not parks. At the moment we haven't looked at making changes to the DCI section.

When we started this process we talked about the changes to the DCI section coming next year as we work on the hard rock mining. So we really didn't look at changes for that.

The second speaker talked about the 7,800 foot regulation and I will work with staff to review whether or not discretion can be given if it's a better buildable site. Anything above 7,400 foot still has some architectural standards and some screening standards, so they would still apply above 7,800 foot, so we will look at that.

The disturbed area, I would be concerned about the language as presented by Mr. Herdman because I think what we would want to look at is the possibility of if the 12,000 square foot disturbed area is mostly used up by the driveway then there can be discretion at that point rather than allowing us not to include the driveway at all, and then possibly having a 12,000 square foot house. The intent of building in that elevation is to minimize the disturbed areas in those higher elevations with a lot of slope.

And as far as the Pojoaque issue, we're not actually proposing changes. We are proposing a change to the water restriction which related to new homes of a quarter acre-foot. We did work extensively with the Legal Department to look at that. Non-residential development does their own water budget and if they're under a quarter acre-foot doesn't have to do any more proof of available water. If you're over a quarter acre-foot of water is when you start doing a hydro or using a community water system and proving that you have that water availability. So I don't think there's a real change in that. I think what I understood is that they wanted to look at how the whole possible community water system relates to what they've got in their overlay. And I'd stand for questions.

CHAIRMAN CHAVEZ: Questions to staff? Okay, thank you, Penny. So again, the final action on this will be taken on December 13<sup>th</sup>. And so we're moving on now to the final ordinance in this section.

**VIII. A. 3. Ordinance No. 2016-\_\_\_, an Ordinance Establishing Santa Fe County Utility Water Service Rates and Charges and Repealing All Prior Water Service Rates and Charges (First and Only Public Hearing)**

CHAIRMAN CHAVEZ: Claudia.

CLAUDIA BORCHERT (Utilities Director): Good evening. Hello. So in your packet you have a memo that describes how the ordinance has changed since we came before you last. That is essentially in two ways. We included a low income exemption section, which allows a residential use who brings in their tax return and qualifies as being 120 percent above federal poverty level to have their monthly service fee waived, and they need to do that annually to keep that up.

The other amendment that we've made is really one for an increased understanding and that is on page 11 of the ordinance, and it's regarding the agreement surcharge. And so the language there now reads the CWU, the County Water Utility, may add a surcharge to the bills of the customer within a clearly identified area if the County agrees to assume significant additional cost related exclusively to that customer area pursuant to a written agreement between the County and the customer's water provider or homeowners association. The utility may also impose a surcharge if the County assumes the significant additional cost pursuant to a court judgment. So we feel like that's a little clearer on what was intended there.

So I want to also just highlight for a moment some of the outreach we've done since we came before you on the 8<sup>th</sup>. We have met one on one with the Santa Fe Community College, with the Agua Fria Mutual Domestic, with the Club at Las Campanas, with the Las Campanas Co-op. We've also offered to meet with all our other large customers and have not gotten responses from them about meeting. We also had a public meeting which about 40 people attended. The memo says 25 but I failed to count couples as two. And we've also – I've gotten about ten emails that I've responded to and our customer service staff have also spoken with a lot of our walk-in and phone call customers as they're calling for other kinds of customer service requests.

And in your packet, in the memo, it identifies what some of the comments were that we got from customers. I feel like especially when we had the opportunity to have a one on one dialogue with customers, on page 3 of your memo it says – there's the kinds of comments that we got: The rate doesn't look too bad. The rate increase sounds reasonable. I like the lower boundary of tier one at 4,000 gallons to incentivize conservation. I think development should pay for itself. I would like to see more cooperation between the City and the County, maybe a regionalized water system.

There were some comment cards that were also collected as part of our public meeting: Clear explanation. Brief and to the point. Makes sense. Thank you for your time, expertise and consideration for the residents. Wasn't as painful as we thought it would be. Great info, and then the last comment, water rate increases should be based strictly on usage used by high end users who don't bother saving water. The monthly service charge should not be raised on the backs of poor people and those with fixed income. The one to 5,000-gallon group should be almost free to encourage savings.

I also want to note that we also brought this rate ordinance to the Water Policy Advisory Committee and again, on page of the memo, the Water Policy Advisory Committee approved two motions and I'll read those also to you.

The Water Policy – the WPAC endorses the concept of an adequately funded water utility. Recommends that the rates in the future recover full costs of the water service, and the proposed process and the resulting rates are an important step in that direction. The second motion: The Water Policy Advisory Committee recommends eliminating Section 14 of the ordinance regarding the index provision because the use of an index is premature and does not adequately capture the needs to be addressed in a future cost of service study.

I just wanted to let you know that those are the recommendations from the Water Policy Advisory Committee. And also just want to briefly address that some of the comments that we heard during our listening sessions – going back to – would you like me to review how, what the cost increases are that are resulting of our ask of the water rate increase?

CHAIRMAN CHAVEZ: I would, because you have a lot of information in the packet. You have questions from the public about whether this is justified or whether this is really needed or not. I think the information in the packet regarding the fact that the utility is upside down and that there is a big deficit. I don't think we can ignore that. So I would like you to highlight some of those critical areas where we have a gap in funding and ultimately will result in a gap in services, I believe, if we don't address this now.

MS. BORCHERT: That's right. So right now, our revenues are around \$3.9 million. We have about \$1.1 million in additional costs that have been imposed on us for the most part for which we really have no choice but to find a source of funding for those. Some of those costs include a quarter million dollars for the Buckman Direct Diversion sediment removal fix. We also are paying around \$300,000 to the City for backup water that we did not use to pay. They're raising that rate from \$3.79 for a thousand gallons to \$6.06 for a thousand gallons. We have operational cost increases that relate to salary, benefits, supplies, electricity, meter replacements, lift station pumps, etc.

We currently fund all of the non-capital costs related to the implementation of the Aamodt settlement. That's around \$228,000 a year. We also – we believe that an adequate budget for the capital improvements and assets is around \$200,000 a year, which is an increase of about \$72,000 over our current budget and we currently have no reserve funds for repair or replacement or emergencies, and we're suggesting \$224,000 a year for those reserve funds. So that brings us up to \$1.1 million.

As a quick reminder, if we were to be a fully self-reliant utility we would also add our debt service on to the ask of \$5 million, which is another \$5 million, and we would need to recover rates by increasing rates around 260 percent. For now, we believe the first step is to recover the costs as outlined here and that brings us to the \$5 million that is asked. That is also in your memo.

So I think it's also important to remember we had – the last rate increase went into effect in 2011. At that time the BDD wasn't operational yet. So it was a complete guess as to what the BDD's annual costs to the County would be. And it turns out they were underestimated. We also have in the last five years, from 2011 to 2015, absorbed all

the costs that are related to salary increases, benefits, electrical – all the kind of operational costs. If you use the CPI those are estimated to be around nine percent. So even though our costs have gone up nine percent our rates have remained flat.

We have had in increased customer base which means both increased costs and increased revenues. We've also increased our in-house capabilities. For example, last year we were able to buy all the capital equipment to do our own line repairs. So that's one of the cost saving measures we've taken on to be able to stretch the budget that we'd had. So we now repair our own lines if they're not too large, and also we have hired some staff with incredible pump repair and electrical skills that allows us to do more work in-house again than we have previously.

One of the things we've done because we haven't had the money, to be honest, is we've done less maintenance than I believe is preferable.

And so a question on whether to approve this rate increase always begs the question, what happens if it does not get approved? And so I think that it would be a fair statement to say that if this rate increase is not approved we're going to have to prioritize about what we're not going to be able to do. So do we stop providing good customer service? I might even say great. When people call the County utility we answer the phone and if we didn't have as many people around to do that maybe we wouldn't be able to answer the phone as much. Would we have to put people who want new meters on some kind of a schedule, saying, oh, we'll get to you next month, because right now we don't have the ability to put in your new water service.

Do we stop meeting Safe Drinking Water Act requirements? Well, in my mind that's not really an option but we know that in some places it has happened. I don't have to mention Flint. Do we stop – do we not repair the problems at the BDD? Again, in my mind not really an option. But I'm highlighting here that we would have to make choices. Do we stop paying the City for backup supply? Do we minimize the training incentive programs that build knowledge and skills in our operator workforce? Do we eliminate our water operator career ladder that allows them to advance upon receiving their certifications? Do we stop spending efforts on water utility acquisitions? Hyde Park Estates, Chupadero, or Cañoncito?

What do we do if we don't have the necessary reserves for emergencies, line breaks, pump failures, etc.? Do we stop funding the implementation of the Aamodt settlement? Or do we seek funding from the general fund? In general, the availability of general fund money has been non-existent because of the flat budget environment. And even if it were approved, it seems unreasonable to have the modest rate increase that's proposed here be spread to county taxpayers instead of those who receive water service.

So I'm not trying to be flippant but I just want to highlight the fact that should the rate increase not happen we need to make some hard decisions about what we're going to sacrifice as a result of that.

Then, if I've convinced you that a rate increase is necessary, then the second question is how do we recover the costs equitably? And perhaps the proof of the equitable way in which the rates are distributed is demonstrated by the fact that we've had concerns from all our customer classes and there has been no shortage of ideas about how to shirk the costs to other customer classes. In other words, everyone is feeling the pinch and wishes it could be pushed off on somebody else. So we believe that we've

done a good job of equitably sharing the cost increases.

You may hear comments and concerns today from all the impacted groups – residential, non-residential, and those with individually negotiated agreements. We have to get out from being upside down on some of these rates and people are not necessarily happy with hearing that that's what we're trying to do, because it impacts them. I do think a foundational element that we have preserved is that we're giving water for those who use it at a reasonable rate at a reasonable price. For those who use less than 4,000 gallons a month it is a \$4 per month increase. For others who use up to 6,000 gallons, and I would remind you that the county average is 5,000 gallons, it can go up another \$6.50 a month. That's really not a very large increase for a residential sector.

Some of the comments we've been getting from our calls, meetings and emails. These costs are not comparable to other water rates nationally. Yes, that is undoubtedly true. We're a small utility who provides 90 percent of our water from a sustainable water source. That means that we have more costs than most other utilities do.

We've had complaints that our billing system is slow and that they would like the bills to arrive faster, go paperless – perhaps I will save the comments. I was going to address the various comments we've gotten from various customers and customer classes and perhaps as they speak, if they're here to speak tonight, I can provide some insight into the way in which we developed the rates and our response to those particular concerns.

Just in closing, I think our team has done a good job of putting before you a reasonable and equitable way to share the costs that the utility is facing. We've done extensive outreach. We've listened to many concerns and also many of the folks we've talked to are willing to pay a little bit more and are proud to be able to say that their water comes from a sustainable source of supply.

CHAIRMAN CHAVEZ: Thank you, Claudia. I want to allow a little bit of time for the Commission to ask questions of staff and then we'll go to the public hearing portion. Commissioner Anaya, do you have any questions at this time? Commissioner Stefanics?

COMMISSIONER STEFANICS: Claudia, I'd like to thank you for working on the low income conditions and how to handle people who cannot afford to pay their water rate without turning them off. I think that's extremely important. I know that I asked you to contact one of the small businesses in my area. They're still not happy about it. I just got an email from the Santa Fe Community College while we're sitting here tonight saying that they – in their study session tonight they identified that their water rate is going to go up between \$9,000 and \$10,000, and that the state budget is decreasing. They're receiving less. They're just not sure how this is all going to work out.

So I think that – and I also got an email from the Chamber of Commerce today regarding this. So I'm not sure what we could do to accommodate businesses. I believe we're trying to have residential water users stay low with their water use, trying to help low income residents. What do you think we could do for businesses and institutions? You didn't hear back from the IAIA, did you?

MS. BORCHERT: No, we did not.

COMMISSIONER STEFANICS: See, that's in my district too. So what

could we do in terms of these rates – when the state legislature is maybe cutting you not just five percent, but five percent last year, another five to ten to fifteen percent in your state budget, you keep raising tuition rates – you can only do so much. So there going to have sticker shock with not just water rates. With everything. So what else could we do?

MS. BORCHERT: And we developed the high volume tier category as a way to address those who have meters of three inches or greater, and the Community College has three meters that fit into that category. What can we do? We are phasing it in as a way to be able to have those that are relying on state budgets to be able to go through their budget process at the various times and identify that they've had cost increases. It's a question of would you like to see the utility not be able to do the things we need to do? We have to raise our rates. I don't know whether we're asking businesses to raise their rates too, their cost of service. I do think that for businesses we could develop a program that allows businesses that use water routinely as part of their business, and this was one of the businessmen I spoke to, to be able to employ the best management practices around water conservation, and as a result of employing and demonstrating that, getting a reduction in their rates.

So I think for some businesses that use a lot of water we could figure out – and the Community College could maybe fit in the same category. They are generally very conscientious about how they use water. So one person actually wrote and said what if you could incentivize the large users, that if they reduce their use every year by a certain amount you could build that into the conservation rate, where if you have demonstrated reduction in use then you could have a demonstrated reduction in your rate as well. That's not something that's in the rates right now.

So what, Mr. Chair, Claudia, what is the City doing that's different than what we're doing with businesses? Because that's been brought up to me and I don't know exactly what it is that they're bringing up.

MS. BORCHERT: I read the City's ordinance and the City's in a different position than we are because they have their water bank and when people conserve water they can go into their water bank which they then resell to other users. So conserved water basically has a market price. So what they can offer to businesses is if you show us how you're going to conserve water we can refund you based on the market value of reselling that conserved water to other people. So that was my understanding of what is called an Option B under the water bank of the City and we don't have that construct in our water rates.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

CHAIRMAN CHAVEZ: Thank you, Commissioner Stefanics.

Commissioner Anaya, any questions? Commissioner Holian? So Claudia, I have one or two comments. Is it safe to say that the water rates and the County utility in this case needs to be closed loop enterprise fund and we cannot take money from the general fund to shore up the Water Division? Water Department?

MS. BORCHERT: Commissioner, I believe that is a decision that is up to the Commission. We, as a general rule, utilities act self-sufficiently.

CHAIRMAN CHAVEZ: Right. Okay. And then the point that you make in the memo about the increase of wholesale backup from the City of Santa Fe, that goes into effect when the BDD is off line, when the Buckman Direct Diversion is off line, and

that's not our call.

MS. BORCHERT: Mr. Chair, yes. That's true.

CHAIRMAN CHAVEZ: I just wanted to point that out. And so what is the source of water when the BDD is shut down? Is that the water from the canyon? Is it the well fields?

MS. BORCHERT: Commissioner, that depends entirely on what is available at the time. So if they have water in the canyons, likely it would be Santa Fe River water. If not then it would be water from either of the two well fields, the Buckman well field or the City well field.

CHAIRMAN CHAVEZ: But I would imagine that in their best interest they would use the source that is the least expensive for them to produce.

MS. BORCHERT: Yes, Commissioner. That's absolutely true.

CHAIRMAN CHAVEZ: Okay. We have some comments from the public that I just want to address just quickly. One comment says I think development should pay for itself. That's a good statement but for the County to do that we'd have to have impact fees on development that we don't have right now. The only impact fee we have is a small fire impact fee and that's it. So if a future Commission would want to do impact fees that would be a source of revenue for things like this.

MS. BORCHERT: Right. Commissioner, and also right now, line extensions are paid entirely by development. So if they want to – if the water system is not where they need it to be, they entirely build the system and dedicate it to the County and so that's a way which currently development does pay for itself.

CHAIRMAN CHAVEZ: And then, this is really important. I would like to see more cooperation between the City and County and maybe a regionalized water system. I don't think that should be a maybe. That should be a must. And on that point I am introducing a resolution at the December 13<sup>th</sup> meeting directing staff to start those conversations with our counterparts at the City to move in that direction because it's way past time for a regional water authority. So I just wanted to mention that for the record.

So now we'll go into the public hearing. Can I ask for a show of hands of those who want to speak to this issue? Please come forward in the interests of time. We're going to limit the time to three minutes and you can go in the order that you're comfortable with. Let's get everyone sworn in.

[Those wishing to speak were administered the oath.]

[Duly sworn, Chris Schatzman testified as follows:]

CHRIS SCHATZMAN: My name is Chris Schatzman. I live at 13 Withers Peak. I'm under oath. I'm a resident and a member of the Board of Directors of Rancho Viejo South. We received the notice of this increase right after we received the increase notice in the Solid Waste Recycling Ordinance. To say that this was unpopular following the unpopular would understate it. Ms. Borchert certainly has made an excellent case for an increase in water rates. Nevertheless, there has been a great deal of concern among our membership because the piling on of fees, as some people have put it, the mandated recycling fee, which even though it will go to a private hauler is mandated by the County. They look at this as just one more County-mandated fee, although this more necessary than the other fee.

The concern is we have a high number of people, a third or more that are retirees

living in that subdivision. They're either on fixed income or they have inflation protection to their retirement income that is less than their annual health insurance increase. As some people have alluded to, they're not sure what they're going to run out of first. They're going to run out of money or their life first but they're concerned about it and they look at these fees together as something of great concern to them. They are concerned also that part of the County's increase will ultimately be used like the City's increase to subsidize general City government.

Ms. Borchert's made it clear that the utility is in the hole but they're concerned that some portion of this increase will be swept away to cover other County costs. I think the County needs to do a better job of assuring people. The talk of a regionalized water system would actually only create more fear in many people concerned with what the City has done with its water fees.

So I would say that while the fee is necessary it perhaps should be scrutinized further and the County should take a hard look at the other things that it has imposed and perhaps back away in light of the fact that everybody puts these down as just a minor amount per month but when you add them up, they come out of one person's pocket, the rate payer. The homeowner here, the homeowner on north 14, the homeowner in Pojoaque, whoever is subject to these fees, and it is becoming an issue for many people. It's also becoming an issue for many of the working people that we have in the subdivision. They're either lower income or they're moderate income. The work in public or private sector jobs and they have not seen a meaningful pay raise in many years and those who work in the state have a legitimate fear that some of them will not have a job.

So putting this down as a low amount per month overlooks the fact that it is impacting people who have a very limited ability to pay it. Thank you.

[Duly sworn, Linda Peron testified as follows:]

LINDA PERON: My name is Linda Peron. I live at 1 Angel Peak. I've been sworn in. The proposed water increase for a resident is very high and unjustified. Increasing the water usage fees and then the monthly service charge is a huge 20 percent increase, as opposed to the non-residential increase which is at 8 percent. The service charge rate hike also punishes water conservationists that no matter how much water or how little they use they still pay that huge increase up front, regardless of water usage. They're front-loading the huge rate hike just to provide even the smallest amount of water to residences and will promote water waste.

We are not in the City of Santa Fe. We are county. It's a false argument to make the claim just because the City of Santa Fe raised and increased their rates that we should pay the same. We don't have the City's infrastructure. I've lived in Rancho Viejo South for nine years. I've already paid dearly from County water services with repeated plumbing parts getting clogged with chunks of debris passing through the water lines to our homes, having to replace the recirculating water pump, the pressure regulator valves three times in the past four years. The answer I got when I called about these water problems, I'm at the end of the line so the sediment collects. I'll just have to sue if I want to recover my losses. Not a winning proposition for any of us.

They agreed to start bleeding the lines again at the fire hydrants but I only saw that happen once this year, shortly after our conversation. They told me I should have a plumber come out and install a filter system before my pressure regulator to minimize my

losses to collect the debris they are passing in the lines. I'm already out thousands of dollars for repairs. Will the County be taking care of these huge costs for lack of providing the quality water that we deserve and are already paying for?

I do believe these huge rate increases are not warranted and justified and I hope the Commissioners do not approve this huge rate increase. Thank you for your time and attention.

[Duly sworn, testified as follows:]

GILBERT TERCERO: Mr. Chair, Commissioners, my name is Gilbert Tercero. I am treasurer of the Agua Fria Community Water Association. The association has been in a relationship with the County for many years going back to 2010, which is the date of our first agreement, at which time the rates were set and we much appreciate the assistance we've gotten from the County in supplying water to the community of Agua Fria. It is a traditional historic community and as such, we agree that the County needs to maintain its system and charge the fees that are going to allow it to do that. And we're willing to compromise and accept the increased fees knowing what it takes to own and operate a system.

We would propose some language that the County staff have assisted us today in putting together which is a provision which would allow the mutual domestic water associations in Santa Fe County to have a special designation allowing them to operate in a way where the meters – I don't know if you have the language that was prepared by the staff but if you don't have it I'll go ahead and read it. It's a new Section 10. Water service rate schedule mutual domestic water consumers association serving a designated traditional historic community, mutual domestic consumer association water rates shall apply when the mutual domestic purchases water for resale. Monthly rate, the base rate will bill exclusive and addition of any additional charges, fees or penalties shall be the total of the applicable charges set out in table 5 through 7, whichever applies, based on the smallest meter used to serve the mutual domestic, plus the commodity rate as set forth in table 9.

That basically says that our rate for the commodity would go from \$3.22 per thousand to \$5.47 per thousand, which is comparable to what the County is paying the City for water. The exclusion would be that the mutual domestic shall not be charged for metered water used for fire protection, hydrant flushing or for water delivered due to equipment failure. The amount of water used for such purposes, if any, shall be determined by the utility director.

This language is necessary as a result of our experience in dealing with a community in which the County provides fire protection through our system and the pressure regulators and the meters serve to meter and regulate the amount of water that we get in the community. We have had situations where even though the demand is not there for water from the community because of debris or equipment failure the pressure reducing valves allow water to go through and we're trying to service these valves in a way that that won't happen. But it does occur from time to time and that's why this language was inserted.

We appreciate the help of the staff in putting this together. We feel that it's a good compromise and it's something that's essential to our community being able to meet the kind of expenses that we anticipate will occur with these new rates. And we appreciate

whatever you can do for us.

CHAIRMAN CHAVEZ: Next speaker please.

[Duly sworn, Al Antonez testified as follows:]

AL ANTONEZ: My name is Al Antonez. I'm the general manager of the Club at Las Campanas and I am under oath. Dear Commissioners, thank you. The Club at Las Campanas is a non-profit entity and has a direct interest in the proposed ordinance, especially related to the raw water rate as a raw water customer. As a raw water customer the Club is the County's largest water customer in terms of revenue to the County, providing ten percent of the County's total water revenue.

The Club hereby requests the Board of County Commissioners to table or reduce to a more reasonable level the interim rate increases and charges proposed in the subject proposed ordinance until a professional external cost of service study can be prepared and for the reasons that follow along with others outlined in a letter delivered on November 28<sup>th</sup>.

For five years the Club has paid a premium water rate of \$4.01 per thousand gallons for untreated, raw water, compared to the rates paid by other customers for treated, potable water. And yet to date the Club has not been provided with a permanent backup water supply, which was the most important condition underpinning the Club's willingness to pay the higher \$4.01 per thousand gallon rate. As recently as November 8<sup>th</sup> the Utilities Division included a slide #10 on their in-house water cost of service study and water rate and fee proposal title, safe, reliable and sustainable, which it described as diversified, have two sources of supply.

The Club remains the only County water customer without a permanent, secure backup source of water supply whenever the BDD is non-operational. The Club has asked repeatedly about the timing for a pending decision by the County regarding the provision of a permanent, secure backup water supply for the Club and unfortunately has not yet received an answer.

The cost per thousand gallons to the County from the BDD is \$5.47 for potable water and \$2.66 for raw water, yet the subject proposed ordinance proposes a new rate of \$4.71 per thousand gallons of raw water. This proposed new raw water rate is almost twice the County's cost from BDD for raw water, and only 76 cents less than the County's cost from BDD for potable water. When the raw water is pumped only five miles to booster station 2-A and not 11 miles to Buckman regional water treatment plant. When the raw water is not subjected to sophisticated water treatment processes at the treatment plant why should the raw water rate be almost equal to the County cost from BDD for potable water?

The proposed new rate for raw water is simply excessive. The Club's raw water supplied by the BDD and the Club does not present any real service demands on the County water utility operations other than perhaps requiring a small operational cost for monthly invoicing for the raw water purchased at booster station 2-A. Please recall that the water is pumped by the BDD five miles up to the BDD shared facilities pipeline from the Rio Grande to booster 2-A before it is transferred to the Club's facilities. The Club should not be required to pay for internal utility operating expenses when it is not connected at the County water utility and does not receive direct customer services from the water utility.

During the November 15<sup>th</sup> meeting with the County staff the Club was promised in the email containing all the staff's spreadsheets so that the Club can understand in more detail the formulas, assumptions and costs used to calculate the proposed water rates. Although the Club requested those spreadsheets again in writing on November 22<sup>nd</sup>, to date the Club has not received them. If the Club had received the complete set of spreadsheets, as promised, our staff would have reviewed them carefully and offered additional comments specific to the formulas, assumptions and methods used in the development of the internal cost of service analysis.

If the County truly desires to create a completely self-funded water utility enterprise, contrary to its previous adoption of Resolution 2014-103 which endorsed the concept of regionalization of water and wastewater services for and within Santa Fe County, the County should first obtain the services of a competent consultant to perform a professional cost of services study, substantiate the basis for County increases to water rates and charges.

The agenda for this meeting was posted on Wednesday, November 23<sup>rd</sup> at 1:41 pm, the day before Thanksgiving. Key officials were unavailable to meet prior to this meeting yesterday. This ordinance is listed as the first and only public hearing and is the third item under section A on a day when the regular meeting was moved up to 9 am. Despite the far-reaching financial impact this proposed ordinance could have on county residents it is inconceivable that the Public Works Department developed the proposal without the benefit of a professional, external cost of service study and proposes the repeal of all prior water services rates and charges with a first and only public hearing.

The review and input process has been disappointing. In closing the Club hereby requests that the Board of County Commissioners table or reduce to a more reasonable level the interim rate increases and charges proposed in the subject ordinance until these steps are taken. We appreciate in advance your careful consideration and thank you for your time. Thank you.

CHAIRMAN CHAVEZ: Next speaker please. Can I ask for a show of hands of how many people are still waiting to speak? Okay. Go ahead, sir.

[Duly sworn, John Gutting testified as follows:]

JOHN GUTTING: My name is John Gutting. I live at 4 Calle Tia Luisa in Pojoaque. Mr. Chair, Commissioners, I'm here before you again about Aamodt. How convenient. We've been told for the past 12 years that our water rates would be about – would be the same as whatever they are in the rest of the utility. Yet, when it comes time for a utility cost raise we are conveniently left out of the process of any notification that you're going to have these, and we're tacked on to the cost of your overrun by almost 25 percent of what you're claiming is being overrun, and we don't even have a water system yet. We're here tonight to talk to you about the JPA and yet you're raising our rates. You're telling us we're going to have to pay \$3.35 a month to have a water line that most of us don't want run in front of our house and because we aren't using it we're going to still have to pay for it.

I think you've got the cart before the horse again. We've been trying to get you to do a comprehensive study about the new water system. The water system has been identified by your operations people that you need 1,500 people in the north part of the county in the Aamodt settlement area to hook up to make it payable, and that's about all

you've got total now, and it's not payable. Here I can see in about five or seven years you're going to be at double the cost and I don't think it's up to you people to put costs forward. And with that, I'll leave my extra minute 20 here to somebody else to talk to you.

CHAIRMAN CHAVEZ: Next speaker please.

[Duly sworn, Carmen Payne testified as follows:]

CARMEN PAYNE: Esteemed Commissioners, my name is Carmen Payne. I'm from Cuarteles, northern New Mexico, the northern part of the county, and I am under oath. In reviewing the proposed amendments to the SLDC I noted that it does not include a provision to reduce the 38-foot road easement requirement for roads in traditional communities such as Cuarteles. At the Commissioners September 2014 hearing our community recommended a change to the limitation of the classification of the driveways, that's Code 7.11.12, which is two lots per driveway, as a possible solution, and that's page 18 of the minutes.

CHAIRMAN CHAVEZ: Ma'am, we're on a water rate increase. I think you're on the Sustainable Land Development Code.

MS. PAYNE: Yes. I'm sorry.

CHAIRMAN CHAVEZ: I apologize. We finished that item.

MS. PAYNE: Oh, I didn't – when did you do that?

CHAIRMAN CHAVEZ: Before we started discussion on the water rate increase.

MS. PAYNE: Oh, I'm sorry. Okay. I'm sorry.

CHAIRMAN CHAVEZ: But you could leave your comments with staff.

MS. PAYNE: All right. I will. Thank you.

CHAIRMAN CHAVEZ: I don't know if Robert or Penny are here. I apologize, ma'am.

COMMISSIONER ANAYA: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think it would be appropriate to have her comments be placed as part of the record for the previous item.

CHAIRMAN CHAVEZ: No, that's fine. That's why I'm asking her to leave her comments for the record. I agree with you and I apologize that we overlooked her. So I apologize for that. So for this item, the water rate increases, is there anyone else that would like to speak to this item? Please come forward. We have another item that we want to get to before it gets too much later.

[Duly sworn, Terry Buell testified as follows:]

TERRY BUELL: Mr. Chair, Commissioners, thank you for the opportunity to speak. My name is Terry Buell. I live at 209 East Chili Line in Rancho Viejo and I am under oath. I also happen to be the president of the Santa Fe Area Homebuilders Association this year and I care about water conservation so much that I am part of a task force that helped design the water efficiency rating system, the WERS system that some of you probably know has been incorporated into the Santa Fe City green code. So I would like to just quickly revisit two of the questions that Commissioner Stefanics asked earlier.

One of those questions was what can businesses do to reduce their water usage.

I'd just –

COMMISSIONER STEFANICS: I asked what can we do at the County to mitigate the increases or offer discounts to businesses.

MS. BUELL: Okay. All right. I can address that. Thank you. Because I work in this field and the WERS rating includes things like low-flow fixtures, taking a look at acreage and how much water is used and those kinds of things, that's part of the difference between what the City and the County are doing and in general right now, the City uses the WERS rating to offset impact fees and also to help people understand how they can reduce water usage. The County has also incorporated the WERS rating into the Sustainable Land Development Code. It hasn't been used yet, but I believe that if the County allows residents to have someone do a WERS rating for them that that should be used to help reduce rates for residential customers in particular. It could also be used for commercial or business users. So I would strongly encourage everyone to become more familiar with the WERS rating and how that could be used.

The other thing is just to encourage people or offer tax credits for again, low-flow fixtures, maybe. The City had a program a while ago where they offered tax credits for people to switch out water fixtures and toilets. The County could do the same thing. For new construction that's already part of it, but for retrofits that could be another program that people could use.

And then the other thing I just wanted to mention is some of my previous colleagues mentioned that they were on the board in Rancho Viejo. I'm also a director down there and I just wanted to echo something that Mr. Schatzman said earlier. He didn't mention that we are responsible for our own infrastructure and we've already had to increase assessments on our residents to pay for those, and the disparity between the increase for commercial versus residential, it's really going to – it will be a hardship on some of our residents. So again, I'm a big conservationist but thank you for your time.

CHAIRMAN CHAVEZ: Okay, please come forward, sir. Is there anyone else that would like to speak on this issue? Please raise your hand. Okay, so it looks like you'll be the final speaker. Go ahead.

[Duly sworn, Dave Neal testified as follows:]

DAVE NEAL: My name is Dave Neal. I live in El Rancho, and I'm under oath. First of all, I wanted to endorse my friend Gil here. The problems that he's facing with his association, I actually have personal knowledge of all the problems they have down there because I actually built there system. So the reason I'm coming forward right now is I would also like to thank Claudia for giving you all the reasons why you should not expand the system until you've got the current system working in the green or the blue, whatever, but not in the red. Because I can see what's going to happen here is as you tend to expand, and you're going to hear me later on tonight.

I'm sorry to carry on about this but the point is, you're having trouble right now with your existing system. You're upside down and now you want to expand? I have a difficult time with that as a taxpayer, because I do not want to have a general obligation bond go to election to finance an expansion of a water system that no one really supports. Thank you for your time.

CHAIRMAN CHAVEZ: Okay, I'll ask one more time because I don't want to overlook anyone. Is there anyone else that would like to speak to this issue

tonight before we move on to the next items? Okay. Thank you. Thank you for your patience. Thank you for being here. Thank you for your comments. Thank you for helping us to find solutions to this ongoing situation of the water and the cost of providing that water to our customers. I'll take it back to the Commission. Commissioner Holian, do you have any questions at this time?

COMMISSIONER HOLIAN: Well, actually, I would like to ask Claudia to comment on a couple of the comments that were put forward, specifically regarding the Las Campanas Club and the increase in the raw water rates.

MS. BORCHERT: Yes, the Club had some comments that we respectfully disagree with. The reason that the Las Campanas rates increase above the base rates at which we pay for the water from the BDD is because the Las Campanas Club did not provide any water rights for the 600 acre-feet that we reserve for them. So when we calculated their new rate at \$4.71 it includes a reasonable cost for acquiring water rights to be able to serve the Club for the contract that we have with them. That's what bumps up their cost beyond strictly the costs related to delivering water to them. And they – although I am guilty of not sharing the spreadsheets; it came at a bad time with the holidays. My father is sick. We did share and it was in their letter, the key numbers that we produced the rate for them. So they have access to everything that resulted in the rate we are proposing for them.

And I'd also add the one other thing that they're concerned about is whether professionals have done this cost of service study. There is an American Water Works Association manual, the M-1 manual, that instructs small utilities like ours how to do a cost of service study when the professional services are not available at this time. I want to remind you, these are interim water rates. We are going through the process of a utility water and wastewater master plan that lets us know what kinds of expansions are necessary and at the end of that, there's a cost of service study and a review of the rates that we're proposing today. So that there will be within a couple years a professional who will take a look at the rates that we have today and identify whether – how to adjust them based on another look.

In the meantime I feel like we have done a reasonable and professional job at how these rates are proposed.

COMMISSIONER HOLIAN: Thank you. And also there was one other comment from the gentleman from Agua Fria Village about a special designation for mutual domestic water associations. Can you comment on that?

MS. BORCHERT: Yes. One of the efforts that we were doing with this – with our rates was to treat everybody equitably and to take specially and individually negotiated agreements and join them together when merited. And so our first look did that. It took all of the customers that we felt like were similar and grouped them all together. When we met with Agua Fria today they found it very difficult to be able to support the proposed water rates and they asked us to work with them in developing an alternative. It doesn't mean that we necessarily endorse the alternative. We understand that they are requesting a different rate than what our original proposal was.

COMMISSIONER HOLIAN: Okay. Thank you, Claudia.

CHAIRMAN CHAVEZ: Actually, Commissioner Holian, if I could, I want to be sure that I don't leave anything out. I want to make sure that I close the public

hearing portion before we come to a vote. So I'm going to ask one more time if there's anyone left to speak to this item. Okay. I'm going to close the public hearing portion and then I'll yield the floor back to Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would just like to make a few comments before I make a motion and that is I think it's been brought out before but a County water utility is supposed to be an enterprise fund, and that means that the customers are supposed to support the cost of running that utility. And I would have to say that people are actually getting a fairly good deal when they have a utility that's run by a local government. If this were a private company running the water utility there would be shareholders who would be expecting dividends. The people at the top heading up the utility, the top brass in the utility would be making far higher salaries than our utility director is making, and all those costs have to be made up.

Those of you who are getting your electricity from a private company, you have very little to say about what those rates are, actually. And so I think that it's actually a good deal for people when they have a local government running a water utility or an electric utility or whatever. And I think that the proposed rates are fair within the context of what we're dealing with. I think that because of having the 4,000 gallon per month minimum, I guess, people get an exceptionally good rate for that first 4,000 gallons and I'm very much in favor of them increasing the rate beyond that because that really is a strong message to conserve.

And I think it turns out, from what I understand, that most of the people in our county who are on the water utility are currently using 4,000 gallons or less. Is that correct, Claudia?

MS. BORCHERT: Our average is 5,000, so just a little bit above the 4,000.

COMMISSIONER HOLIAN: Five thousand is the average, but still I imagine the number –

MS. BORCHERT: But many of them are using less than 4,000. Yes.

COMMISSIONER HOLIAN: Yes. So another thing that is good is you're not going the full distance to increasing the rates to the point where they actually – where our water utility would be an enterprise fund. You're looking at phasing them in over time. So again, I really support the idea that actually in the end, customer water rates should completely cover the costs of the utility, and it's not fair to make the other taxpayers in the county who are not utilizing the water utility subsidize the cost of that water utility. If people, the taxpayers, knew about that they probably would not be very happy.

So with that, Mr. Chair, I move for approval of this ordinance.

CHAIRMAN CHAVEZ: There's a motion. Do I hear a second? I'm going to second the motion for purposes of discussion. I agree with staff's interest and work that's been done on this. I know it's not going to be easy and it's only going to be a matter of time before we're back at this point because of the cost of the imported water that we're depending on. And so I would make a second to the motion and ask for any other discussion, comments. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'm going to try and be brief. Claudia, first I want to tell you thank you so much for your diligence in your work and

your efforts to have a one to one conversation with you and I. We never were able to do that, but I wanted to thank you because I did – I do appreciate your efforts. But I did in fact review the information and the feedback that we received from the public, both in writing and at this hearing today and at previous hearings. And respectfully, I have to just say that I respect the comments that my colleague, Commissioner Holian, just made but I frankly couldn't disagree more.

As a Commissioner, from the day I got on this bench, I continually have said we at the County, as we progress, have to look at trying to do fewer things really well, as opposed to trying to do everything half way. And the more time progresses and the more challenges that we face as a County I still see us grabbing for more stuff, as opposed to trying to do a few things that the public really needs, really, really well. Solid waste was another example. Somebody brought it up earlier. I couldn't disagree more that the solid waste fees should continually escalate and pay for themselves when in fact there is a direct correlation between what a person gets in services when they live in close proximity to an urban area and what they get as they move into the rural area.

And sometimes the people in the rural areas have a higher expectation maybe for the simpler things. And that maybe their tax dollar might offset having the solid waste fee, for example. Well, here we go down another path with the utility and this notion that an enterprise fund has to be fully funded by its ratepayers. Well, I always go back to the point that everyone pays a property tax, and associated with that property tax or with that gross receipts tax there's an expectation of some service. And that's going to differ depending on what part of the county that you live in.

Absolutely, we're going to face – and Claudia, I appreciate what you said about what if we don't approve the rate increase? Well, I don't see it as kicking the can down the road completely but I do see it kicking the can down the road for a good purpose to say if we just say let's just fund all the enterprise funds and make the ratepayers fund it or let's just make sure everybody pays every nickel of solid waste fee then all we do is increase programs in some other area. Or take over an obligation or a responsibility that the state should have that we pay for our state taxes, which the county seems to do on a regular basis as well.

We'll do new healthcare programs at times when the state is actually pulling money away from us as opposed to giving us resources to do those program. And so those are several of the reasons that I think you do have to evaluate and you do have to kick the can and say, look, what about this new opportunity and this new evaluation of not only our water system but what we collectively do in the county for services across the board. It's time for us to really pick up that evaluation, take a close look at what we do in the way of services and ask ourselves collectively as a community across the county, what the heck matters to us most? And what are we willing to use our resources for, as opposed to adding additional programs and then increasing costs in whatever – oh, we'll just increase another tax. Or we'll create another rate to cover it.

So I don't think we're in a position right now, today, to do this. And I really don't think we're in a position in two months to do this. I think we're going to have a budget process that we're going to go through. We're going to have a new Commission, three new Commissioners. A majority coming in on this Commission that's going to have to dive in. Some of them are here today. They've been here all day. And they're going to

have to dive in head first to begin that evaluation process along with Commissioner Roybal and I to figure out where do we go from here. But is it now at the 11<sup>th</sup> hour in December? I don't think so. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Any other comments? Okay, there's a motion and a second. Roll call please.

**The motion to approve the ordinance failed by a 2-3 vote as follows:**

Commissioner Anaya	Nay
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Nay
Commissioner Stefanics	Nay

CHAIRMAN CHAVEZ: Okay. Thank you all for being here. I'm sure this discussion will continue, actually into this next item.

**IX. AAMODT SETTLEMENT AGREEMENT**

**A. Resolution No. 2016-\_\_, a Resolution Approving the Pojoaque Basin Regional Water Authority Joint Powers Agreement [Exhibit 10: Petition]**

CHAIRMAN CHAVEZ: At our last meeting on this item we thought that we were going to close the public hearing portion. We were under the impression that there was a joint powers agreement that had been negotiated between Commissioner Roybal and the pueblo leadership. That's changed. We have some new amendments that none of us have seen. I have not even seen them and I guess that's okay. But what I will say is that because of that I'm going to open up the public hearing portion again this evening so that both sides can discuss the merits of the joint powers agreement and the proposed amendments that will be presented here in a few minutes. But I will ask that we have a time limit again and it will be three minutes for everyone, including us.

So staff, are you ready with your presentation?

SANDRA ELY (Public Works): Mr. Chair, members of the Commission, I am with the Santa Fe County Utilities. I am the Aamodt project manager for the utilities and the County. Before you this evening is the discussion on the Pojoaque Basin Regional Water joint power agreement.

As you mentioned, Chairman, at the October 25<sup>th</sup> meeting of the BCC the Commissioners received information about the joint powers agreement. You also received a copy of the September 23, 2016 draft of the JPA and an index and summary of the draft JPA. In your packet for this evening is Exhibit B, which is a copy of the joint powers agreement. It has been revised since September 23, 2016 revision version that you received in October and those revisions were based primarily on public comment received at that October meeting. I will briefly go over what those revisions are.

The first revision would make the authority subject to the alternative dispute

resolution.

CHAIRMAN CHAVEZ: Can you give us a page?

MS. ELY: Yes. On page 3 in definitions. The definition is change for a party and parties, which now includes the authority. This is related to Article 19 which is the alternative dispute resolution. With this change in the definition the authority, not just the individual parties, are subject to alternative dispute resolutions in Article 19.

On page 15 on your draft joint powers agreement are revisions that make it clear that the board of directors and their alternates will have the same right to access financial records and statements prepared by the authority as the parties do. The revision simply adds the words board of directors.

CHAIRMAN CHAVEZ: And their alternates.

MS. ELY: And their alternates. The third change deals with the posting of material online on page 21 of your draft. This is accomplished through an amendment there and which in summary states that until such a time as the authority has a website the County agrees to create and maintain an authority webpage on its website on which it will post the authority board meeting, the meeting agenda, minutes and meeting materials. Again, these are comments we received at the October 25<sup>th</sup> meeting and are proposing revisions to the November 7<sup>th</sup> draft that is before you.

There are a few other technical revisions and some cleanup dealing with spaces and numbering that are also in the draft before you. In your packet is also a resolution that as stated, today's discussion will be a discussion and action will not be taken on that resolution or the joint powers agreement. Proposed revisions to the November 7<sup>th</sup> draft will also be forthcoming for your consideration, which is my understanding. Action on the draft and the JPA will be postponed until the December 13, 2016 BCC meeting.

[Commissioner Stefanics left the meeting.]

CHAIRMAN CHAVEZ: Okay, do we have questions of staff before we go on to the public comment?

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I do need to read the amendments, the proposed amendments that I have into the record. I have two potential proposals I would like – I would be okay with as amendments to the JPA and they are in regards to the composition of the board of directors of the Pojoaque Basin www. I will read both into the record. I also will reiterate that the amendment that was made at the beginning of the meeting, that final action has been tabled until the December 13<sup>th</sup> BCC meeting giving pueblos and the public time to comment on specific proposals.

The first proposal, which is my preferred proposal was is the state senator for the state senate district encompassing the largest geographic portion of the service area and the state representative for the state house district encompassing the largest geographic portion of the service area shall each appoint one county customer director, other than the state senator and the state representative, each of whom cannot reside on pueblo land as defined in the act, cannot hold another elected or appointed position with or be employed by a party or parties company or parties instrumentally, must be a resident of the service area for at least five years immediately prior to the appointment to the board and continuously throughout the county customer director's term as director.

And for the second proposal, it reads: The County shall appoint three directors – a County Commissioner director and two County customer directors. The Board of County Commissioners of the County shall also appoint two County customer directors, each of whom cannot reside on pueblo land as defined in the act, cannot hold another elected or appointed position with or be employed by a party or parties company or parties instrumentally, and must be a resident of the service area for at least five years immediately prior to the appointment to the board and continuously throughout the County customer director's term as director.

Those are the two amendments that I'm bringing forward.

CHAIRMAN CHAVEZ: So I guess one, not both. Is that correct?

COMMISSIONER ROYBAL: We won't be voting here.

CHAIRMAN CHAVEZ: No, I know. But at some point we'll have to pick one of those amendments but it can't be both.

COMMISSIONER ROYBAL: And like I said, it will give our constituents time to – and also the pueblos.

CHAIRMAN CHAVEZ: Okay. Thank you, Commissioner Roybal. Does everyone have copies of the amendments that Commissioner Roybal read? Can we make copies to distribute or what do we do?

MR. SHAFFER: Mr. Chair, I believe Commissioner Roybal handed out copies to the Commissioners. In addition, there have been about 30-some odd copies on the back desk, which the public is free to take a look at. And they were distributed to the pueblos last evening.

CHAIRMAN CHAVEZ: Oh, you did distribute to the pueblos? Well, okay. I don't know these things. I apologize, Commissioner Roybal, but this is new information to me, so I just need to ask to be sure everything is covered. So we're going to go into the public hearing portion. I know this is also a very sensitive topic. I know that the County and many of the residents have spent countless hours on this and it's probably not going to end here tonight.

So I'm deciding how to start with the public hearing portion. I think what I'm going to do, because the pueblos and the County are parties to the joint powers agreement, not to exclude the residents, but I want to ask the pueblos again, respectfully, in the interests of time, if you would share your comments with us regarding the two amendments that are being presented here tonight, and then I'll go to the rest of the public that's in attendance. So would you start that off? No? Okay. You don't want to comment at this time. You do have a copy of both of the amendments that have been presented. Please come forward. Because I know you've spent a lot of time trying to negotiate a joint powers agreement. I thought that we had come to closure to that. I know things change. That's why we're here tonight and we're discussing these amendments. I want to be sure that you have the amendments, that you have received them and then we can move forward.

JOSEPH TALACHY: Chairman and Commissioners, I think that we just received the copy of the amendments too. I don't think that any of the – I speak on behalf of the Pueblo of Pojoaque. I don't think we've had time to review these amendments. Again, they were just issued last night or this morning or some time today.

CHAIRMAN CHAVEZ: So it's another 11<sup>th</sup> hour kind of scenario that we

deal with from time to time. Okay. That's fine. Let's go on then and I'll open the public hearing portion. We're going to set a two-minute time limit and please come forward. Do we need to be sworn in on this?

MR. SHAFFER: Mr. Chair, no. The answer is no. You're sworn in on administrative adjudicatory matters and ordinances. This is public comment on a draft JPA so there is no sworn testimony.

CHAIRMAN CHAVEZ: Okay. So let's go ahead and start the public comment. Just arrange yourselves and gather your thoughts and come forward.

JULIA TAKAHASHI: Hello, I'm Julian Takahashi. I reside at 149 State Road 503, Santa Fe, New Mexico. It's in Nambe. So I would like to ask the Commissioners to table the joint powers agreement until January of 2017 for five reasons. One, given the fiscal condition of the City water system I think you need to do a lot more thinking about this before you add on a new regional water system in the northern part of the county.

Number two, it was noted that on December 13<sup>th</sup> an ordinance is going to come forward recommending a regional water authority.

CHAIRMAN CHAVEZ: It's only a resolution, ma'am.

MS. TAKAHASHI: Well, resolution. But again, so there's another wrinkle to this coming into play and I think we need more time as the public to look at this. Thirdly, I think it was Kathy Holian said that local government running a local utility is beneficial and I have real problems with this joint agreement because it seems to me that most of the costs are going to be carried by the County and the County users, and yet we have a minority on the governing board, and I have a real problem with that.

And you have a change of Commission in the beginning of the year. You have three new people who are going to be part of carrying this out. I think it's really unfair for you to pass this at the last minute and not let them deal with it.

And lastly, the greater cost of the system will be again borne by the County. And I have a few more seconds. I have problems with the indefinite terms of office for the board members, the employment preferences, and the fiscal and system operations being done by the County only as an endeavor rather than – as a taxpayer I want to know that we have experience running this regional water system if it goes forward. Thank you.

CHAIRMAN CHAVEZ: Next speaker please.

JANET ARROWSMITH: Good evening. My name is Janet Arrowsmith and I live at 81 North Shining Sun in Santa Fe. And first I want to thank all of the parties for all of the work they've done.

Commissioner Stefanics (telephonically): Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I am on the phone. I'm going to put it on mute. Just so you know I'm here. Thank you.

CHAIRMAN CHAVEZ: Yes. Thank you. That's the voice from above.

MS. ARROWSMITH: I thought it was god. I support the alternative dispute resolution. I applaud that. I do agree that we need to have the right to access financial information and a website, and I strongly support increasing the joint powers – the water board, to more adequately address, more fully represent the users in the Nambe-Tesuque-Pojoaque Basin and I think also having terms, defined terms is an excellent idea.

I would applaud either the County appointing three affected members – people who are in fact part – affected by the settlement. Whether it's state senator or representative of the County I think that expanding the representation for the non-Native users in the watershed would be an excellent idea, and thank you again for your time.

KAREN COOK: Good evening. My name is Karen Cook and I live in Jacona. I echo the sentiments of the two previous speakers in that I want representation from what appears to be a majority of users and I am not happy with the fact that the County would appoint those people not feeling like there has been the correct participation of those most affected by the County on our behalf to date, and I support an election of board members with a term equal to any other board member that serves. And that's it.

CHAIRMAN CHAVEZ: Next speaker please.

TED SEELEY: My name is Ted Seeley. I spoke at a previous meeting. I handed in some comments and I'll let them stand. I'm just here tonight to show support for people coming to comment on this. I was very encouraged by the amendments proposed by Mr. Roybal. It seems like a great step in a good direction and I'm just here to support a fair and equitable outcome for all of the people in the valley who use this water. There's some legal precedent in place through Aamodt that I'm not in full agreement with. Many aren't, but anyway, we have an opportunity to ameliorate that to some extent and I really appreciate your efforts. Thank you very much.

COMMISSIONER HOLIAN: Next speaker.

DAVE NEAL: My name's Dave Neal. I'm back again. I just wanted to mention something to you guys that might be of interest and that is I was told that the regional water system would not be installed if the County did not support the regional water system. And this was told to me by the representative of the BOR that had this knowledge. The reason why that's important is you gentlemen and ladies have the authority to define this JPA, because if there's no regional water system it's my understanding there's no pueblo water system.

And with that thought in mind you now have the authority to define what is necessary to make this system work, and the people in this community right now do not believe that the representation is correct and I believe I sent each of you today two US Supreme Court rulings that show that you have to give the community the representation that they deserve or someone – meaning myself – is going to challenge that decision. The people in this community need to be represented on this board.

Now, having said that you have another unique situation and that is the fact that you do not know what your customer base is. You have no idea who is going to connect to this system and it might be possible that nobody from the county will connect to this system which makes it very hard for you to define a JPA if you don't have customers. How can you define that? At this point in time it's totally premature. You have to let this thing settle down a little bit before you sit down and try to define a joint powers agreement that's going to be in place for many years and yet you currently do not know the size of the system. You currently are unable to maintain the current system you've got and you don't know your customer base. It's doomed to fail.

Not only is it doomed to fail in that sense but also you do not know what the cost is going to be. What's the cost going to be for this regional water system? Nobody knows

because you don't have a scope. You do not know what the customer base is. And you have no idea if in fact anybody's ever going to connect to this. John Utton told me or made a comment at the 16 November meeting that this whole idea of having a County regional water system was to allow the non-pueblo members the opportunity to connect to this system as it passes their houses.

There was no real intent to have the County run it, but they thought it would be a good idea to have the ability for these people to connect, which is a good idea. I applaud the idea, but in doing so they never thought about how that's going to all work. I don't mean to be disrespectful but look at all the problems that right now your water system that Claudia just described to you as having. It's upside down and now you're going to expand that? You haven't even got the current system working right and yet you're going to expand it to include more. Thank you.

CHAIRMAN CHAVEZ: Thank you, sir. I think we got it. Next speaker please.

BEVERLY DURAN CASH: Mr. Chair, Commissioners, my name's Beverly Duran Cash. I live in the El Rancho San Ildefonso area, and I'm also the – I don't know – the president or a member of NNM Protects. I want to thank you for having us and appreciate you giving us more time to make comments. I want to present you with some signatures. I know we scanned these and sent these to you but some of our community can't make it, can't be here, whether whatever obstacles that they hold, signed a petition and in my hand is 432 signatures, 80 of them are on line and there were comments from people outside of this area that read our petition and was asking for fairness.

And so I want to present these to you because these are the original ones and let you know that the people are asking for you to please be fair. We need more representation. You have to look at the population. You have to look at who the potential users are going to be. I want to remind you with the last minute that I have is please remember in a business sense. We came her first about a JMEC and the issues we had with JMEC and the easements and how those businesses senses or the business that was taking place to have those easement costs and rates in our minds was extortion. It was unfair.

Right now, JMEC, there's still a litigation pending in the New Mexico Supreme Court. Our easements for our roads, we still have a pending litigation in the 10<sup>th</sup> Circuit Court. For Aamodt, we still have a pending litigation in the 10<sup>th</sup> Circuit Court. Santa Fe County has spent over \$100k in legal having to do with our easements and now we have the Verde line that nobody knew about that's affecting not only the way we live, our health, our resources, our wildlife – none of us as neighbors knew and we come to find out that our neighbors inside the pueblos, a lot of them didn't know either.

And so I'm asking you as business people in our county that are running our tax dollars, we're entrusting you with those tax dollars. If this is bad business, then please, please think about it. We already have all of this proof that shows that all the unknowns in dealing with the type of partners is very difficult, with contracts, perpetual easements, and we're asking you to please think about the business sense and how to use our tax dollars and protect us as citizens, all of us, but as us as the majority that are there in this county. Thank you.

HEATHER NORDQUIST: Good evening, Commissioners. My name is Heather Nordquist. I live in El Rancho. I want to first thank your staff and you for listening to the community on this regarding our last comments and I want to say that either of the amendments in the community's view are an improvement which we really appreciate. I'd also like to voice – echo what they were saying about going ahead and putting this off to January. We sort of feel like there's a big rush to get some things done before some of the Commissioners switch over and we believe this is a mistake since this particular project, if and when it happens, will be quite a bit into the future. So I'd like to ask you to not rush through it. This is a very binding contract and the terms under which it can be changed are very stringent.

But listening to the water rate ordinance was very interesting to me. For those of you that don't know Pojoaque very well, we don't get trash service. We don't have septic service, so we don't have a whole lot of bills to worry about. But in hearing the problems you've had, we are certainly concerned that you're going to want to build a system that goes from the Rio Grande to Bishop's Lodge, which is all uphill, and expect to somehow be able to keep rates reasonable. So I encourage you to put this off till January and all for more public comment and thank you very much.

IRENE WEBB: Hello. My name is Irene Webb and I live at 15 County Road 119 North in Nambe. I'm new to the area. I've only moved here a couple years ago and so I've just dove into this actual 60-year thing going on, very recently. And I guess I just want to say that I understand that things have to change and there's a lot of reasons for wanting to equalize things. What I'm concerned about, just as a person and as a citizen, first of all, is representation. I just kind of grew up with no taxation without representation and I just feel like representation is important for especially an issue like this and we see what's going on on every level of government and how important your voice is. It's just so important, and voting and just really having a say in something of this magnitude and just some numbers I got recently from our representative, Carl Trujillo, found for us that we would probably – one of the figures that probably comes up is that a person would get – someone like me would get five acre-feet per year for my one-acre property and that that is right now – it would probably be \$164 a month. Okay? Well, I pay zero now. And \$164 is a lot more than zero. And there's hundreds of people all around who pay zero. Right? We don't pay for our water. So we live our whole lives under this – and I'm kind of struggling a little bit paying all my bills.

So to think of, okay, this is \$164, and then if I don't have representation and I don't know what's going on it feels very loose, and like, what if it went to \$200? That's not that far from \$164. \$200 a month? It's just too much. You understand where – I'm just like very concerned about keeping some kind of cap on things and an eye on things and absolute representation. Thank you.

UNIDENTIFIED SPEAKER: Good evening. First of all, I'd like to thank all the public servants, the County Commissioners, the pueblo governors, State Representative Carl Trujillo – you've all worked very hard and I for one appreciate all your efforts. I chose to speak last, kind of because I didn't want to repeat what everybody else had said.

I noticed the saying behind the Commissioners before the screen came down and it kind of summarizes where we're at. It says protection of property, religion and

language, and that is what all the leaders here have tried to do. And I think it can all be summed up in the word fairness. This whole litigation has been, as you know, for five decades now so we're all under a call of urgency at this point which I don't understand. The decisions that are made by the pueblos, by the Commission, by the State Engineer's Office are going to affect people far into the future. So another few months, another year or two years isn't going to make any difference. You've got to think you're all public servants and you serve every person under your jurisdiction and these people are going to be affected for many, many years into the future.

So there are a lot of loose ends, not only in the JPA, the State Engineer's Office. I don't know if the pueblos still have some loose ends they're trying to tie up but all this has to be brought together before we rush into any decisions. Now, I would respectfully request at this point that the County Commission not only table any action on this item but also consider moving the meeting that will consider this to the area where the people are affected, to the Pojoaque Valley, so that the people that can't be present here in Santa Fe can be present in the location where they're going to be affected. Thank you for your time.

CHAIRMAN CHAVEZ: Next speaker please. And can I please ask for a show of hands of those that are still waiting to speak on this issue? Okay, so we have two. Please come forward and be ready to approach the podium. Go ahead, ma'am.

ANNE GIFFORD: Mr. Chair, Commissioners, my name is Anne Gifford. I live in Nambe, and I think that the critical thing to be considered here with respect to these two amendments is that the board of directors has a tremendous responsibility. I think you know from your many hours of patient listening that many of the county residents have been not in favor of the idea of a County water utility. But there is going to be a regional water system, and there is going to be a County water utility, so I think what's really focused the county residents is the idea that this regional water system needs to be successful and it can only be as successful as the policies and the oversight that the board of directors exercises.

There are two customer bases that are served by the system. The pueblo residents have direct control in terms of their directors over their performance. The directors will be appointed by the pueblo governors who are subject to election by the population of the pueblo. If the directors don't perform diligently the governors will learn that at the ballot box. The county residents have no such opportunity. The one director who's going to be appointed by the Commission may or may not be from the district in which the regional water system is located. I think it's critical that the proposal that suggests that the state representatives, both the representative and the senator appoint directors, allows the county residents to have that same kind of direct approval or disapproval of the directors who are appointed as the pueblo residents do. And I think that's crucial.

I do have a question for staff if I may.

CHAIRMAN CHAVEZ: Go ahead.

MS. GIFFORD: With respect to the arbitration provision, I haven't had an opportunity to read the latest draft but the last draft I saw did not provide for any monetary damages, and I think that's something that's quite problematic. I don't know if one of the staff members can address that.

CHAIRMAN CHAVEZ: I think it can be noted for the record. We may

not be able to answer that question now but we'll make note of it and get back to you.

MS. GIFFORD: When would that be? What meeting should I attend?

CHAIRMAN CHAVEZ: Well, I think we need to give staff time but let's see if they may be able to come up with the answer before we leave but I don't know. But the question is noted for the record.

MS. GIFFORD: I have a second question if I may. It's more in a procedural nature. I heard at the last meeting on this subject and I believe it was you, Chairman Chavez, who said the agreement had been reached. And then this evening I heard again, and please correct me if I've misunderstood that it was your impression that an agreement had been reached and I'm wondering if the Commission's vote is simply an authorization or a rubber stamp of that agreement that has been reached.

CHAIRMAN CHAVEZ: No, what I was speaking to, ma'am, is the point that we the Commission delegated the authority to Commissioner Roybal to negotiate with the parties, the four pueblos, a joint powers agreement.

MS. GIFFORD: Was that a binding designation of authority?

CHAIRMAN CHAVEZ: Again?

MS. GIFFORD: Was that designation of authority binding on the Commission? That was the impression I had from the comments.

CHAIRMAN CHAVEZ: That was my impression. Manager, do you want to –

MS. MILLER: Mr. Chair, the Board passed a resolution designating Commissioner Roybal as a lead negotiator. The binding agreement comes at the vote of the Board.

CHAIRMAN CHAVEZ: Right. Okay. So a draft JPA had been agreed upon. It was discussed at the last meeting. We did not take action on it. In the meantime we have the amendments that were presented here this evening. The two amendments that Commissioner Roybal presented are new to the discussion. And so the joint powers agreement is still a work in progress has not been finalized.

MS. GIFFORD: Thank you. So as a concluding remark may I just emphasize my strong support for Commissioner Roybal's amendment that would have the two state representatives, the representative and the senator appoint the directors. Thank you.

CHAIRMAN CHAVEZ: Next speaker please. So we're talking about four minutes?

REP. CARL TRUJILLO: Mr. Chair, yes. Thank you. Thank you, Mr. Chair. Thank you, Commissioners. Thank you, staff. Thank you, pueblo members, government officials. What I want to state here today is in the federal act it states that this is a regional water system. And I really want to thank Commissioner Roybal for coming out and adding those options for those two different amendments. We're all in this together and I think part of the fear that we see here tonight is what does the actual authority do?

This authority, and I just want to state this again, because this authority would be a separate legal entity. Once it's created it's a separate legal entity, and what does this legal entity do now? It delivers water. And we all know what water is. Water is life. And we all have bills and we've all got to meet those bills and we're all fearful of

those bills so we want to make sure there's proper representation on that. And so this authority will be responsible for diverting, treating, constructing, operating, managing, replacing, repairing and maintaining all facilities, equipment and infrastructure to provide water to the NPT Basin for domestic, municipal, industrial, irrigation, commercial and other approved uses. It will also have the authority to bill and collect payments, establish policies for enforcement mechanisms for delivery and use of water, and incur debt and to pledge.

And because of all these authorities the efficiency in which this board operates, the very thing that we heard prior to this as far as why is the water rates going up on the other County utility? It gets down to the root question is how efficient is the system working? It gets back to Commissioners and I ask the question, if we're going to do something how can we do it well? And so with that said, this authority, the policies that they make and the efficiency that they run this water system is going to affect how this county has to fund that system. And so getting this board correct or as fair as possible, and there's going to always be a lot of debate about what fair is, but to get this board as fair as possible is crucial in my opinion.

For instance, this board will also for the employees determine what the retirement system is, the insurance, other benefits. You wonder what is this board's ability to do that? Are these going to be defined benefit plans? Are these going to be defined contribution plans? These are all things that the taxpayer here is going to have to bear that burden. And so I do want to give the Commission and the staff and for allowing public comment at the last meeting the agreed amendments thus far as I've heard is that arbitration dispute in resolution 19 that incorporates the authority. I think that's very important.

The website – I know the website was mentioned and I think that's a very added improvement and I give staff and all the parties here involved for agreeing to that. I would like to make sure that on there is also the budget and also the audited budget results from the previous year as well, other than just meeting minutes and the meeting agenda. And lastly, that last amendment where the two additional – how you decide these appointed members shall be, that they have equal access to all information as well as the alternates was another good component that came out of that public comment. And so I want to thank the Commission here for allowing that public comment so that we could get to a better joint powers agreement.

I do want to thank Commissioner Roybal for bringing these other two amendments forward. I don't know how you will decide as far as what is a better option, but I just want to leave once again – this is a public water utility that's being created here with all the authorities possible as a legal, separate entity and it's important that we try and get this as best as possible. Thank you so much.

CHAIRMAN CHAVEZ: Okay, I want to ask one final time. Is there anyone here this evening that would like to speak to this issue. Okay, I'm going to close the public hearing portion. And I want to speak a little bit. I don't know. It may not make too much of a difference, but I want to speak to the urgency, if you will, of why we're discussing this at this meeting. I think this has been in play for months now, for years. It's not uncommon for a governing body to assume responsibilities that a prior governing body has placed on them. That happens all the time.

And it needs to continue. True, there are three of us our terms will end December 31<sup>st</sup>. I for one have been committed to working until December 31<sup>st</sup>. That's why I'm here, and we have these issues on our agenda because they need to be on our agenda and we need to be discussing them. I guess we could postpone the vote. We could table it. Is that going to bring a solution right away? No, because that takes time, and that's not all bad.

But having said that, I want to defer to staff and the funding mechanisms that are in place that might be jeopardized if we delay action on this too much further. I don't think that we want to turn away from that. Or maybe we do. I guess that could be a collective decision but I don't think it would be in the best interests of the county collectively moving forward to do that.

So, Manager Miller, could you talk a little bit about the funding that's in place for this, the fact that the County Commission agreed not to fund until certain things were in place. I think one of the items was maybe the right of way issue, which is separate from maybe the JPA. But could you talk about some of the reasons and the urgency, financially, why we're discussing this this evening and why we've been discussing this over the last maybe three or four months?

MS. MILLER: Mr. Chair, I'd like to say first off that the JPA has been in negotiations – I think this particular agreement – for close to four years. And it's been on our agenda various times for discussion in various drafts over those four years. In the last seven months, eight months – actually since April of this year there has been a move to bring the JPA forward for a vote by the full Commission due to the fact that all parties had been negotiating and felt that they had come to an agreement that was ready for public discussion and public vote.

So this has actually been – it's not actually urgent. It hasn't been urgent in the sense that there's been expectation that this would be brought forward to the Board since last April. So that's why it has been put on the agenda and been discussed over the last few months. Relative to funding, last year in – I want to say it was September, end of August, early September of last year the Board did pass a resolution stating that they would not appropriate funds for construction of the water system until the issues of clarification on the easements, the County roads within pueblo boundaries had been resolved. We to date have not resolved those issues so we have not made any appropriations for the construction of the water system.

One of the – another driving force is that in the settlement agreement there are several steps that need to be taken and agreements that need to be negotiated, the JPA being one so that we actually have a board in place to work on some of those other issues, but the operating agreement is something that is required of the County, but also a funding agreement, and if I recall, we're required to have a funding agreement with the BOR by next year in the September timeframe.

So these are all things that in the settlement we're required to do, so we've been trying to move forward with those items that would not require the board to appropriate funds for the construction of the system to continue our progress relative to the settlement agreement without actually going toward the appropriation of the funds that would be in opposition to our resolution that was passed by the Board last year. And also some of our negotiations have been stalled based upon this JPA being still unfinished.

CHAIRMAN CHAVEZ: Could you speak to the possible federal funding

that's already been allocated for this project and what might happen to that funding, depending on our process here.

MS. MILLER: Mr. Chair, I'm probably not the person to speak to that. I think Sandra might have more current information on the federal side of things.

MS. ELY: Chairman, members of the Commission, the total cost for constructing the regional water system in 2006 dollars is approximately \$160 million. Of that, the County would be obligated to pay \$7.4 million. To date the federal government has put forward approximately \$80 million of their total share. So if settlement fails, if we don't meet some of the deadlines as described by the County Manager by next year, those funds – any funds that had been appropriated and not expended would be returned to the federal government, is my understanding.

The settlement would fail; the regional water system would not be constructed; and the pueblo water rights would be returned to litigation.

CHAIRMAN CHAVEZ: And I don't know, I guess – I see some interesting reaction from the audience. I'm not sure if they agree with that or what they're thoughts are. It is what it is. I don't know. The information that you're providing now is accurate. You're talking 2006 dollars. I'm sure that if we calculated today's cost it would be different, unfortunately. Okay, I just wanted to touch on those points of the settlement agreement and the situation that we're in regarding this regional water system and the need to provide a reliable source of water for non-pueblo residents.

We've come to the conclusion of this discussion here. I'm not sure, Commissioner Roybal, if there's any need to put this on the December 13<sup>th</sup> meeting because if you need your time I don't need to be here to vote on this. I'm only here because these are my duties and responsibilities and I take that seriously. If you want to postpone it or table it you could do that right now. So I'm wondering if based on the discussion at our last meeting, based on our discussion tonight, if we should even place it on the December 13<sup>th</sup> meeting. I just pose that as a question. I don't know if you want to respond first, Commissioner Roybal, but I see that Commissioner Anaya wants to respond. I don't know if to that question or to something else. Commissioner Anaya.

COMMISSIONER ANAYA: I'd defer to Commissioner Roybal.

COMMISSIONER ROYBAL: Earlier in the meeting we did discuss deferring and tabling until December 13<sup>th</sup> when the other Commission was here and we did vote on that.

CHAIRMAN CHAVEZ: December 13<sup>th</sup>? That's our next meeting.

COMMISSIONER ROYBAL: That is correct. So that's when we deferred to and we tabled to that point and now, if we do come together at that point and there's issues that are still resolved maybe we do table until the new year but right now that's the timeframe that we have it tabled to.

CHAIRMAN CHAVEZ: So was there a motion to table?

COMMISSIONER ROYBAL: There was a motion, earlier in the meeting when we made an amendment. Yes. So I'd allude to Commissioner Anaya if he's like to make some comments.

CHAIRMAN CHAVEZ: So it will be placed on the December 13<sup>th</sup> agenda with your two amendments to discuss.

COMMISSIONER ROYBAL: That's correct.

CHAIRMAN CHAVEZ: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would concur with Commissioner Roybal's statement. That was what we voted on, so it will be on the December 13<sup>th</sup> agenda. And one of the things I wanted to add, I've had discussions with non-tribal members consistently and I have had some feedback from the governors, Governor Mountain in particular. We haven't had a chance to connect and discuss his concerns for the pueblo but I will extend that invitation to all of the governors to try and have that discussion if they want to have a discussion with me.

But the other thing I would add is there's an array of complex decisions as everyone know. Representative Trujillo knows and everybody in the room that go along with this particular project and process, and so there's not going to be a shortage of complex decisions that the Board has to make. If there is – I respect that there was consensus, concurrence, with the recommendations on the amendment. I didn't hear any adverse comments. Not one tonight, associated with the modification amendment proposed, but respecting that the pueblos haven't had the opportunity to vet that particular item within their own governance structures we have an opportunity to give them a chance to look at it and see how they feel about those amendments.

But I'm perfectly ready with this piece, this step in an array of additional complex discussions to have the discussion and going back to that apparent concurrence and perspective that was provided tonight to take that step if the tribes are willing and in a position to where they can agree with that amendment. So I'm going to put it to that and say that there's not going to be any shortage of additional decisions one more time, and also say that, Mr. Chair, Commissioner Stefanics, Commissioner Holian, I meant no malice or disrespect to the authority and responsibility that each Commission has for the term in which they serve and for that matter, anybody that has an elected or an appointed term from a tribal standpoint, from a non-tribal standpoint, anybody that serves on any board or commission should have every right to work to the last minute and make difficult decisions to the last minutes. I think the utility decision is a little bit different, but I fully respect that responsibility that you have, Mr. Chair, as well as the other Commissioners and that there will be ample opportunity for Commissioners-elect coming in to have their perspective put forth and their votes will definitely come with their responsibilities. Thank you, Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics, are you still with us?  
Going one, going twice. Commissioner Stefanics.

COMMISSIONER ROYBAL: Mr. Chair.

CHAIRMAN CHAVEZ: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: In closing I'd like to thank everybody for being here tonight. All our tribal leaders and the constituents that are here tonight, those of you who spoke and those of you who didn't and were just here to support the people that did speak, so I really appreciate that. And also I want to, as Commissioner Anaya stated, let you know that I'm available to talk to constituents, to the tribal leaders if they'd like to meet to discuss these amendments. I'm open to meeting with any of the tribal leaders and any constituents during the timeframe from here to December 13<sup>th</sup>.  
Thank you.

CHAIRMAN CHAVEZ: I appreciate that, Commissioner Roybal, and I

honestly had held off on talking to any of the pueblo representation or anyone that they had designated to call to set up a meeting with me to discuss these issues and I have met with two of the pueblos, and I'm also open to meeting with them in the future. But again, I reserved that because I wanted to respect the process that you had engaged in to initiate the joint powers agreement and to get us to this point. So that has changed.

Now, there's more open dialogue, not only with one Commissioner but now with all of the Commissioners and I think in hindsight we should have done that from the very beginning. That's my observation on it and those are my closing comments on this item. So I do appreciate all of the effort that you've put into it to date. I appreciate all of the effort that the pueblos have put into it to this date because it is very difficult to embrace, sometimes, the sovereign nation and all that comes with it.

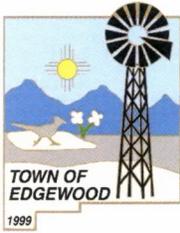
But I also understand that it's very difficult and challenging for the four pueblos to come together and agree on a specific – in this case this joint powers agreement and I really wanted to respect that process. I want to let all you know that. I did share that with the two governors I met with, one on one. And so I do appreciate all of the public comment, the thought and the effort that's put into that. Public comment is closed.

As Commissioner Anaya mentioned, this discussion will continue into the next five or six generations because the water challenges in our region have been with us collectively since time immemorial. We are on the dry side of the continental divide. We are depending on imported water that's coming from a watershed in Colorado. So water issues and the discussion of water, a clean, reliable, affordable source of water is challenging for us now for this generation. It's going to be more challenging as we move forward; it's not going to go away. No questions. We closed the public hearing portion. I'm sorry, Representative, but there will be time for more questions and more comment.

- X. INFORMATION ITEMS**
- A. Growth Management Monthly Report**
  - B. Public Safety Monthly Report**
  - C. Public Works Monthly Report**
  - D. Human Resources Monthly Report**
  - E. Administrative Services Monthly Report**
  - F. Community Services Monthly Report**

There were no questions on the informational items.



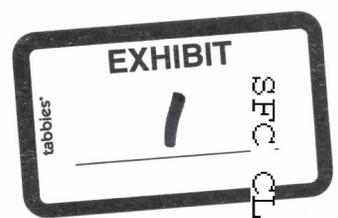


TOWN OF EDGEWOOD

*Where the Mountains Meet the Plains*

1911 Historic Route 66  
P.O. Box 3610  
Edgewood, NM 87015  
Phone: (505) 286-4518 Fax (505) 286-4519

The fundraising



SFC CLERK RECORDED 01/17/2017

November 29, 2016

To members of the Santa Fe County Commission:  
Robert Anaya, Miguel Chavez, Liz Stefanics, Henry Roybal, Kathy Holian.

County Manager: Katherine Miller.  
Deputy County Manager: Tony Flores.

Staff Member: Christopher Barela.

Re: Thank you for your help and consideration with Bond Issue 5 which will help provide funding for a new First Choice Clinic in Edgewood.

Commission Members, County Mangers, and County Staff Members:

On behalf of the Edgewood Town Council and the citizens of the Town of Edgewood I would like to take this opportunity to personally thank each and every one of you who supported the effort to place Bond Issue 5 on the November General Election ballot and who worked thereafter to help get the word out to the voters of Santa Fe County to help support this very worthwhile effort.

With the passage of Bond Issue 5 the fundraising effort for the full amount needed to begin construction has now passed the halfway mark. Much work remains to be done in order to secure the total funding necessary but with the help of Santa Fe County a giant step forward has been taken.

Today I applaud the commitment made by the Santa Fe County Commission, the County Managers, and all of the Staff people who took part in this effort. With your generous help the project to build a new and larger First Choice Clinic in the Town of Edgewood is that much closer to becoming a reality.

We at the Town of Edgewood wish to acknowledge the help given us by Santa Fe County in this matter, and hope that it serves as prelude to a closer long term working relationship between Santa Fe County and the Town of Edgewood.

John Bassett  
Mayor, Town of Edgewood

*Mayor:*  
**John Bassett**

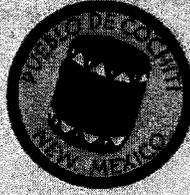
*Councilors:*  
**Sherry Abraham  
John Abrams  
Chuck Ring  
Rita Loy Simmon**

*Municipal Judge:*  
**Wm. H. White**

*Clerk-Treasurer:*  
**Juan Torres**

*Deputy Clerk:*  
**Carla Salazar**

*Nicholas F. Garcia*  
Governor



*Everett P. Herrera*  
Lt. Governor

P.O. Box 70  
255 Cochiti Street  
Cochiti Pueblo, NM 87072-0070  
PH# (505) 465-2244 FAX# (505) 465-1135

November 23, 2016

Mr. Tony Flores, Deputy County Manager  
Santa Fe County  
102 Grant Avenue  
P.O. Box 276  
Santa Fe, New Mexico 87504-0276

Dear Mr. Flores:

Thank you for your letter dated November 15, 2016 inviting the Pueblo de Cochiti to the Santa Fe County Board of County Commissioners meeting on November 29<sup>th</sup> requesting our input for the Master Plan for the Thornton Ranch Open Space.

Unfortunately, a Tribal Council meeting is scheduled for that same day and we are unsure who may be able to attend on our behalf. However, please accept this letter as an expressed concern over the proposal for recreational activities and trails adjacent to cultural sites that are of concern to us and other pueblos. Specifically, the ancient pueblos of San Marcos, Blanco and Lazaro have been determined to be Keresan speaking and are therefore direct descendants of modern day Pueblo de Cochiti community members. We are interested in knowing what Santa Fe County is offering to satisfy our concerns. We would like to see a copy of the archeological copy authored by Parametrix and commissioned by Santa Fe County.

In addition, we understand the county is moving forward in developing the La Bajada property. We would like to become part of the planning effort in the development of that site. Please keep us involved in that process. If you have question, please feel free to contact our Tribal Administrator, Kenny Pin, at 465-3104 or [Kenny\\_pin@pueblodecochiti.org](mailto:Kenny_pin@pueblodecochiti.org).

Sincerely,  
*Nicholas F. Garcia*  
Nicholas F. Garcia  
Governor

Cc: Kenneth Pin, Pueblo de Cochiti

SFC CLERK RECORDED 01/17/2017



**Verde Transmission Project**

EXHIBIT  
**3**

**Santa Fe County Commission**

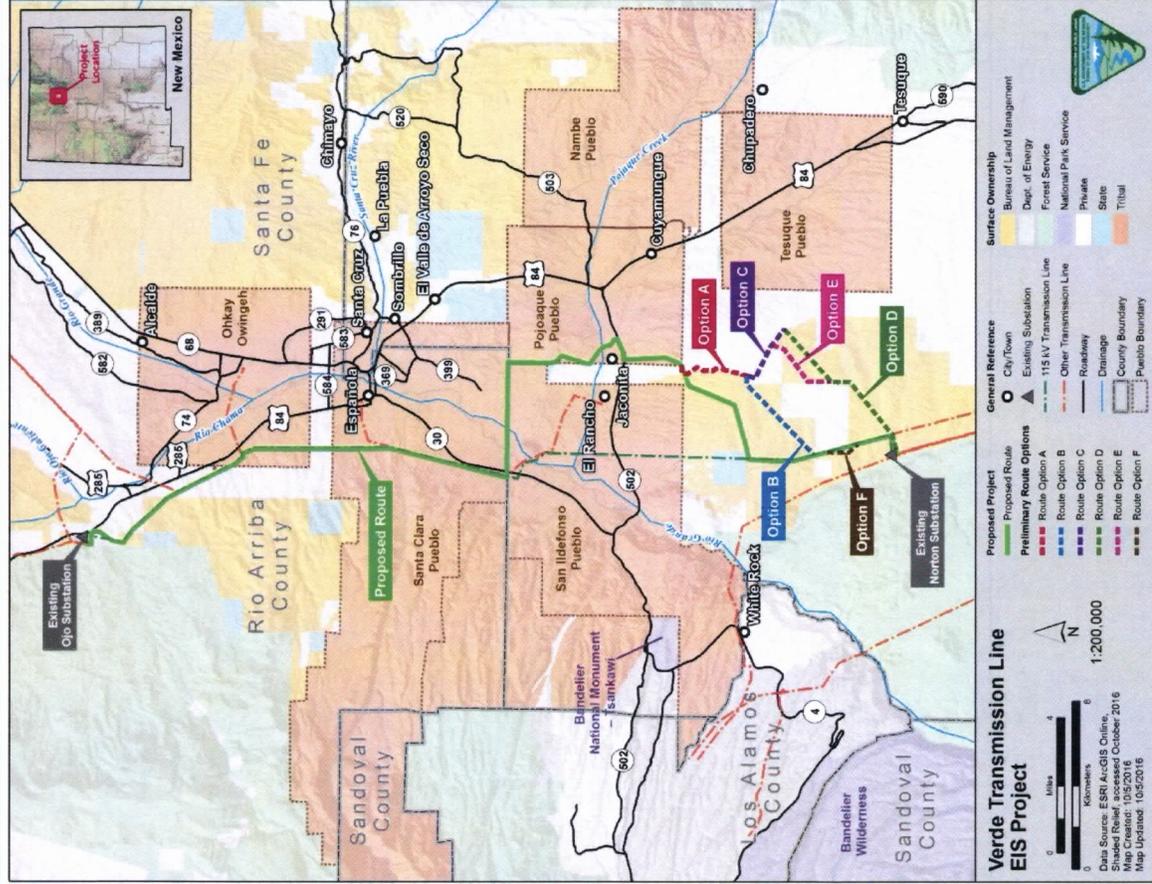
**November 29, 2016**



# Verde Transmission Project

## Project Overview

The Verde Transmission Project is a proposed new, approximately 33-mile long 345 kilovolt (kV) transmission line that will interconnect from the existing Public Service Company of New Mexico (PNM) Ojo station in southern Rio Arriba County to the existing PNM Norton station in Santa Fe County, New Mexico. The Project would complete the 345 kV transmission loop in the Northern New Mexico system, contributing to the reliability in Northern New Mexico.



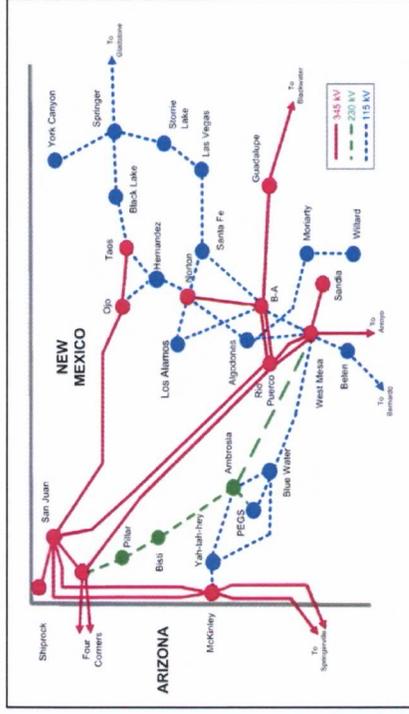
## Project Need and Benefits

### Improve Reliability and Relieve Congestion

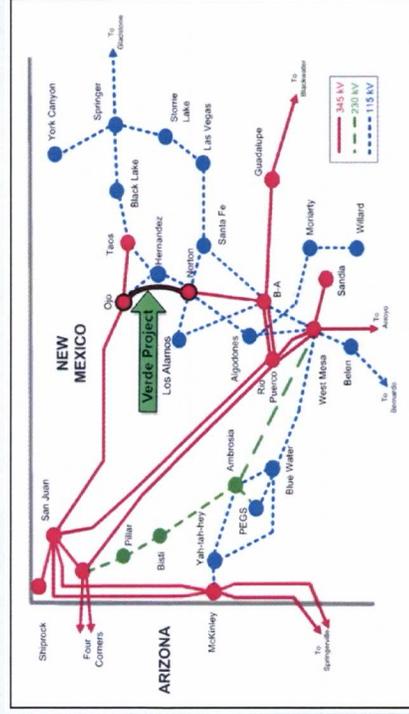
Completion of the 345 kV transmission loop creates economies of scale in New Mexico's backbone transmission system by cost-effectively providing up to 600 MW of transmission capacity to the transmission system.

- **Improve reliability** – Improving current capacity constraints, particularly in the Northern New Mexico transmission system, will improve system reliability and decrease reliability risks.
- **Relieve congestion** – Since available electrical transmission capacity in the region is limited, additional capacity will help relieve congestion and help local utilities access the most cost-efficient energy sources.
- **Reliable electric grid** – The Verde Transmission Project will contribute to the reliability of the electric system and provide greater flexibility to conduct preventative system maintenance activities.
- **Cost-effective electricity** - Provide the opportunity to develop new generation facilities in areas currently unavailable due to lack of transmission capacity. This could potentially provide access to more cost-competitive generation.

Pre-Project System



Post-Project System



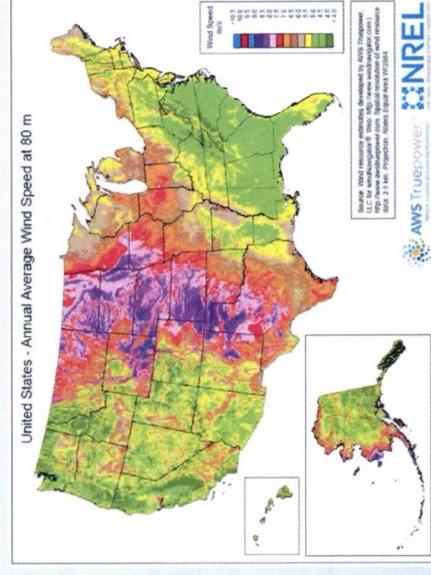
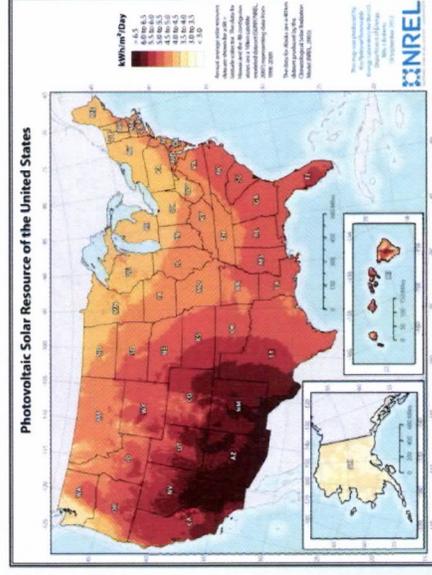
## Project Need and Benefits

### Encourage and Sustain Growth

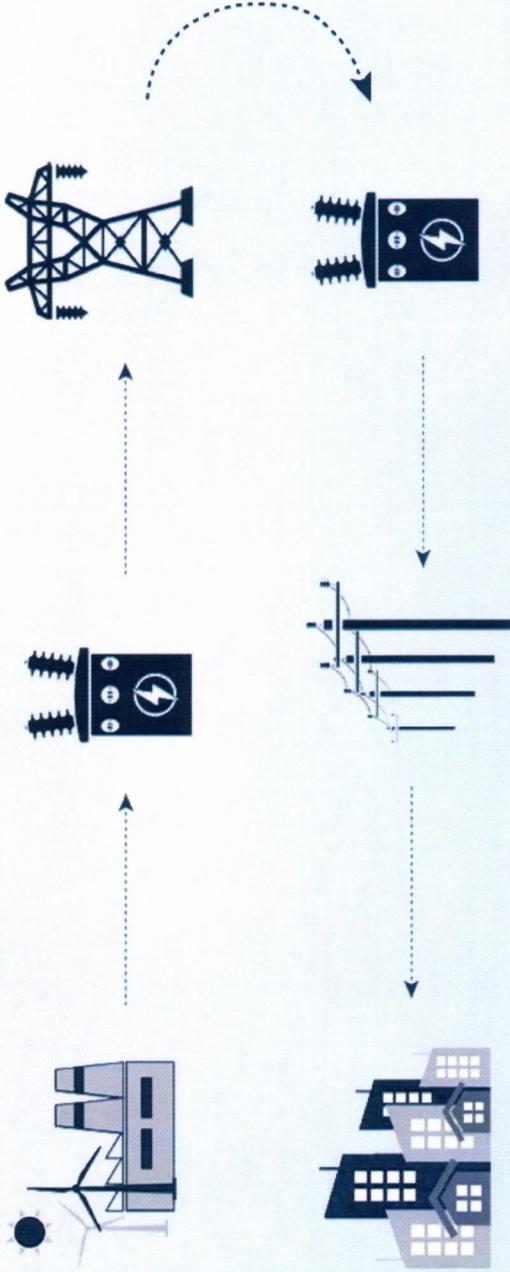
- **Encourage and sustain growth** – New Mexico, and the Southwest Region, are expected to experience long-term growth, creating an increased demand for power and therefore a greater need for transmission capacity to provide that power.
- **Regional economic development** - In addition to temporary construction and supply chain jobs, the Project will create a more robust electric grid necessary for business growth in the region.

### Facilitate Renewable Energy

- New Mexico is a renewable resource rich state. A major challenge facing renewable energy development is insufficient transmission access. Increasing transmission capacity enables New Mexico to foster renewable energy development.
- The project intends to provide enhancements to the transmission system necessary to develop new renewable energy generation facilities and meet renewable energy requirements. New renewable energy generation will be able to reach nearby markets utilizing the additional capacity provided by this Project.



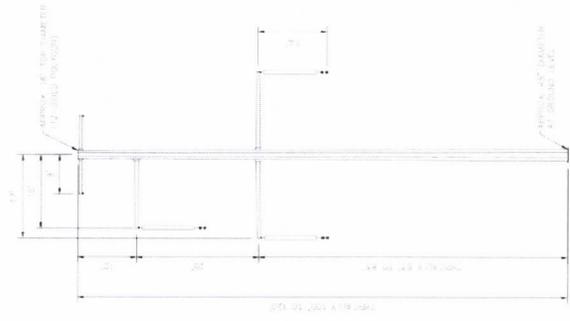
## Electrical Grid



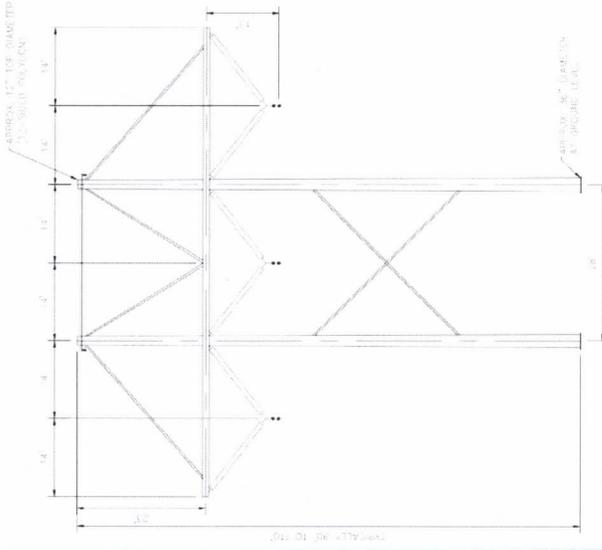
- Electric power is generated from both renewable and conventional sources.
- A substation at the site of electric power generation increases the voltage for transfer to transmission lines, enabling electricity to travel longer distances.
- Transmission lines carry the electricity from the generation substation to a distribution substation, located closer to electricity users.
- A distribution station then lowers the voltage and transfers the electricity to local distribution lines.
- Local distribution lines carry electricity to business and household consumers.

## Project Design

<b>Ojo to Norton Segment: 345-kV Transmission Line</b>	
Anticipated Line Length	~ 33 miles
Type of Structure	Steel-Single Pole & H-Frame
Approximate Structure Height	100 to 120 feet (Single Poles) 90 to 110 feet (H-frames)
Approximate Structure Spacing	800-1200 feet
Anticipated Number of Structures Per Mile	5-7
Anticipated Right of Way Width	150 feet



Steel Single Pole Structure



Steel H-Frame Structure



## Verde Transmission Project

### About the Team

The Project team includes representatives from Hunt Power, LP. Hunt Power, LP develops and acquires electric transmission and distribution assets—both regulated and unregulated—either through acquisition of existing assets or through new incremental construction projects. Hunt Power is part of a larger privately-owned group of companies, based out of Dallas, Texas, managed by the Ray L. Hunt family that engages in oil and gas exploration, refining, power, real estate, ranching, and private equity investments.

#### Core Values:

- Respect for the Individual
- Humility
- Community-Centric
- Creativity
- Commitment to Excellence
- Teamwork
- Honesty

#### For More Information:

- Speak with a Project team member tonight
- Visit us at: [www.huntpower.com/verdeproject.aspx](http://www.huntpower.com/verdeproject.aspx)
- Fill out a comment card with a request to sign up for email updates.



# STOP

## THE "VERDE" POWER LINE

**ATTEND!**

**BLM Public Scoping Meeting  
Monday, December 12th  
at 5:00 p.m.**

**Pojoaque Valley Middle School  
FBL Auditorium - 1797 State Road 502**

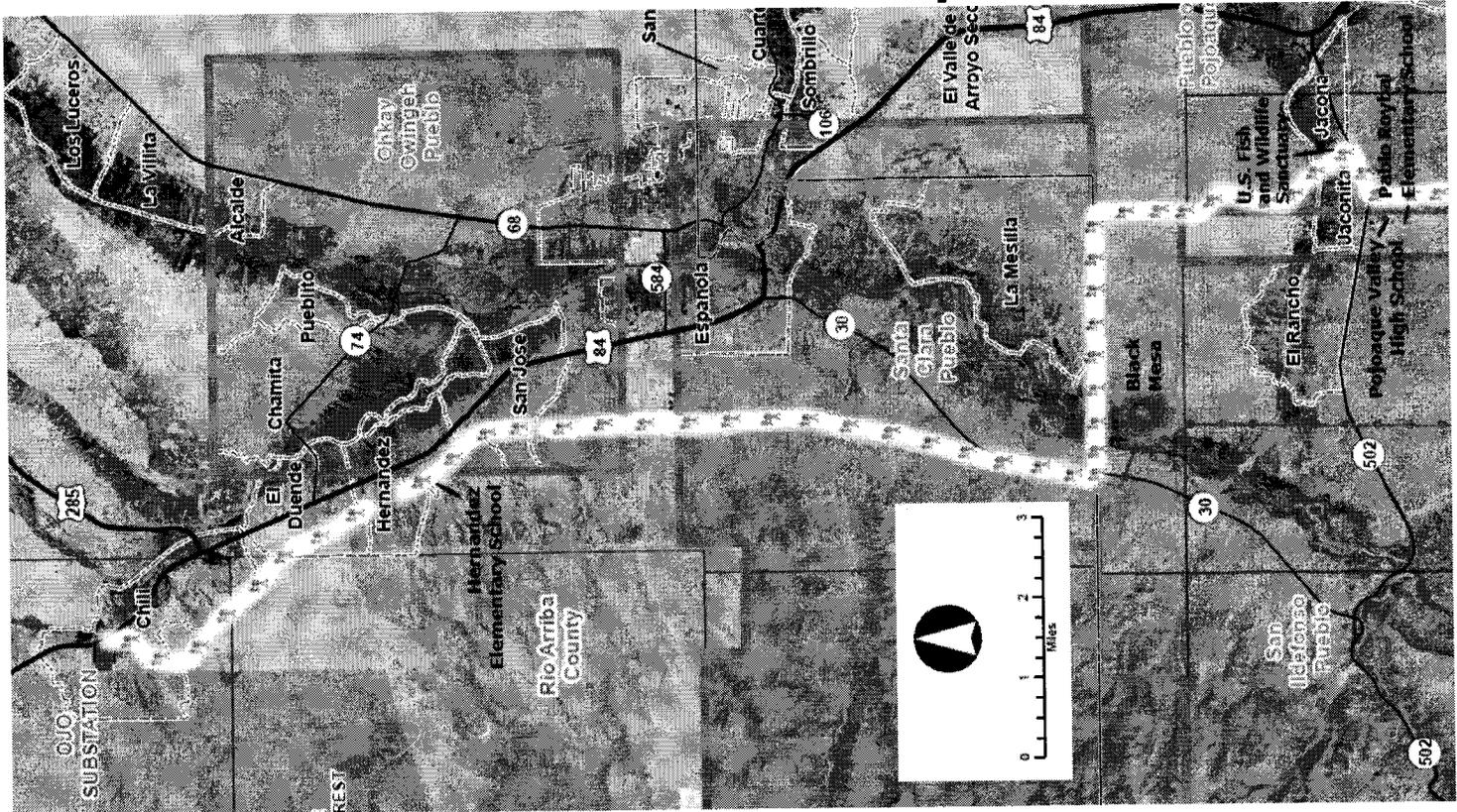
**SUBMIT YOUR INPUT TO BLM BY JANUARY 5th, 2017 :**  
blm\_nm\_verde@blm.org or  
Bureau of Land Management, Verde Transmission Line Project  
P.O. Box 27115, Santa Fe, NM 87502-0115

### Driving Directions

**From Santa Fe :** Follow US-285 N/US-84 W to Los Alamos Hwy in Pojoaque. Take the NM-502 W/Los Alamos exit from US-285 N/US-84 W. Destination will be on the right.

**From Espanola :** Follow US-285 S/US-84. Take the exit toward Los Alamos. Merge onto NM-502/Los Alamos Hwy. Destination will be on the right.

**for more info [www.stopverdeprojectnm.org](http://www.stopverdeprojectnm.org)**



REC'D  
CLERK  
2017

RECORDED  
10/11/17

www.stopverdeprojectnm.org

# STOP THE VERDE PROJECT

PLEASE SUBMIT YOUR COMMENTS IN WRITING TO THE BLM BEFORE JANUARY 5, 2017:

via email at [BLM\\_NM\\_Verde@blm.gov](mailto:BLM_NM_Verde@blm.gov)

or by mail at the following address (letters must be received by January 5, 2017):

**Bureau of Land Management, Verde Transmission Line Project**

**P.O. Box 27115**

**Santa Fe, NM, 87502-0115**

**Below are talking points you can use in your letter**

- **The need for the proposed transmission line has not been stated.**

It is stated in A Citizen's guide to the National Environmental Policy Act (NEPA): "One key aspect of a draft Environmental Impact Statement (EIS) is the statement of the underlying purpose and need. [...] The identification and evaluation of alternative ways of meeting the purpose and need of the proposed action is the heart of the NEPA analysis".

Where is the energy needed, and how much? How many outages have there been in the last years, and how would the proposed "Verde" line have mitigated them? Where are the "green" projects that will be made possible by this line? Who will benefit from it? Who will pay for it? What is its role in the context of the energy and distribution needs in the South West?

- **The route proposed is the one with the worst possible environmental impact**

1. The proposed line would be in close proximity of residences and schools
2. The line crosses Traditional Communities
3. The line would threaten habitats that are critical for birds and other wildlife in the Southwest.
4. The line would run at a distance of 1600ft from the Black Mesa, both a "historic site" and a place sacred to the Native Americans

- The proposed line would have **120ft tall poles every 800ft or less.**

1. Our view sheds would be adversely impacted by the project: the visual resource management classification for BLM lands in this area in the RMP appears to be class I or II, a wild area rich with natural and cultural resources and epic vistas. The presence of the Verde line would result in a class III - or IV designation: industrial.
  2. The film industry, which has a substantial role in Northern NM, will be impaired
  3. Tourism and resettlement to this area depend on view sheds which are unimpeded
  4. The line would drastically devalue the properties in its surroundings
- Hunt Power is preying upon the low income, poorly organized, older, and rural communities of northern New Mexico
  - An increasing number of papers in the scientific literature show correlation between the proximity to High Voltage Alternated Current lines and the insurgence of cancer and other diseases. Although scientific consensus has not yet been reached on the issue, a reasonable doubt exists and the Precautionary Principle should therefore be used, given that the life of people is at stake.
  - The proposed line has already created division in the community and fostered resentment between its members

## **BLM CONSIDER THE NO BUILD OPTION**

For more info please visit: [www.stopverdeprojectnm.org](http://www.stopverdeprojectnm.org)





2

SW12

4

Rio Pojoague

JACONTA ARROYO

Pojoague Pueblo Lands

PROPOSED YERRE BY 3456 KY POWER

Supplemental Plat Showing Private Claims in Section 12 Within the POJOAQUE PUEBLO GRANT

EXHIBIT 5

Sec.12

1/4 Sec. Cor.

4000

N.0°1'W

15.29

4.93

N.87°02'W

2.76

3.50

2.47

3.405'W

12.42

N.0°1'W

12.42

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12.42

S.81°37'W

12

19.58

EXCEPTION 43

P.C. 31

Evans Trujillo and wife

6.178 Acres

EXCEPTION 42

P.C. 80

Pedro Roybal and wife

18.529 Acres

EXCEPTION 41

P.C. 79

Pedro Roybal and wife

6.277 Acres

EXCEPTION 40

P.C. 78

Vicente Garcia & wife

2.311 Acres

S.81°37'W

12

19.58

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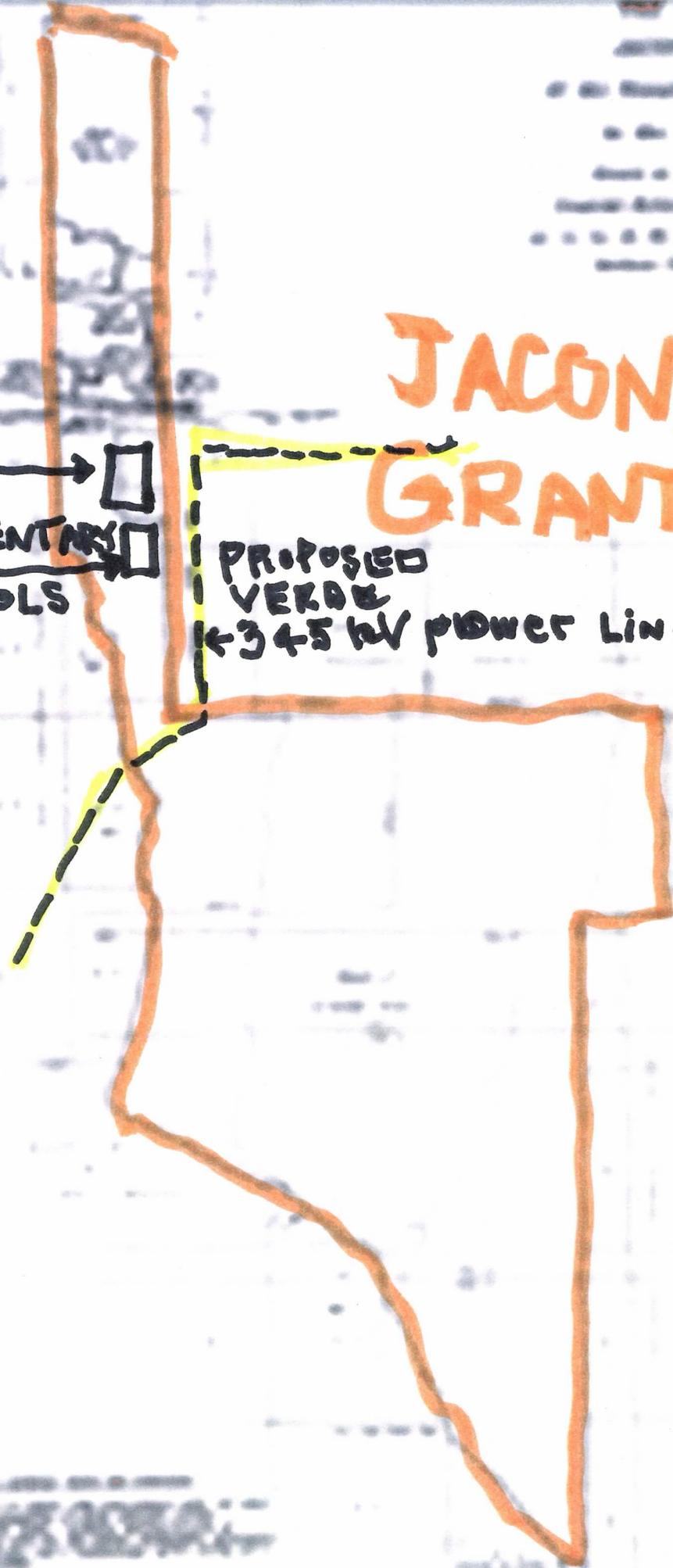
Pedro Roybal and wife

502

JACONA GRANT.

HIGH →  
ELEMENTARY →  
SCHOOLS

PROPOSED  
VERDE  
← 345 kV POWER LINE



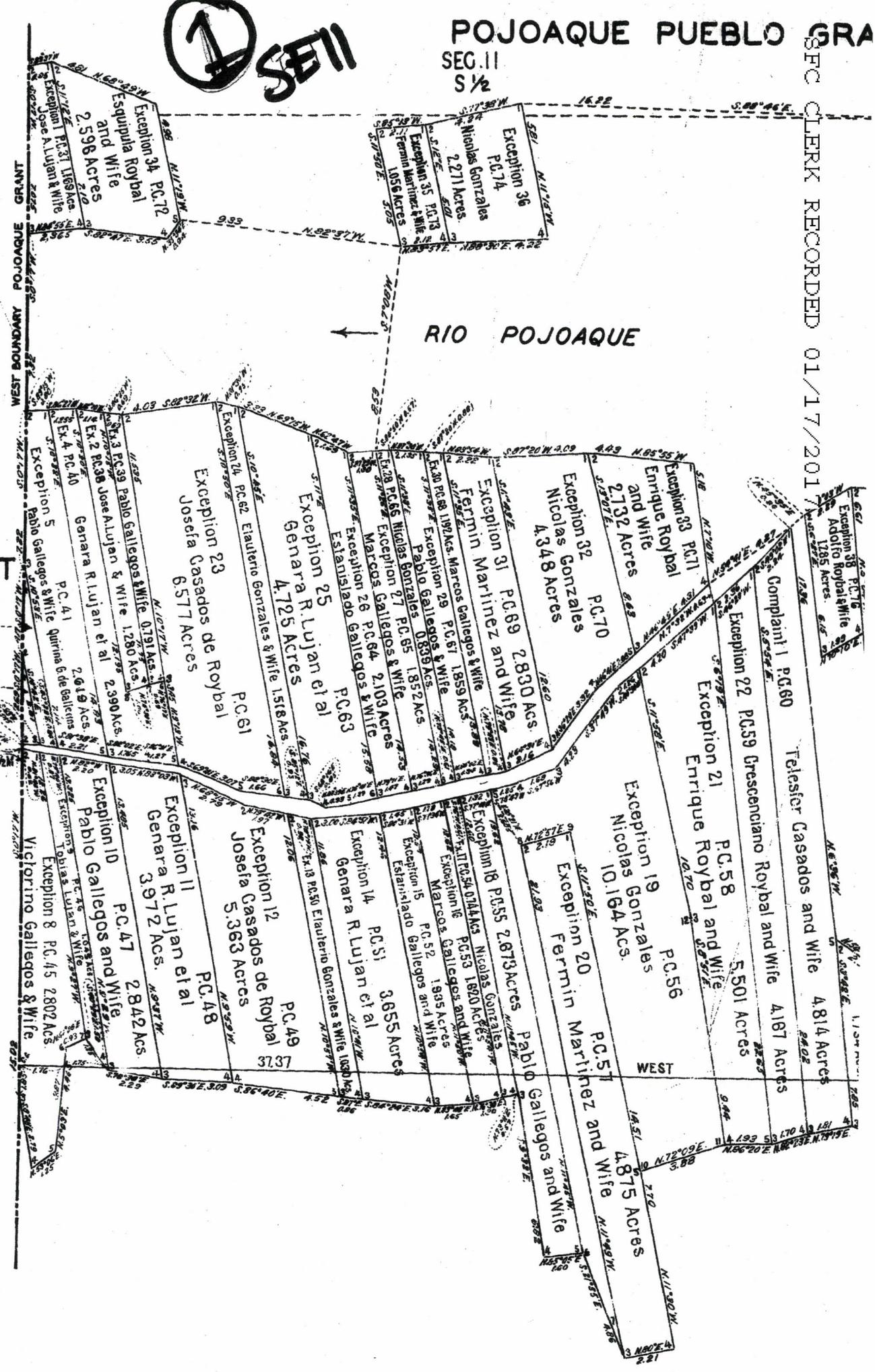
PLANNING DEPARTMENT  
CITY OF PHOENIX

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POJOAQUE PUEBLO GRA  
SEC. II  
S 1/2

CLERK RECORDED 01/17/2011

SELL



RIO POJOAQUE

WEST BOUNDARY POJOAQUE GRANT

ONA GRANT

Exception 6 P.C. 42  
Tobias Lujan & Wife  
0.395 Acres

Exception 7 P.C. 43  
Victorino Gallegos & Wife  
0.072 Acres

Complainant P.C. 60  
Exception 22 P.C. 59  
Exception 21 P.C. 58  
Exception 19 P.C. 56  
Exception 20 P.C. 57  
Exception 18 P.C. 55  
Exception 17 P.C. 54  
Exception 16 P.C. 53  
Exception 15 P.C. 52  
Exception 14 P.C. 51  
Exception 13 P.C. 50  
Exception 12 P.C. 49  
Exception 11 P.C. 48  
Exception 10 P.C. 47  
Exception 9 P.C. 46  
Exception 8 P.C. 45  
Exception 7 P.C. 44  
Exception 6 P.C. 43  
Exception 5 P.C. 42  
Exception 4 P.C. 41  
Exception 3 P.C. 40  
Exception 2 P.C. 39  
Exception 1 P.C. 38  
Exception 38 P.C. 16  
Adolfo Roybal & Wife  
1.795 Acres

WEST

11/29/2016

Submitted by M.C. Chaney  
chaney.mel@gmail.com

Proposed comment to BLM challenging Verde's claims of need.

505-455-

59  
SFC CLERK RECORDED 01/17/2017 493

1. PNM first proposed to close the Ojo-Norton gap in the late 1970s. Their reasons then were: to control outages, to provide better system stability, improved reliability to the Lab and to Taos. To date, Nov. 2016, PNM's system comprises three 345kV lines and a 115kV line. Two of these 345 lines connect Four Corners and San Juan through Albuquerque to Norton, a few miles west of Santa Fe. The third 345 line connects San Juan to OJO which is a few miles NW of Espanola. The 115kV line completes a loop by connecting Ojo to Norton. This line was upgraded by PNM a few years ago. The evidence for lack of need of the 345 line is now in since this system has worked quite well for 35 years and is currently working well contrary to PNM's early dire warnings. PNM obviously overstated the need.

2. Hunt/Verde now repeats PNM's reasons for a 345kV line from Ojo to Norton: improvement of outage control and system reliability. The 35 years of acceptable experience cited in paragraph 1 allows us to refute these reasons. Hunt/Verde adds that improved access is needed to the renewable energy farms which are located on New Mexico's Eastern Plains. BLM must ascertain that the users of the Hunt/Verde Project will be predominantly generators and users of renewable power, not of fossil fuel power. There is evidence that this is not the case.

3. Being built, and approved to be built, are several transmission lines that will connect New Mexico's renewable energy farms to Arizona and California.

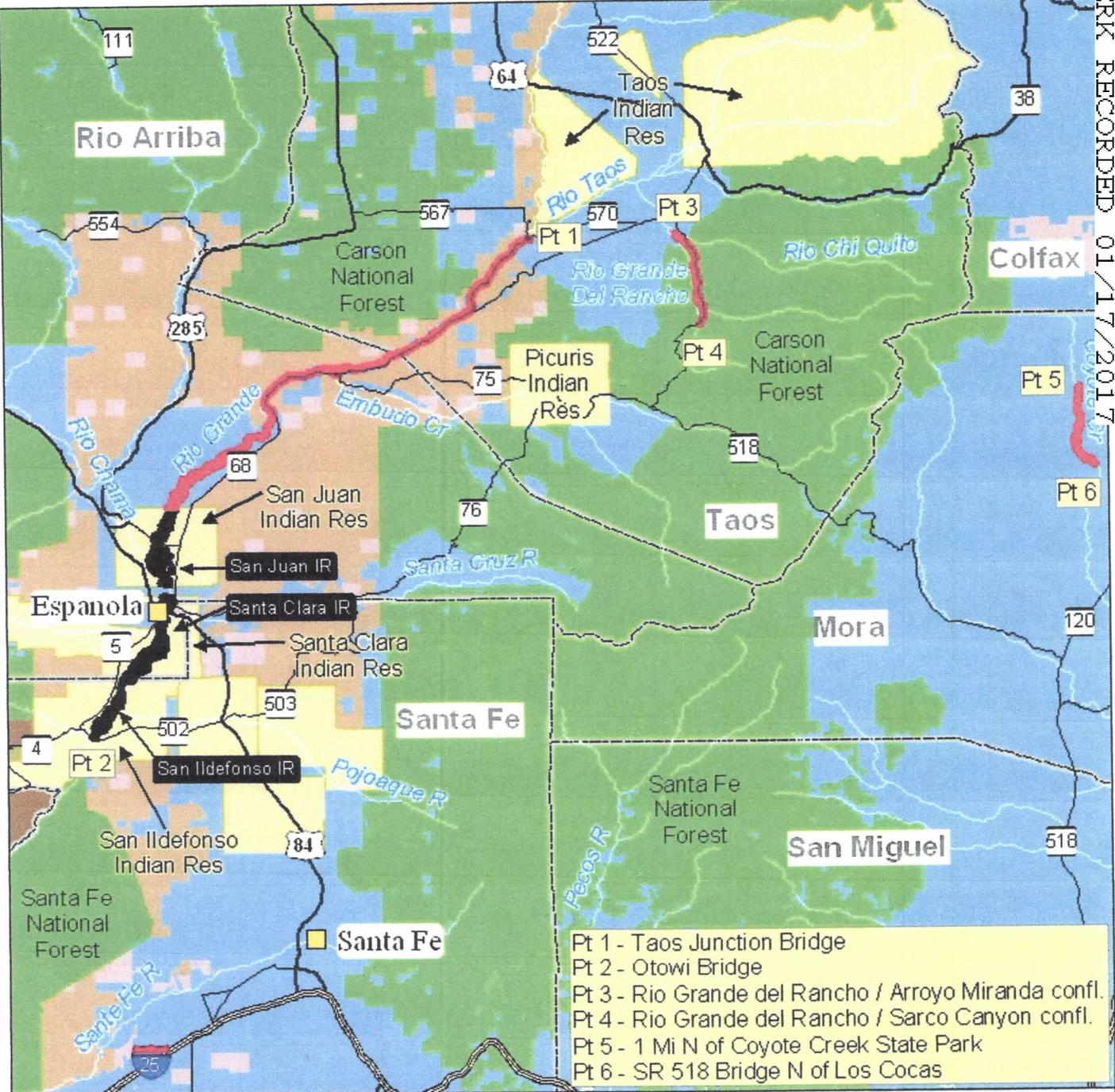
They are: Centennial West-- 500kV DC--3500 Megawatts; SunZia 500kV--3000 Megawatts (4500MW with the DC option. It is anticipated to be in service by 2020); The Southline Transmission Project, 345kV, 1000 Megawatts (Incidentally, Southline Transmission is, along with Verde, a subsidiary of Hunt).

These new lines combined have a considerable advantage over the Hunt/Verde 345kV proposal. They have a much greater capacity to carry power and are much better positioned at both the source and load points than is the route that includes the 33 mile long Hunt/Verde gap filling line.

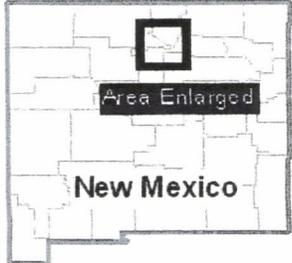
4. If Hunt/Verde's purpose is to carry renewable power as stated in their literature; its reason for being will rapidly disappear as the new lines come into operation. It would be a crime to despoil this historic country of its beauty with ugly structures that are of fleeting use **and are not needed for the other purposes stated, outage and reliability**, as shown in paragraphs 1 and 2 above.

5. Conclusion: From these considerations alone it is clear that **the Hunt/Verde proposed line** is not needed and **should not be built**

### General Locations of Critical Habitat for the Southwestern Willow Flycatcher Upper Rio Grande Management Unit

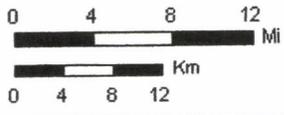


- Pt 1 - Taos Junction Bridge
- Pt 2 - Otowi Bridge
- Pt 3 - Rio Grande del Rancho / Arroyo Miranda confl.
- Pt 4 - Rio Grande del Rancho / Sarco Canyon confl.
- Pt 5 - 1 Mi N of Coyote Creek State Park
- Pt 6 - SR 518 Bridge N of Los Cocas



- Critical Habitat - 2005 - FINAL
- Excluded from Critical Habitat
- Rivers/Lakes
- Counties
- Cities
- Interstates
- US Highways
- State Highways

<http://crithab.fws.gov>



**Kristine Mihelcic**



SFC CLERK RECORDED 01/17/2017

**From:** Melissa Holik <demingrefugee@hotmail.com>  
**Sent:** Monday, November 28, 2016 3:29 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Melissa Holik  
3198 La Avenida de San Marcos  
Santa Fe, NM 87507  
Email: demingrefugee@hotmail.com  
Phone: 505-60-8707

Comments:

I completely oppose trapping on public land.  
Trapping is impractical and inhumane. It endangers non-targeted wildlife as well as domesticated animals, including search and rescue dogs. It unfairly allocates the use of public spaces to a tiny number of trappers who often sell their furs overseas, adding very little to our economy. If ranchers would like to set traps on their own land, that is their land to do with as they please. Public lands are not their land. It belongs to me as much as to them, and I don't want their traps on my land. End this outdated practice and find more effective wildlife management solutions.

V.B.2

**Kristine Mihelcic**

---

**From:** Lorrin Maughan <urbancritter@hotmail.com>  
**Sent:** Wednesday, November 23, 2016 9:04 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Lorrin Maughan  
223 N Guadalupe #530  
Santa Fe, NM 87501  
Email: urbancritter@hotmail.com  
Phone: (425) 442-9277

Comments:

I am completely opposed to trapping on public land. It is cruel and inhumane, as well as indiscriminate. Domestic animals have been caught in traps as well as wildlife. They are a menace, please stop this horrific practice!

V.B.2

SFC CLERK RECORDED 01/17/2017

**Kristine Mihelcic**

---

**From:** Gina Aranda <etal2gina@yahoo.com>  
**Sent:** Saturday, November 26, 2016 10:00 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Gina Aranda  
4706 Solecito Way  
Santa Fe, NM 87507  
Email: etal2gina@yahoo.com  
Phone: 5054241615

**Comments:**  
Hello Commissioners,  
Thank you for representing me. It has been brought to my attention that on November 29th the Board of Commissioners will be considering passing a resolution to restrict trapping on federal public lands. I cannot attend because I'll be working, so I'm writing to let you know that I support this resolution.

Trapping is very cruel, and is no longer a viable solution for family income because our irreplaceable natural environment cannot long withstand so much indiscriminate harm to anything and anyone who falls into these traps on top of loss of habitat. Personally, it scares me that lands set aside for our enjoyment can harbor such dangers.

Only lawmakers have any real control over protecting our natural wild places and wildlife, so please pledge the county's support for this resolution.

Thank you,  
Gina Aranda  
4706 Solecito Way  
Santa Fe, NM 87507

V. B. 2

**Kristine Mihelcic**

---

**From:** Amanda Hatherly <santafeamanda@gmail.com>  
**Sent:** Monday, November 28, 2016 9:23 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Amanda Hatherly  
1346A Pacheco  
Santa Fe, NM 87505  
Email: santafeamanda@gmail.com  
Phone: 505-690-2603

Comments:

I am totally opposed to trapping. it is cruel, inhumane and unnecessary. It endangers non-target wildlife, endangered species and domestic pets.  
Many counties and even some states have outlawed trapping entirely. Santa Fe County should join them.

V. B. 2

**Kristine Mihelcic**

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SFC CLERK RECORDED 01/17/2017

**From:** Nicole Sylvester <nicolescritters@gmail.com>  
**Sent:** Monday, November 28, 2016 9:26 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Nicole Sylvester  
4428 Los Arboles Dr  
Las Cruces, NM 88011  
Email: nicolescritters@gmail.com  
Phone: 5756420297

**Comments:**  
Too many innocent people and animals have been injured by irresponsible trapping. They should be banned.

V.B.2

**Kristine Mihelcic**

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**From:** Caroline Murphy <carolynmurphy14@msn.com>  
**Sent:** Monday, November 28, 2016 9:32 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Caroline Murphy  
2818 Plaza Rojo, 14  
Santa Fe, NM 87507  
Email: carolynmurphy14@msn.com  
Phone: 5059205866

Comments:

Trapping is animal cruelty at its worst. There is no need for it, as it's antiquated and barbaric. Please be the better person and try to put a stop to it. If you have animals of your own, imagine what it would be like if one of them got caught in a trap, especially if it was out of your sight, for days.

V. B. 2

**Kristine Mihelcic**

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SFC CLERK RECORDED 01/17/2017

**From:** Joseph Treat <jktnrt@msn.com>  
**Sent:** Monday, November 28, 2016 9:47 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Joseph Treat  
2267 Via manzana, Treat  
Santa Fe, NM 87507  
Email: jktnrt@msn.com  
Phone: 5054246213

**Comments:**  
I do hope you ban trapping on public lands.  
There are many reasons to be against it. It is cruel. It traps anything that steps on it and not just targeted animals.

V. B. 2

**Kristine Mihelcic**

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**From:** Rae Sikora <rae@plantpeacedaily.org>  
**Sent:** Monday, November 28, 2016 10:42 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Rae Sikora  
1712 Avenida Cristobal Colon  
Santa Fe, NM 87501  
Email: rae@plantpeacedaily.org  
Phone: 505-690-0702

Comments:

Please do everything you can to make leghold traps illegal in our county. I have seen domestic and wild animals caught in these traps who have been there for extended periods and suffered from the moment they were trapped. The traps do not discriminate and cause prolonged suffering to any species caught in them. The first animal I saw in a trap was an eagle when I was just a child. The eagle most likely went for a mouse who had gone for the bait. Many regions have made these traps illegal. Please stand with those who stand up for non-violence and compassion. Thank you.

V.B.2

**Kristine Mihelcic**

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SFC CLERK RECORDED 01/17/2017

**From:** Nick Davidson <nickgdavidson@gmail.com>  
**Sent:** Monday, November 28, 2016 10:49 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Nick Davidson  
415 Sunset St.  
Santa Fe, NM 87501  
Email: nickgdavidson@gmail.com  
Phone: 3174437315

Comments:

I am totally opposed to trapping on public land.

It is barbaric and endangers non-targeted wildlife. It is a relic of the past and needs to be terminated forever. Please end trapping on public lands.

V.B.2

**Kristine Mihelcic**

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**From:** Lois Ellen Frank <nativecooking@gmail.com>  
**Sent:** Monday, November 28, 2016 10:57 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Lois Ellen Frank  
7 Avenida Vista Grande #147  
Santa Fe, NM 87508  
Email: nativecooking@gmail.com  
Phone: 505-466-6306

Comments:

I am totally opposed to trapping on public land.  
It is barbaric and endangers non-targeted wildlife as well as one of the most cruel methods in existence. It is a relic of the past and needs to be terminated forever.  
Remember the coyote in Eldorado that freed itself from the trap and wandered around for days and days with the leg hold trap on its leg. I live in Eldorado and this was one of the most horrific things I have ever seen.  
PLEASE stop this type of trapping. PLEASE.

V.B.2

Kristine Mihelcic

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SFC CLERK RECORDED 01/17/2017

**From:** Dave Holland <daveholland55@gmail.com>  
**Sent:** Monday, November 28, 2016 12:47 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Dave Holland  
409 E Coronado Rd  
Santa Fe, NM 87505  
Email: daveholland55@gmail.com  
Phone: 505-660-8868

Comments:

Trapping is a barbaric practice that tortures animals and should be relegated to the Medieval Age. Aside from endangering domestic and non-targeted wildlife, it is an embarrassment that our state sanctions brutality and it should be terminated forever.

V.B.2

**Kristine Mihelcic**

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**From:** Michael Jacobs <mpjsantafe@gmail.com>  
**Sent:** Monday, November 28, 2016 1:37 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Michael Jacobs  
223 N.Guadalupe #145  
Santa Fe, NM 87501  
Email: mpjsantafe@gmail.com  
Phone: 505 577 4274

Comments:

Hello ,, I feel that trapping is in itself barbaric, it also is a danger to pets. Please help put an end to this antiquated practice.

Sincerely

Michael Jacobs

V.B.2

**Kristine Mihelcic**

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SFC CLERK RECORDED 01/17/2017

**From:** James Corcoran <livegan@yahoo.com>  
**Sent:** Wednesday, November 23, 2016 8:55 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

James Corcoran  
1712 Avenida Cristobal Colon  
Santa Fe, NM 87501  
Email: livegan@yahoo.com  
Phone: 505-690-1859

Comments:

I am totally opposed to trapping on public land.  
It is barbaric and endangers non-targeted wildlife. It is a relic of the past and needs to be terminated forever.

SFC CLERK RECORDED 01/17/2017

**Kristine Mihelcic**

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**From:** Derek Werner <namzat@comcast.net>  
**Sent:** Tuesday, November 29, 2016 8:15 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Derek Werner  
941 Calle Mejia  
Santa Fe, NM 87501  
Email: namzat@comcast.net  
Phone: 5059201280

Comments:

I am adamantly opposed to allowing trapping on public lands in Santa Fe County. It is a indiscriminate practice that injure or kill non-targeted animals, including human beings. It has little subsistence value, as those without enough to eat almost never have the resources to hunt with traps. There is literally no justification for maintaining this practice as legal in Santa Fe County. It only serves to legitimize a brutal, indiscriminate hunting technique whose economic role in subsistence has long since faded into the past. I urge the commissioners to oppose the legalization of this practice.

V. B. ?

## Kristine Mihelcic

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**From:** Lauren Stutzman <shojiscreen@hotmail.com>  
**Sent:** Tuesday, November 29, 2016 7:55 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form result:

Lauren Stutzman  
7 General Goodwin Road  
Cerrillos, NM 87010  
Email: shojiscreen@hotmail.com  
Phone: 8025952251

**Comments:**

I am strongly opposed to trapping on public lands.

**Kristine Mihelcic**

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**From:** Rachel Winston <rachewin@gmail.com>  
**Sent:** Tuesday, November 29, 2016 9:15 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Rachel Winston  
539 Juniper Drive  
Santa Fe, NM 87501  
Email: rachewin@gmail.com  
Phone: 5054014412

Comments:

I am totally opposed to trapping on public land.  
It is barbaric and endangers non-targeted wildlife. It is a relic of the past and needs to be terminated forever.

## Kristine Mihelcic

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**From:** Diane E Felton <templebeautiful@yahoo.com>  
**Sent:** Tuesday, November 29, 2016 9:10 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

### Web form results:

Diane E Felton  
172 Ephriam st  
santa fe, NM 87501  
Email: templebeautiful@yahoo.com  
Phone: 5056904380

### Comments:

Please do not allow trapping on public land. Our wild brothers and sisters have enough of a challenge surviving so close to us; we should help them, not kill them. Please think deeply about the implications of allowing trapping on our public lands. Thank you for caring about the future of our wilds that give us so much peace and pleasure.

**Kristine Mihelcic**

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**From:** Anonymous <kbustos@santafecountynm.gov>  
**Sent:** Tuesday, November 29, 2016 8:56 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

[Anonymous submission]

Comments:

I am totally opposed to trapping on public land.

It is barbaric and endangers non-targeted wildlife. It is a relic of the past and needs to be terminated forever.

## Kristine Mihelcic

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**From:** Nikki Harnish <fulfillmnt@cybermesa.com>  
**Sent:** Tuesday, November 29, 2016 8:56 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

### Web form results:

Nikki Harnish  
104 Lugar de Oro St.  
Santa Fe, NM 87501  
Email: fulfillmnt@cybermesa.com  
Phone: 5059882177

### Comments:

Trapping should not be permitted on public lands.

The pain and anguish caused by these barbaric traps is inhumane and reflects poorly on our values. Additionally they put humans and pets at risk. Please do not allow this to continue.

**Kristine Mihelcic**

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**From:** Diane E Felton <templebeautiful@yahoo.com>  
**Sent:** Tuesday, November 29, 2016 8:50 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Diane E Felton  
172 Ephriam st  
santa fe, NM 87501  
Email: templebeautiful@yahoo.com  
Phone: 5056904380

Comments:

Please do not allow trapping on public land. Our wild brothers and sisters have enough of a challenge surviving so close to us; we should help them, not kill them. Please think deeply about the implications of allowing trapping on our public lands. Thank you for caring about the future of our wilds that give us so much peace and pleasure.

## Kristine Mihelcic

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**From:** Tomasen Weinbaum <tomasen.weinbaum@gmail.com>  
**Sent:** Tuesday, November 29, 2016 7:31 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

### Web form results:

Tomasen Weinbaum  
106 Michelle Dr  
Santa Fe, NM 87501  
Email: tomasen.weinbaum@gmail.com  
Phone: 8029171970

### Comments:

I have become aware that there is trapping of animals occurring on public lands and I am very against this practice! I and so many others walk my dogs on these lands, and it is horrible to think of any animal (domestic or wild) being injured and suffering Due to the practice of trapping. Please ban trapping on public lands and designate other areas for this to occur, if necessary.

## Kristine Mihelcic

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**From:** Z Jacobson <purplezippy@hotmail.com>  
**Sent:** Tuesday, November 29, 2016 7:31 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

### Web form results:

Z Jacobson  
1204 Agua Fria St  
Santa Fe, NM 87501  
Email: purplezippy@hotmail.com  
Phone: 5055700313

### Comments:

I am totally opposed to trapping on public land.

It is barbaric and endangers non-targeted wildlife. My dog was caught in an animal trap while we were hiking and i will never forget her screams and i know of several other people who's dogs also got caught in traps. Our dogs are our families, this practice needs to be terminated forever!!

## Kristine Mihelcic

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**From:** Anonymous <kbustos@santafecountynm.gov>  
**Sent:** Tuesday, November 29, 2016 7:01 AM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

[Anonymous submission]

Comments:

For every target animal caught in a steel jaw trap, 10 non-target animals are caught. One in every four animals escapes by chewing off his or her own foot. Animals who remain in the traps and are alive when the trapper returns, often suffer further torture. State regulations on how often trappers must check their traps vary from 24 hours to one week, and four states have no regulations at all. For those states who do have regulations, the reality is that there are very few authorities available to regulate and oversee the traps and trappers.

**Kristine Mihelcic**

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**From:** Alankin Roybal <lynxroybal1@gmail.com>  
**Sent:** Tuesday, November 29, 2016 12:30 AM  
**To:** Kristine Mihelcic  
**Subject:** Santa Fe County Contact Form Submission

Web form results:

Name: Alankin Roybal  
Email: lynxroybal1@gmail.com

Message:

Hi, I am contacting my County Commissioner to let you know I am very opposed to allowing trapping on public lands. This is a threat towards children, adults, pets and wildlife. Certain animals that could get trapped may not even be the type of animal that is intended to be trapped which could result in needless killing that disrupts the ecosystem. I hike a lot in many different areas and I would be absolutely devastated if one of my dogs were to get caught in one of these traps and enraged that the trap was set in order for someone to possibly make a profit while disregarding the safety of anyone who may come near it. I couldn't even imagine what a parent would feel if their child was unfortunate enough to become the victim of one of these traps. Whatever the reason the traps may be set it is very unsafe for New Mexicans, their pets and any tourists who may visit New Mexico to enjoy the outdoors. It is also extremely cruel for any animal to be trapped in such a manner. New Mexico in my opinion is still one of the cleanest and environmentally rich states that has been relatively untainted by urbanization when compared to other parts of the country. But our wildlife and ecosystems are still under threat and any number of things could potentially turn into very damaging situations for us. I believe we should protect our wildlife, environment and biodiversity and preserve what we have here because it truly is a blessing. Trapping on public land is absolutely unnecessary and banning it would be a great place for us to start making more of a commitment to move forward in a way that protects the environment and the animals that live there while keeping in mind the safety of people and their pets who also enjoy the wilderness.

Thank you very much,

Alankin Roybal

## Kristine Mihelcic

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**From:** Monica Caldas <mcaldas13@gmail.com>  
**Sent:** Monday, November 28, 2016 7:22 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

### Web form results:

Monica Caldas  
2031 Placita De Quedo  
Santa Fe, NM 87505  
Email: mcaldas13@gmail.com  
Phone: 5059201875

### Comments:

Please do not allow people to trap animals on public land! It is not safe for pets, wild animals, or even humans. Please put an end to this practice, it has no place in our state. I urge to ban all trapping on public land. Thank you for your consideration.

**Kristine Mihelcic**

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**From:** Attiana Virella-Fuentes <avirellafuentes@gmail.com>  
**Sent:** Monday, November 28, 2016 7:08 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Attiana Virella-Fuentes  
2031 Placita De Quedo  
Santa Fe, NM 87505  
Email: avirellafuentes@gmail.com  
Phone: 5056705196

Comments:

I am totally opposed to trapping on public land.  
It is barbaric and endangers non-targeted wildlife. It is a relic of the past and needs to be terminated forever.

## Kristine Mihelcic

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**From:** Anonymous <kbustos@santafecountynm.gov>  
**Sent:** Monday, November 28, 2016 4:59 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

[Anonymous submission]

Comments:

I am strongly against the trapping, it is sooo wrong, even discussing it making me sick..

**Kristine Mihelcic**

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**From:** Wendy Blagg Skelly <wbskelly@gmail.com>  
**Sent:** Monday, November 28, 2016 3:59 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Wendy Blagg Skelly  
P.O. Box 23086, 10 Calle Cantando  
SANTA FE, NM 87502  
Email: wbskelly@gmail.com  
Phone: 5056298335

Comments:

I am strongly opposed allowing trapping of animals on public land. This is a very cruel and barbaric method of capture not only for the targeted wildlife but others as well. Please do not allow this!

## Kristine Mihelcic

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**From:** Wendy Blagg Skelly <wbskelly@gmail.com>  
**Sent:** Monday, November 28, 2016 3:59 PM  
**To:** Kristine Mihelcic; Jennifer LaBar  
**Subject:** Santa Fe County Public Comment Form

Web form results:

Wendy Blagg Skelly  
P.O. Box 23086, 10 Calle Cantando  
SANTA FE, NM 87502  
Email: wbskelly@gmail.com  
Phone: 5056298335

Comments:

I am strongly opposed allowing trapping of animals on public land. This is a very cruel and barbaric method of capture not only for the targeted wildlife but others as well. Please do not allow this!



SFC CLERK RECORDED 01/17/2017

Henry P. Roybal  
Commissioner, District 1  
Miguel M. Chavez  
Commissioner, District 2  
Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4  
Liz Stefanics  
Commissioner, District 5  
Katherine Miller  
County Manager

**Date:** November 29, 2016  
**To:** Board of County Commissioners  
**From:** Penny Ellis-Green, Growth Management Director and Land Use Administrator  
Andrea Salazar, Assistant County Attorney  
**Via:** Katherine Miller, County Manager  
**Re:** Ordinance No. 2016-\_\_\_, An Ordinance Amending And Restating In Its Entirety The Santa Fe County Sustainable Land Development Code (SLDC), Ordinance 2015-11.

**OVERVIEW:**

On October 25, 2016, the Board of County Commissioners (BCC) gave approval to publish title and general summary of Ordinance No. 2016-\_\_\_, An Ordinance Amending And Restating In Its Entirety The Santa Fe County Sustainable Land Development Code (SLDC), Ordinance 2015-11. The SLDC became effective on January 15, 2016.

Included in the SLDC was a requirement to review the code six months after its effective date. Staff initiated the review process on July 26, 2016.

As part of the review process, staff held 4 area meetings, reaching out to the community for feedback from August 9, 2016, through August 30, 2016. On October 20, 2016, the Planning Commission reviewed the amendments to the SLDC and made a recommendation to restate the SLDC with the recommended amendments.

**SUMMARY:**

For simplification and readability, the changes have been addressed chapter by chapter in the following table:

Chapter	Section	Change and Reason
Chapter 1	Section 1.3, Effective Date	Language was added to clarify when the SLDC became effective

Chapter 2	Section 2.1.5, Area, Community, and District Planning Process	The text only explained the process for community planning but was supposed to be for area, community, and district plans, so we changed the language to reflect the intent of the section.
Chapter 3	Section 3.5, Hearing Officer	Since we are restating the SLDC we are incorporating the amendment to this section that was adopted earlier in the year.
Chapter 4	Section 4.3.1, Legislative	This section was clarified to be consistent with the language in Chapter 1, Section 1.15.4, which explained when hearing is legislative rather than quasi-judicial. The sections were in conflict without this clarification.
	Section 4.4.14, Subsequent Applications	The SLDC failed to have a section that specifically addressed what would happen if an applicant submitted the same application for public hearing that had been denied, so this section now includes this scenario.
	Section 4.8, Administrative Development Approval	This section was previously in Chapter 14, we brought it into Chapter 4, so that all procedural and application processes were located in the same chapter.
	Section 4.9, Development Approvals Requiring a Hearing	This section was previously in Chapter 14, we brought it into Chapter 4, so that all procedural and application processes were located in the same chapter.
Chapter 5	Section 5.7.5.3, Adverse Opinions	In order for this section to be clarified, the exact statutory text was added to this section to better explain the timeframe for the process regarding adverse opinions.
	Sections 5.7.3.3 and 5.8.4.5	Clarification was necessary because of issues arising during application process for subdivisions connecting to county utility, public utility or publicly regulated water or waste water systems. These sections now make it clear at what stage a Board approved water allocation or water delivery agreement is required. This is needed to provide consistency between approvals and puts in writing what our practice has been
	Section 5.7.9.1	Added a decrease in the number of lots as a minor amendment, when overall layout, design and services conform to the preliminary plat
	Section 5.14, Appeals	There were inconsistencies between this section and Chapter 4, Section 4.5, this was corrected by directing all appeal process to Chapter 4, rather than having two appeals sections.
Chapter 6	Section 6.4.2.3(7)(a)	This section was removed to comport with law regarding supply requirements.

	Section 6.5.5.3(1)	This section was added to comport with statute regarding irrigation water rights that are appurtenant to the land, which have been severed.
	Section 6.6.7, Expiration of TIA	In the County's growth areas, TIA's may change more frequently than in other areas; this addition gives the Administrator the ability to request a TIA sooner than the 3 year expiration date.
Chapter 7	Table 7-A, Setback Table and Section 7.3.8(13) and (14)	The setbacks were changed and exceptions were added to allow additions to structures that are already built in a setback and a reduction where there is no way for an applicant to meet a required setback.
	Section 7.4.3.1, Utility Easements	A calculation formula was added to clarify this section to determine the width of an easement where storm drainage pipes are used.
	Section 7.6.8.6, Alternative Landscaping, (6-8)	Further alternative were necessary to add due to properties that have zero lot lines, or there is no place on the property for landscaping, or where a fire station needs a solid fence rather than landscaping for safety reasons.
	Section 7.9, Signs	Sign regulations were substantially rewritten and simplified to avoid any arguable content based restriction. The section now includes the stylist types of signs, the dimensional requirements for those signs, and how they are regulated based on the zoning districts.
	Section 7.10.7, Shared Parking	This section addresses multi-use facilities and shared parking capabilities, which were not provided for in the SLDC.
	Section 7.10.15, Accessibility Requirements	Added exception for single family residences.
	Tables 7-12 and 7-13	Road requirements for SDA2 have been moved to the rural standards
	Section 7.11.11.5, Standards for Residential Development	The same ability given to subdivision exemptions was extended to residential development to use the same easement allowed by a plat.
	Section 7.11.12.2.5	Added the ability to use an existing driveway for an existing dwelling and their accessory structure.
	Tables 7-17 and 7-18, When Connection is Required	Made the tables uniform and applicable to specific development and made it clear that residential connection is for a dwelling. The tables were split up for water and sewer as our legal ability to require connection is different for each of these utilities.
	Section 7.13.2.4. Required connection to the County, or a public water and wastewater systems	Clarification that some zoning districts required community water and sewer.

	Table 7-20, Well Test Requirements, and Section 7.13.7.3, Standards for hydrologic reports	Both the County Utilities Division and the County Hydrologist needed to require longer pumping standards for larger developments to obtain accurate testing results.
	Section 7.13	It imposes the same 99 year water supply requirement on all water suppliers.
	Section 7.13.11.1	The 0.25 acre foot per year limit on water used for domestic purposes was clarified in Section 7.13 and in the accompanying definitions. Specifically, revisions are proposed that clarify that this limit applies to new residential dwellings constructed on new lots only and that it does not apply to water harvested using rainwater catchment systems and gray water. The exact language now states:
	Section 7.13.11.7, Water Conservation, water harvesting	The language of this section has been updated to be more precise about when these requirements are placed on a property and the requirement of 2,500 square feet size trigger for cisterns has been changed to 2,500 heated square feet (what was in the repealed water harvesting ordinance) because the desire was to have cisterns for larger and more expensive homes.
	Section 7.13.12	Due to our ability to require hooking up to the County utility, a County domestic well permit requirement was added in the service area of the County utility. This allows us to permit these wells to ensure the hook up requirements are met.
	Section 7.14, Energy Efficiency	This section has been updated to be more user friendly, including a calculation for compliance with energy performance standards for ventilation requirements.
	Section 7.17.9.1 Applicability (Steep Slopes, Ridge tops, Ridgelines, and Shoulders)	(1) was added to clarify the section that ridgetop standards apply within 200 ft of the shoulder.
	Section 7.17.11(2), Development at or above 7800 Feet in Elevation	The requirement for a conditional use permit to build a house in this area was taken out because a residence is permitted in this area and conditional use permits are for uses that are only conditionally permitted.
	Section 7.25, Special Protection of Riparian Areas	This section was reviewed and edited for simplification of the section by referring to the diagram for stream side, managed use and upland zones.
Chapter 8	Section 8.8.5 Side and Rear Setbacks, and Table 8-17.1, Side and Rear Setbacks P/I	These sections have been deleted because the application of these sections was too restrictive

	Section 8.10.2.8. Infrastructure requirements	Changed the section to clarify that new PD districts require connection to community water and sewer systems
	Section 8.10.3.4 (10), Conceptual Plan, and Section 10.3.13(1)(b and c)	These sections required employment centers to include residential, which is not practical upon application, so it was removed.
	Section 8.11.7, Agricultural Overlay	This section was added to implement the Board adopted agricultural plan.
	CCD Use Matrix	Includes changes which match the Use Table in Appendix B; adding Tap or Tasting Rooms; changing Churches, temples, synagogues, mosques, and other Religious Facilities to Religious Facilities; and differentiating Sand and Gravel to Small Scale Sand and Gravel Extraction and Sand and Gravel Extraction.
Chapter 9	All sections containing signage requirements	All sections have been updated per the discussion above about avoiding any arguable content-based restriction.
	Use Tables	For all Use Tables throughout Chapter 9, Staff has included the explanation of codes and classification, which is before the Use Table in Appendix B. Added Stables and other equine-related facilities- All personal use and changed the other Stables section to Commercial, per Board direction. Additionally, all Use Tables have changed Churches, temples, synagogues, mosques, and other Religious Facilities to Religious Facilities and differentiated the Sand and Gravel Use to Sand and Gravel to Small Scale Sand and Gravel Extraction and Sand and Gravel Extraction.
	Section 9.8, Table 9-8-1	The Riparian Buffer Corridors has been changed to match the table in Chapter 7.
	Section 9.8, 9.9, 9.12, 9.14, and 9.15.4 Setbacks	All these setback requirements now include that where a setback would prohibit development of a parcel the Administrator may approve the setback in accordance with Chapter 7, Section 7.3.
	Section 9.14, Movie Ranch	San Marcos Community District Rural Residential incorporated Movie Ranches as allowable with specific requirements because San Marcos already has a Movie Ranch.
	Section 9.15.4, GCD Overlay Zone	Galisteo Planning Committee identified need to include the rural commercial overlay zone from the Galisteo community the plan. This Section was drafted and approved by the planning committee in Galisteo.
Chapter 10	Section 10.3, Accessory	Additions to this section were made to be clearer that

	Structures	an accessory structure cannot be used or designed to be used as a dwelling.
	Section 10.4 Accessory Dwelling Units	Staff identified that in major subdivision that were already platted and have a higher density, an accessory dwelling unit was not contemplated, so no water availability, traffic study or fire protection was contemplated for additional dwellings. If every house added an accessory dwelling unit it would further impact the water, wastewater, traffic, fire protection, and foot print of the community.
	Section 10.6.6, Noticing Requirements for Home Occupations	This section was added for clarity.
	Section 19, Small Sand and Gravel	After reviewing public comments and upon advisement of the BCC, Staff added an additional setback of 1000 ft. from existing residences and a 2 year timeframe for any Small Sand and Gravel uses.
	Section 10.22, Land Use Restrictions on Medical Use of Cannabis	New Mexico law has changed: all licensed non-profit producers to comply with local ordinances regarding zoning, occupancy, licensing, and building codes – which in turn gives the County authority to determine the locations for these production locations on our use table. In an effort to simplify, we have listed which medical cannabis uses will be allowed with what uses. All medical cannabis facilities must also comply with the New Mexico Administrative Code requirements regarding the location of these facilities but the SLDC has identified where these uses may be place.
	Section 10.24, Tap Room or Tasting Room	We added this category to the Use Table because there is a demand for Tap Rooms and Tasting Rooms.
Chapter 11	All Sections referring to Hazardous Materials	For all these sections we added that the impoundment structure should be lined and designed by a registered NM Professional Engineer.
Chapter 12	Section 12.14.7.3 TDR Unit Equivalencies	Amended additional units allowed per TDR in receiving area to incentivize the use of TDRs based on input from focus groups and study.
Chapter 13	Title	Changed title to Fair and Affordable Housing to clarify purpose.
	All of the Chapter	Refined language in several provisions to clarify intent but not change the basic requirement and eliminate unnecessary definitions in text.
	Section 13.1	Delineate Fair Housing purpose in accordance with existing state and federal law.
	Section 13.2.1.2 Income Range 1	Added this section to allow each dwelling provided in Income Range 1 to count as two affordable dwellings based on Affordable Housing Focus Group

		recommendation and Board direction.
	Table 13-1	Added to clearly identify affordable housing distribution requirements by creating a table with requirements for each income range. Additionally, combined the percentage of affordable dwellings required by Table 13-1 for income range 1 and 2 to eliminate the requirement for income range 1 but still maintain the overall percentage required.
	Section 13.2.1.4	Added section to establish opportunity for Affordable Rental Units in accordance with Board Direction.
	Section 13.6	Amended Affordable Housing Incentives to clarify language and intent.
	Section 13.9.1	Amend section to eliminate any reference to "mortgage" and replace with "lien". The use of "mortgage" led to making buyers execute "notes," which makes them personally liable to the County and makes it appear as if the County provided the loan. (A mortgage is still appropriate where we do actually lend money, i.e. down payment assistance.) Amend section to eliminate any county sharing in market appreciation to eliminate inconsistencies. Eliminated any reduction in the lien amount, except for hardships (as allowed currently) in order to eliminate inconsistency with adopted ordinance.
	Section 13.9.2.	Added new section Exceptions to the Affordability Lien to eliminate the need for an affordability lien for market rate transactions and Exceptions to the Affordability Lien to allow a non-profit housing organization to hold a lien in lieu of the County if certain requirements are met.
	Section 13.10	Deleted this section in order to remove the language for establishment Affordable Housing Administrator position. Position currently not filled. Replace language in chapter with Administrator.
Chapter 14	Sections 14.3, 14.4, 14.5, 14.6, and 14.7, Violations of the SLDC, Penalties, Criminal Enforcement, Civil Enforcement, and Other Remedies	These sections have been incorporated into one Code Enforcement section to streamline the chapter, update state statutes, and guarantee a fair process.
	14.8 and 14.9, Ministerial Development Approval and Development Approvals Requiring a Hearing	These sections have been moved to Chapter 4 because they are more procedural and should be at the beginning of the SLDC.
Appendix A	Part 2: Definitions	Sign definitions are proposed to be removed, since

		<p>those definitions would not be used in the substantive provisions concerning signs.</p> <p>The vested rights definition has been change to the definition used in case law.</p> <p>Affordable housing definitions changed to reflect Chapter 13 changes.</p> <p>Church was changed to religious facilities</p> <p>Shoulder was changed to a 30% slope from a 20% slope, through implementation it was found that this was overly restrictive</p> <p>Numerous definitions were changed, clarified, and struck out. Many changes were due to application of the Code, including identifying that the terms did not exist in the Code.</p>
	Part 3: Acronyms and Abbreviations	All acronyms and abbreviations that exist in the SLDC are now contained in this section.
Appendix B	Use Table	<p>Changed Stand- alone Store or shop was to Store or shop no drive through facility to be clearly differentiated from Shop or store with drive-through facility.</p> <p>Added Tap or Tasting Room was added to the Use Table as these uses exist in the County but were not listed on the use table.</p> <p>Changed Churches, temples, synagogues, mosques, and other religious facilities was changed to Religious Facilities, to match the definition of Religious Facilities. Additionally, the definition of a Religious Facility no longer includes ancillary uses because there is a great impact on the community with ancillary uses, so these facilities only include the Religious Facility itself.</p> <p>Since there was no difference between Child care institution (basic) and (specialized) we took out the language and only kept one Child care institution use.</p> <p>Added Small scale wind facilities to the use table because there were not included in the use table, but they are in the rest of the SLDC.</p> <p>Changed the Stables Uses so it is clearly differentiated what is personal use and what is commercial use.</p> <p>The Sand and Gravel titles on the use table were changed for clarity.</p>
All Chapters	All Sections	All internal citations to the SLDC have been uniformly changed from § to Section.
	All Sections	Citations to New Mexico Statutes have been corrected to follow the New Mexico Supreme Court General Rules for Citations

	All Sections	All :’s have double-spacing after them
	All Sections	There have been capitalization changes throughout the SLDC
	All Sections	The Table of Contents have been updated to match the updates
	All Sections	All spelling or repetition in the SLDC has been corrected
	All Sections	The structure of sections have been changed to make the section easier to read.
	All Sections	Renumbering where the numbering was found to be incorrect.

These recommended changes have been made in response to new developments in the law; through application of the SLDC, which include direction from the BCC; grammar, punctuation, spelling, consistency, and usability changes; and changes recommended for a combination of the other three reasons.

**STAFF RECOMMENDATION:**

This is the first public hearing; no action is required at this time. Staff requests direction for any additional changes that the Board would like drafted so these can be presented at the second public hearing.

The second public hearing is scheduled for December 13, 2016.

**EXHIBITS:** (under separate cover)

Exhibit A - public comments database

Exhibit B – Additional Public comments from Planning Commission hearing

Exhibit C – Ordinance and SLDC in redline format



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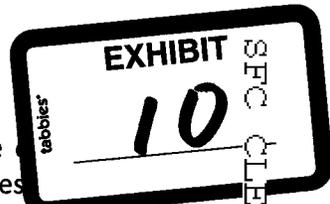
**PROPOSED REVISIONS TO TERRAIN MANAGEMENT REGULATIONS**

**7.17.10.2. Disturbed Area Limitation.**

1. The disturbed area on any lot shall not exceed twelve thousand (12,000) square feet. The location and calculation of the disturbed area on the lot shall be identified on the site development plan.
2. All construction staging areas shall be fenced prior to construction to prevent damage to all areas that are not designated as the disturbed area on a lot.
3. Utility corridors, septic leach fields, construction staging areas and any other portion of the designated disturbed area that is not occupied by improvements shall be revegetated.
4. Walls or fences shall be included in calculating disturbed area when such walls or fences are impermeable with respect to overland sheet flow of water or would inhibit water infiltration.
5. Driveway and vehicular turn-around areas, including cut and fill slopes, drainage structures and retention structures that are necessary for the construction of a driveway and turn-around area, shall not be included in calculating disturbed area.

**7.17.10.3. Roads and driveways.**

1. Roads and driveways shall not be designed or constructed on slopes of over twenty-five percent (25%).
2. Exceptions may be approved by the Administrator for roads and driveways proposed to cross slopes greater than twenty five percent (25%) that disturb no more than three (3) isolated occurrences of up to one thousand (1000) square feet each, provided the applicant demonstrates that crossing such slopes has minimal impact to terrain or to visual quality and otherwise would conform to the purposes, design criteria and development standards set forth in this Section 7.17.
3. The width of driveways shall not exceed the greater of the width required by the County Fire Marshall or fourteen (14) feet, plus such additional width as in required for cut and fill slopes, drainage structures and retention structures that are necessary for the construction of the driveway.
4. Vehicular turn-around areas, including cut and fill slopes, drainage structures and retention structures that are necessary for the construction of the turn-around area, shall not be greater in area than that which is required by the County Fire Marshall.



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PRINT NAME	SIGNATURE	ADDRESS	DATE
ADDISON DOTY	<i>[Signature]</i>	211 CR 89 SF NM 87506	11/4/16
Audrey Torres	<i>[Signature]</i>	P.O. Box 111 Cordova NM 87523	11/14/16
Sylvia Ann Dixon	<i>[Signature]</i>	CR 242, Box 113-A, Santa Fe	11/4/2016
Kimberly Mondragon	<i>[Signature]</i>	205 Camino De Rincon Santa Fe, NM 87506	11/14/16
Rose Ann Quintan	<i>[Signature]</i>	17 County Rd 119N Santa Fe, NM 87506	11-14-16
Ralph Ortiz	<i>[Signature]</i>	42A N. Shining Sun Santa Fe, NM 87506	11/14/16
Viola Mondragon	<i>[Signature]</i>	205 Camino De Rincon SF NM 87506	11-14-16
Robert E. Mondragon	<i>[Signature]</i>	205 Camino De Rincon SF NM 87506	11-14-16
Richard Allen	<i>[Signature]</i>	104 Camino Chaparral 87506	11/14/16
Kamel Abouda	<i>[Signature]</i>	33A CR 119N, Nambe 87506	11/14/16
Jorge Ferreira	<i>[Signature]</i>	19 Visto Herrera 87506	11/14/16
RAY Hernandez	<i>[Signature]</i>	123 County Rd 74, SF 87506	11/14/16
DONNA MARON	<i>[Signature]</i>	123 CR 74 SF 87506	11/14/16
VALERIE PISOAN	<i>[Signature]</i>	Po Box 478, Tesuque 87574	11/14/16
Dorothy Smoker	<i>[Signature]</i>	211 Kwahe Ridge Rd SF 87501	11/14/16
Johnny R. Roybal	<i>[Signature]</i>	96A CR 84 SF 87506	11/14/16

OVER

Gregory

JOHN GREGORY, 9 Calle Estrella Santa Fe 87506 11/14/16

Edna M Maes Edna Maes 13-B-old Callejon Rd SF 87506 11-14-16

Luey Roman Luey Roman 13-B-old Callejon Rd SF 87506 11 14/16

RAMES R ARCHAETA 668 N SHERBURN SF 87506 11 14/16

ERIN R. KEY Erin R Key 19 Sonnisa Del Cielo SF NM 87506

~~RICHARD L. KEY Richard L Key 19 Sonnisa Del Cielo SF NM 87506~~

Marc Geiler 20 Polaris Rd Santa Fe 87506

Beth Beloff Beth Beloff 20 Polaris Rd Santa Fe 87506

VICTORIA DE VARGAS Victoria A. De Vargas 31 CALLEJON DE ATANACIO SF NM 87506

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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J H Archuleta	<i>J H Archuleta</i>	Rt 5301-B S.F. NM 87506	11/28/16
Matthew Lujan	<i>Matthew Lujan</i>	376 gonzales ln	11/28/16
Teresa Cordero	<i>Teresa Cordero</i>	32 wild West lane 87506	11/28/16
Ernie Lovejoy	<i>Ernie Lovejoy</i>	N/A	11/28/16
Lucy Rios	<i>Lucy Rios</i>	El Rancho	11/28/16
Robert Rios	<i>Robert Rios</i>	el Rancho	11/28/16
Jason Rios	<i>Jason Rios</i>	el Rancho	11/28/16
Eddie Rios	<i>Eddie Rios</i>	el Rancho	
Melony Kosgei	<i>Melony Kosgei</i>	el Rancho	11/28/16
Abraham Kosgei	<i>Abraham Kosgei</i>	el Rancho	11/28/16
Mary Casaus	<i>Mary Casaus</i>	el Rancho	11/28/16
Eddie Ortiz	<i>Eddie Ortiz</i>	Nambe	11-28-16
Edward A. Romero	<i>Edward A. Romero</i>	Nambe	11/28/16
Valerie Dwan	<i>Valerie Dwan</i>	7 Entrada de Duran	11/28/16

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Walter Grant	Walter Grant	517A CR 84 S.F. NM	11/26/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Maxime Grant	Max Grant	517A CR 84 SF. NM 87506	11-26-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Suan grant	Suan Grant	517A CR 84 SF NM 87506	11/26/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Nicholle Cordova	Nicholle Cordova	517B CR 84 SF NM 87506	11/26/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
MARK CORDOVA	Mark Cordova	517B CR 84 SF NM 87506	11/26/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Tiiana Mender	Tiiana Mender	517A CR 84 SF NM 87506	11/26/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Vernica Brink	Vernica Brink	7 Entrada de Duran SF NM 87506	11/26/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
GEORGE GOMEZ	George Gomez	11 W Gutierrez Box 3857 SF NM	11/28/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Patricia Tapia-Gomez	Patricia Tapia-Gomez	11 W Gutierrez Box 3857 SF, NM	11/28/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Annette Duran	Annette Duran	07 Entrada de Duran	11/28/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Vicki Montoya	Vicki Montoya	495 CR 84	28 NOV 2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Anthony Montoya	Anthony Montoya	495 CR 84	11-28-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Natalie Montoya	Natalie Montoya	495 CR 84	Nov 28 2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Nick Montoya	Nick Montoya	495 CR 84	11/29/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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J P Archuleta	<i>J P Archuleta</i>	11 W Gutierrez # 3484	OR 16 Camino Archuleta
PRINT NAME	SIGNATURE	ADDRESS	DATE
Dalila Archuleta	<i>Dalila Archuleta</i>	11 W Gutierrez # 3484	11-26-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
ESRAE Archuleta	<i>ESRAE Archuleta</i>	9 Camino Archuleta	11-26-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jose Pete Archuleta Jr	<i>Jose Pete Archuleta Jr</i>	11 W Gutierrez, Box 3484	11-26-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jeff Archuleta	<i>Jeff Archuleta</i>	17 Mesita Humana El Rancho NW 87506	11-27-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Renee Jaramillo	<i>Renee Jaramillo</i>	PO Box 367 Chimayo NM 87522	11-27-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Mike Jaramillo	<i>Mike Jaramillo</i>	P.O. Box 367 Chimayo, NM 87522	11-27-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Annie Castaneda	<i>Annie Castaneda</i>	11 W. Gutierrez unit 3303 SFNM	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Cecaldine Archuleta	<i>Cecaldine Archuleta</i>	11 W. Gutierrez Box 3484	11-27-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Dominique Archuleta	<i>Dominique Archuleta</i>	11 W Gutierrez Box 3484	11-27-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Melissa Casaneda	<i>Melissa Casaneda</i>	11 W Gutierrez unit 3303 SFNM	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Anneli Roybal	<i>Anneli Roybal</i>	450 County Rd 84	11/27/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Mary C Espinoza	<i>Mary C Espinoza</i>	1707 Star Lane Espola	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Nancy Jaramillo	<i>Nancy Jaramillo</i>	917 Calle Don Edmundo Espanola	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

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Priscilla Duran	Priscilla Duran	Entrada de Duran SF	11-14-16
Guilbert Garduno	Guilbert Garduno	20A Camino Los Gatos	11-14-16
Patricia L. Mori Parra	Patricia L. Mori Parra	PO Box 44 Teague NM	11-14-16
Fernando Jimenez	Fernando Jimenez	144 Tongo Rd	11/14/16
Glenda L. Riving	Glenda L. Riving	48 Summer Rd	11/14/16
Shane Curbule	Shane Curbule	46 Summer Rd	11/14/16
Eileen CARTER	Eileen Carter	44 Summer Rd.	11/14/16
Stewart Irving	Stewart Irving	48 Summer Rd	11-14-16
Anthony Dean	Anthony Dean	75 Feather Rd	11-14-16
Mary Jane Martina	Mary Jane Martina	27 B El Pueblito SF.	11/14/16
Jose MARTINEZ	Jose Martinez	27 B El Pueblito Rd SF.	11/14/16
Troy NAYZOR	Troy NAYZOR	311 CR 84 SF 87506	11/14/16
Charles Lujan	Charles Lujan	#16 Lot 101 Santa Fe U.S. 87501	11/14/16
Michael A DeMarin	Michael A DeMarin	26 Don Bernado St	11/14/16

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ANDREA FISHER	<i>Andrea Fisher</i>	1 JACONA PLAZA SF NM	14 Nov 16
PRINT NAME	SIGNATURE	ADDRESS	DATE
RICHARD KRASIN	<i>R. Krasin</i>	30 Calle de Los Alamos 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Monica Roybal	<i>Monica Roybal</i>	6 Camino de los Roybals SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Lionel C Roybal	<i>Lionel C Roybal</i>	6 Camino de Los Roybals S.F. 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Margaret Gardum	<i>Margaret Gardum</i>	208 Camino Los Gardanos, SF, NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Katherine Gardum	<i>Katherine Gardum</i>	11 Camino Los Gardanos, SF, NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jake Finn	<i>Jake Finn</i>	26 Co. Rd 84E SF NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Susan Gonzales	<i>Susan Gonzales</i>	26 County Rd 84G SF NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Keith D. Doughty	<i>Keith D. Doughty</i>	11 Manuel Seng Lane	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Namita Stephanie Sena	<i>Namita Sena</i>	11 Manuel Sena Lane SF NM 87506	NOV-14-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
NANCY WRIGHT	<i>Nancy Wright</i>	P.O. Box 104, Tesuque 87574	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Phillip Loomis	<i>Phillip Loomis</i>	103 Jacona Rd SF, NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Bruce Gray	<i>Bruce Gray</i>	265 C.R. 84, SF NM 87506-2009	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Miranda Gray	<i>Miranda Gray</i>	265 County Road 84, SF, NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Needs to be 9 members!

SFC CLERK RECORDED 01/17/2017

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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ORLANDO A. ROMERO		245 State Rd 503	11-14-2016
BECKY ROMERO		" " "	11-14-2016
LEONARDO A. ROYBAL		17 Vuelta Ordozundo	11/14/2016
PAUL TRAYLO		Abuelo Rd 101E	11/14/2016
KEVIN M. HERRERA		254 CR 84C Santa Fe, NM.	11/14/16
COLASIMO R. QUINTANA		455 CR 84 SF, NM	11/14/16
JANET M HERRERA		26 Catarina RD	11/14/16
PEDRO LUJAN		4 Calle de Cineo	11/14/2016
EVELYN LUJAN		4 Calle de Cineo	11/14/2016
ELSIE R. HERRERA		254 CR 84C Santa Fe	11-14-16
EDWIN D. OITZ		17 Feather Catcher	11-14-16
DANIEL WELT		28 Harriets Rd, SF.	11/14/16
CECILIA (LEAH) G. POPE		28 HARRIETS RD, SF	11/14/16
JOHN M. ROMERO		287 State Road 503	11/14/2016

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PRINT NAME	SIGNATURE	ADDRESS	DATE
Cory Ahrens	<i>[Signature]</i>	43 B Lava de ro Rd. Santa Fe	11/14/2016
Elizabeth Emmers	<i>[Signature]</i>	43 B Lava de ro Rd Santa Fe	11/14/16
Mary Currier	<i>[Signature]</i>	11 Coye Corazon Tesuque	11/14/16
MARION WELCH	<i>[Signature]</i>	11 COYE CORAZON Tesuque	11/14/16
MALE ABRAMS	<i>[Signature]</i>	DOLE A ABRAMS COUNTY RD 113	11/14/16
Patricia Medina	<i>[Signature]</i>	CR 84 # 217, Santa Fe	11/14/16
Marie Bustos	<i>[Signature]</i>	93 Feather Rd Santa Fe	11/14/14
Tim Layden	<i>[Signature]</i>	1359 Bishop's Lodge Rd	11/14/16
Andrew Gomm	<i>[Signature]</i>	57 Camino Chupadero	11/14/16
Christopher Clemens	<i>[Signature]</i>	1546A Bishop's Lodge Rd.	11/23/16
MARVIN BACA	<i>[Signature]</i>	324 B County Rd 84 Ste	11/14/16
CLAIRE BACA	<i>[Signature]</i>	324 B CR 84 SF	11-14-16
Gus A. Roybal	<i>[Signature]</i>	12 calle Locita Blanca SANTA FE N.M	11/14/16
Stephen Baca	<i>[Signature]</i>	5 Entrada de Estero S.F. NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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James Roybal Langanbunner	<i>James Roybal Langanbunner</i>	54 County Rd 84	87506	Nov-14, 2016
Beth A. Gonzales	<i>Beth A. Gonzales</i>	8 Via Feliz Loop Santa Fe, Nm	87506	11/14/16
Michael Colruza	<i>Michael Colruza</i>	#9 STATE RD 84g	87506	11/14/16
SHELLEY BROWN	<i>Shelley Brown</i>	14 OLIVE LANE	87506	11-14-16
Marcos Tajillo	<i>Marcos P. Tajillo</i>	20 Arroyo Elgado San S.F.	87506	11-14-16
Kendy JOHNSON	<i>Kendy Johnson</i>	3 PICAFLOR PATH SE	87506	11/14/16
Cleo B. Paldez	<i>Cleo B. Paldez</i>	PO Box 87, Losojos, Nm	87551	11/14/16
JAZOBAMUNE	<i>Jazobamune</i>	20 COUNTY RD 119		11/14/16
Douglas Veius	<i>Douglas Veius</i>	70 County Rd 84 c		11/14/16
Danny Wheeler	<i>Danny Wheeler</i>	16 Avelina Ln. Santa Fe N.M.		11/14/16
Judy Salgado	<i>Judy Salgado</i>	10B Shasta Ln Santa Fe, NM	87506	11/14/16
Alex Treviño	<i>Alex Treviño</i>	39 EL Calle y natural		11-14-16
Tim Quintana	<i>Tim Quintana</i>	90 Box 177 LAN		11/14/16
Osbe Herrera	<i>Osbe Herrera</i>	47B Feather Rd Santa Fe Nm		11-14-16

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PROPERTY ADDRESS - 28A CAMINO CHUPADCO

11-14-16

JOHN SIGLER *[Signature]* MAILING ADDRESS - P.O. BOX 150065 NASHVILLE, TN 37215

PRINT NAME	SIGNATURE	ADDRESS	DATE
Felix Chavez	<i>[Signature]</i>	11 Canal St El Rancho	11-14-16
Devon Bent	<i>[Signature]</i>	193 County Rd 113	11-14-16
RED COSANDEY	<i>[Signature]</i>	198A County Rd 84 87506	11/13/16
Karen Koch	<i>[Signature]</i>	15 Camino Ancon # 2	11-14-16
Sarah Alley Manges	<i>[Signature]</i>	369 Montevideo #69, SF 87501 (Business address)	11-14-16
Connie Gerth	<i>[Signature]</i>	261 CR 84; SF, NM 87506	11-14-16
ADNE GIFFORD	<i>[Signature]</i>	44 CR 84 G SF NM 87506	11/14/16
Garry Sanchez	<i>[Signature]</i>	49 Rancho Las Lagunas SF 87506	11-14-2016
FLAVIANO PROSPERINI	<i>[Signature]</i>	36 DRY CREEK RD	11-14-16
ELENA GUARDINCERI	<i>[Signature]</i>	36 DRY CREEK RD	11/14/16
NANSY CARSON	<i>[Signature]</i>	46 County Rd 84A, SF 87506	11/14/16
Rose Lovato	<i>[Signature]</i>	Box 72 A Summer R 87506	11/14/16
Jean Ograd	<i>[Signature]</i>	233 N. Guadalupe Street #303 Santa Fe NM 87501 (no mail box at residence off Tano Rd on Tequila street)	11-14-16

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Clara Spinks	<i>Clara Spinks</i>	41 CR101E SANTA FE NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Rosendo Lopez	<i>Rosendo Lopez</i>	7 AVENIDA DE LUIS SANTA FE 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ross Spinks	<i>Ross Spinks</i>	41 CR101E SF 87506	14 Nov 16
PRINT NAME	SIGNATURE	ADDRESS	DATE
DAVID M. STUPIN	<i>David M. Stupin</i>	51 VISTA REDONDA SF 87506	14 Nov 2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
TIM J CASH	<i>Tim J Cash</i>	24A CR 84B SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Robert Garcia	<i>Robert Garcia</i>	13A Old Pueblo Rd SF NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
J Blum	<i>J Blum</i>	147 SR 503 SF NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jude Pardee	<i>Jude Pardee</i>	217 Camino del Rincón	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
MARIANNE PRESTON	<i>Marianne Preston</i>	303 CR 84 SF, NM 87506	
PRINT NAME	SIGNATURE	ADDRESS	DATE
JOE ROMERO	<i>Joe Rom</i>	264 CR 84 S.F. N.M.	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
VICTOR LACERVA	<i>Victor Lacerva</i>	52 Zambra Way SF NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
CHRISTINA VEVERIC	<i>Christina Veveric</i>	188 TESUQUE VILLAGE RD, SANTA FE NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
George Veveric	<i>George Veveric</i>	188 Tesuque Village Rd	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Victor La Herrera	<i>Victor La Herrera</i>	71 Feather Rd Santa Fe NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE

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Reuben B. Paybal	<i>[Signature]</i>	380A County Road 84 Santa Fe, NM 87506	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Audelia Rojas	<i>[Signature]</i>	366 CR 84 Santa Fe, NM 87506	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Sharon Trujillo	<i>[Signature]</i>	95A CR 84 Santa Fe, NM 87506	11-14-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Daniel E. Trujillo	<i>[Signature]</i>	95A CR 84 Santa Fe, NM 87506	11-14-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Elizabeth Bermeo	<i>[Signature]</i>	264 CR 84 Santa Fe, NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Joe Romero	<i>[Signature]</i>	264 CR 84 Santa Fe, NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Merry Conway Cosandey	<i>[Signature]</i>	198A County Rd 84, Santa Fe 87506	
PRINT NAME	SIGNATURE	ADDRESS	DATE
Renee Moore	<i>[Signature]</i>	17B Short Rd SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Laria McCutcheon	<i>[Signature]</i>	35A County Rd 106 SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Peter Bloodworth	<i>[Signature]</i>	35A County Rd 106 SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Alan MacGregor	<i>[Signature]</i>	15 Peafloor Path Chaparral 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
SR SLAGGSS	<i>[Signature]</i>	7 Cam Los Ranchos 87506 SF	11/17/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Pearl Ortiz	<i>[Signature]</i>	22A Arroyo Jacanita SF	11/17/14
PRINT NAME	SIGNATURE	ADDRESS	DATE
George Ortiz	<i>[Signature]</i>	22A Arroyo Jacanita SF	11/17/14
PRINT NAME	SIGNATURE	ADDRESS	DATE

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PRINT NAME	SIGNATURE	ADDRESS	DATE
Robert Rios	<i>Robert Rios</i>	11 West Garter 122 SF	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Lipio Valdez	<i>Lipio Valdez</i>	11 West Garter 22	11/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Fernando Gonzalez	<i>Fernando Gonzalez</i>	11 West Garter unit 7 3472	11/16/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Viola Gonzalez	<i>Viola Gonzalez</i>	11 West Garter unit 7 3472	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Nicholas Garcia	<i>Nicholas Garcia</i>	340 CR 101-B 87506	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
SPIN Dunbar	<i>SPIN Dunbar</i>	26 Arroyo Nambe, Nambe, NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
John P. Bradley	<i>John P. Bradley</i>	13 Las Joyas Lane NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Joseph Sanchez	<i>Joseph Sanchez</i>	34 CR 119N Santa Fe, NM 87501	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Lucy Yuon	<i>Lucy Yuon</i>	258A County Rd 84 SF	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Barbara A Roybal	<i>Barbara A Roybal</i>	11 J.R Drive SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Carla Cross	<i>Carla Cross</i>	52 Zamora Way 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Robert Castaneda	<i>Robert Castaneda</i>	RT Box 104-D Santa Fe NM 87506	
PRINT NAME	SIGNATURE	ADDRESS	DATE
Colafino R. Quintana	<i>Colafino R. Quintana</i>	4550284 SF, NM	11/17/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE

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Gerard Martinez	<i>Gerard Martinez</i>	15 Barranquenos Rd SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Pat Vigil	<i>Pat Vigil</i>	14 Barranquenos CT SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Phillip Villarreal	<i>Phillip Villarreal</i>	P.O. Box 685 Tesuque NM 87578	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Manuel Martinez	<i>Manuel Martinez</i>	6B Camino Sin Luz SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Walter Martinez	<i>Walter Martinez</i>	6A Camino Sin Luz SF 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
MARIO A. ROMERO	<i>Mario A. Romero</i>	mario pojo 64 @ icloud.com	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Edward A. Romero	<i>Edward A. Romero</i>	31-A Calle Lila, S.F., N.M.	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ronald A Trujillo	<i>Ronald A Trujillo</i>	57 County Road 113 S.F. N.M.	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Phillip D. ROYBAL	<i>Phillip D. Roybal</i>	89A Tunyo Po Road Santa Fe NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Dianne Roybal	<i>Dianne Roybal</i>	89A Tunyo Po Rd, SF NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
DAVID DOBRUEL	<i>David Dobruel</i>	11 W GUTIERREZ #3458, SF, NM 87506	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ted Seeley	<i>Ted Seeley</i>	#57 Don Filomeno Rd 87506	Nov 14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Heather Nordquist	<i>Heather Nordquist</i>	400201B SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Juanice Nordquist	<i>Juanice Nordquist</i>	400201B SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

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PRINT NAME	SIGNATURE	ADDRESS	DATE
Joseph P. Valdez	<i>[Signature]</i>	77 Summit Pl Santa Fe, NM 87506	11-14-16
DAVE FFE	<i>[Signature]</i>	3026 VIA MARIA ALBIWAST	11/14/16
Vicente Roybal	<i>[Signature]</i>	15 El Callejon	11/14/16
Annette Kugel	<i>[Signature]</i>	23 Jacana Rd SF NM	11/14/16
Louise Driscoll	<i>[Signature]</i>	9A Plant Farm Rd SF	11/14/16
Carol Hogsett	<i>[Signature]</i>	464 CRP4 SFE	11-14-16
Lynn Cravens Realty	<i>[Signature]</i>	1A Com. del Ojito, SF	11/14/16
Steve Roybal	<i>[Signature]</i>	165A canyon DE RINCON	11/14/16
RICHARD ROYBAL	<i>[Signature]</i>	308 MIDDLEBANK PDR RD ESPANOLA, NM 87532	11/14/16
Helen Bunker	<i>[Signature]</i>	14 Shasta la Santa Fe NM 87506	11/14/16
Mr + Mrs Michael Parish	<i>[Signature]</i>	25 Lyly Michael Rd, Jacona SA 87506	11/14/16
Sarah Roybal	<i>[Signature]</i>	12 Banco Lane SF NM 87506	11/14/16
Joe A. Roybal	<i>[Signature]</i>	12 Banco Lane SF 87506	11/14/16
Martha E. Tazillo	<i>[Signature]</i>	390 Callejonito Rd SF NM 87506	11/14/16

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.

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PRINT NAME	SIGNATURE	ADDRESS	DATE
Rubanna Rodriguez	<i>Rubanna Rodriguez</i>	30 B. N. Shung Sun	11/14/16
Manuel R. LOPEZ	<i>Manuel R. Lopez</i>	#26 N. Shung Sun	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Soeorro Trujillo	<i>Soeorro Trujillo</i>	32 N Shung sun	11-14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Josie G. MARTINEZ	<i>Josie G. Martinez</i>	22B N. Shung Sun	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Mary Ellen Marino	<i>Mary Ellen Marino</i>	432 C County rd 84 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Luanah Berger	<i>Luanah Berger</i>	110A SR 503 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Gilbert Romero	<i>Gilbert Romero</i>	13 Florencio Rd 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Dorothy Romero	<i>Dorothy Romero</i>	13 Florencio Rd 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Pablo Gonzalez	<i>Pablo Gonzalez</i>	1-B Camino del Ojito SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Sylvia Sexton	<i>Sylvia Sexton</i>	6 Frances St. SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Barbara McDougall	<i>Barbara McDougall</i>	14 Franciskane 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Chris Krisor	<i>Chris Krisor</i>	293 County Road 84	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Barbara L. AAMODT	<i>Barbara L. Aamodt</i>	275 County Rd 84C S.F. 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jose Ortiz	<i>Jose Ortiz</i>	7A Caminito SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.

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PRINT NAME	SIGNATURE	ADDRESS	DATE
GARY CLARK	<i>[Signature]</i>	130 State Rd 507 87506	11-14-16
GARY DAVIS	<i>[Signature]</i>	126 State Rd 503 87506	11/14/16
CAROL BOROK	<i>[Signature]</i>	P.O. Box 156 87574	11/14/16
LARRY BOROK	<i>[Signature]</i>	PO Box 156 87574	11/14/16
JANET HIGGINS SMITH	<i>[Signature]</i>	8130 Skinning Run 87506	11/14/16
ISAIAH FLORES	<i>[Signature]</i>	P.O. Box 779 Tesuque NM	11/14/16
ROLAND ZINN	<i>[Signature]</i>	P.O. Box 213 Tesuque 87574	11/14/16
NANCY ZIMMERMAN	<i>[Signature]</i>	PO Box 426 Tesuque 87574	11/14/16
KEVIN EBERLE	<i>[Signature]</i>	PO Box 648 Tesuque 87574	11/14/16
BEVERLY DURAN CASH	<i>[Signature]</i>	24A CR 84B SF 87506	11/14/16
CHRIS TRUJILLO	<i>[Signature]</i>	3 Jerry Hatdel Lane SF 87506	11-17-16
FLO PERKINS	<i>[Signature]</i>	PO Box 32902 SF NM	11/17/2016
MICHELLE SANDOZ	<i>[Signature]</i>	CR 84 House 338	11-17-2016
		SMITH FEM 87506	

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.

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Lori Lopez	<i>[Signature]</i>	5 Loma Manzanita SF NM 87506	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Roberta Castañeda	<i>[Signature]</i>	8 Fermina DR, SF NM 87506	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Carlos R. Castañeda	<i>[Signature]</i>	Rt. 1 Box 104-D 6.F.N.M. 87506	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ken R. Martinez	<i>[Signature]</i>	317 City Rd. 84 SF N.M. 87506	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Betty Carbillo	<i>[Signature]</i>	3 Christmas Lane	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Orlando P. Lopez	<i>[Signature]</i>	29 Don Bernardo SF, NM 87506	11/15/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Gloria Quintana	<i>[Signature]</i>	5 Loma Manzanita SF NM 87506	11-15-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
WILLIAM HEYMAN	<i>[Signature]</i>	53 STATE ROAD 503 SF NM 87506	11-16-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Bertha Gutierrez	<i>[Signature]</i>	334 Kimberly Lane	11-16-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Joe Gutierrez	<i>[Signature]</i>	387-B Santa Fe NM	11-16-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Betty Carbillo	<i>[Signature]</i>	131 Post Pk Unit 96 Santa Fe	11-16-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Christella Lopez	<i>[Signature]</i>	#9 Rancho del Atamo SF NM 87506	11-17-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Samantha Paez	<i>[Signature]</i>	#11 Entrada de Estevan SF NM 87506	11/17/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Orlando Lopez	<i>[Signature]</i>	#9 Rancho del Atamo SF NM 87506	11/17/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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PRINT NAME	SIGNATURE	ADDRESS	DATE
Chris Ortiz	<i>[Signature]</i>	18-c Wynnes Dr. Santa Fe NM 87506	11/14/16
Johany Lopez	<i>[Signature]</i>	245 STRD. 503 Santa Fe NM 87506	11/14/16
Alicia Narango	<i>[Signature]</i>	10 Battleship Vw, SF, NM 87506	11/14/16
JOSEPH MONTES	<i>[Signature]</i>	42 SARMA LN, SF, NM 87506	11/14/16
B. SWANSON	<i>[Signature]</i>	18126 US 84/285 SF NM 87506	11/14/16
David Krogdahl	<i>[Signature]</i>	1826 US 84/285 SF NM 87506	11/14/16
George D. Vigil	<i>[Signature]</i>	31-A Sandy Way Santa Fe N.Mex 87506	11/14/16
JENNIFER WATKINS	<i>[Signature]</i>	5 CAMINO IGLESIA SF, NM 87506	11/14/16
JUAN PAULSA	<i>[Signature]</i>	5 CAMINO IGLESIA, SF, NM 87506	11/14/16
CHRISTINA B. LOPEZ	<i>[Signature]</i>	1 MICHAEL CT. S. F. NM 87506	11-14-16
Sylvia Molina	<i>[Signature]</i>	P.O. Box 573 Tesuque, NM 87574	11-14-16
Eleazar Molina	<i>[Signature]</i>	P.O. Box 573 Tesuque, N.M 87574	11-14-16
Richard LaBelle	<i>[Signature]</i>	14 Calle de la Nambe, SF 87506	11/14/16
Baudilio G. Baca	<i>[Signature]</i>	2-A Paseo DE LA JOYA	11/14/16

*[Large handwritten flourish or signature]*

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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Alfredo Rodriguez		1801 Vista Del Valle	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ethel Romero		33 CR 84 Santa Fe	11-27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
New Beginning Church		480 County Rd 84 S.F. NM 87506	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Andrew Rivera		481 County Rd 84 S.F. N.M	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jennifer Archuleta		M Santa Fe Pueblo	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jance Archuleta		17 Camino Archuleta El Pueblo	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Amenda Archuleta		16 Camino Archuleta S.F. N.M	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Alfred Mejia		19 Camino Iglesia El Pueblo	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Wanda		1709 SR 502	11-27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
LEGAR GARCIA		4 Dalmaro Ln SF.	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
PETER HERRERA		15 Herrera rd SF	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
John Herrera		44 N 37th / Veronica Rd	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Margate Herrera		15 Herrera rd SF	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
AMY		161 CR 87506	11/27/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. **Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.**

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Francisco Romero		9A McCloud Vlejo	11/16/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Kul Moore		260 County Rd 119 South	11-16-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Barbara E Roman		04 Amade Romero Rd, SF 87506	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ray Trillo		1757 SR 502	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
MONICA A. TRUJILLO		1757 SR 502 SANTA FE 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Leandro Rivera		83A CREAG SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Sandra Sage		10 Arroyo los Lopez, SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
John Patterson		10 Arroyo los Lopez Nambe SF 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Harold Gomez		8 Roman Gomez Ln SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Alex Martinez		14 Callejon Nambe SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
MARY GRAY		17A County Road 84B 87506 SF	11/14/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Jean Marc RICHEL		17A County Road 84B 87506 SF	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Stephanie Madrid		25 El Callejoncito Rd, SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Anaette Madrid		25 El Callejoncito Rd SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

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Thomas Hicks	<i>Thomas Hicks</i>	8 Paseo Patrom Santa Fe NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Lori Hicks	<i>Lori Hicks</i>	8 Paseo Patrom Santa Fe, nm	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Michael Margiotta	<i>Michael Margiotta</i>	4 Calle Orilla SF NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Cynthia Baughman	<i>Cynthia Baughman</i>	3 Ranch House Rd. SFNM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Janss Mcker	<i>Janss Mcker</i>	" " "	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Bonnie May	<i>Bonnie May</i>	189 CR113 SF NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Diane Keetscher	<i>Diane Keetscher</i>	179 County Rd 113 SF	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Faye B Miller	<i>Faye B Miller</i>	201 CR113 SF NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
JONNA NOVA	<i>Jonna Nova</i>	46 Loma Blanca, SF, NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Richard Kreisler	<i>Richard Kreisler</i>	179 CR113 Santa Fe 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Engene Ortiz	<i>Engene Ortiz</i>	37a County Rd 84	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
CHRIS JONES	<i>Chris Jones</i>	23 Florencio Rd 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
SARNA ARNOLD	<i>Sarna Arnold</i>	121 County Rd 84 87504	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Deane Arnold	<i>Deane Arnold</i>	121 Co Rd 84 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.

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ERIC GRANZLES		6 Ramonville	11/14/16
LATHY ROMERO		4 Romeroville	11/14/2016
CARMELITA SWEENEY		Jacobs Rd Hse 24 B	11-14-16
ROBERT HALSBERSETT		103 Vista Redonda 87506	11-14-16
MEGAN SERPET		1437 BISHOPS LODGE RD	14 NOV 2016
SHARL SEAF		" "	14 Nov 2016
PATRICIA P. SERNA		65 SERNA LN	11-14-16
BYRON ROMERO		77 A Feather Cutchuld	11-14-16
DOMITILA GONZALES		18095 US 285/84 SF	11/14/16
ROBERT GRANZLES		169 CR 113	11/14/16
ROSE GREENWALD		169 CR 113	11/14/16
MATEO DELLARGUS		31 Callejon de Atenacio SF	11/14/16
IRENE WEBB		15 CR 119 W. SF	11/14/16
VICTORIA ERHART		151 SR 503	11/14/16

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ARSENIO TRUJILLO		218 CAMINO DE PINOCH 11-14-16	
PRINT NAME	SIGNATURE	ADDRESS	DATE
Karen Grego Kay		37 Cresencia, SF NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
FELICIA R. TRUJILLO		93 N. SWININGSON SF NM	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Deborah Tolae		14 Olivehane	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Shelley Brown		14 Olivehane	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Alex F. Montano		6 CAMINITO SENA SE.	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ralph Ramon Lujan		4 Anadea Lujan ct, Santa Fe, NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Peter Van Ness		4 Little Tesuque Creek SF NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
LINDA CHURCHILL		PO Box 760 Tesuque 87574	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Maddy McDougal		38 B Arrow Jacoleta 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Eileen M. Torres		#140 CR 84d Santa Fe, NM	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Marcia R. Hudson		182A C.R. 84c Santa Fe NM 87506	11-14-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
PATRICIA WING		18CKR4B	11-17-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
David W. Brooks		6814 Japura ct, Rio Rancho 87144	11-17-16
PRINT NAME	SIGNATURE	ADDRESS	DATE

Petition requesting Santa Fe County Commissioners to amend the draft of the current Joint Powers Agreement (JPA) creating the Region Water Authority. The Authority will be responsible for providing a robust, safe, and reliable water supply for domestic, municipal, industrial, irrigation, and commercial uses for the residents of the NPT Basin to be served by the Regional Water System (RWS). In the current JPA draft, which is being put forth for consideration by the SF Commission currently, the first five Authority directors are composed of an appointed member from each of the individual Parties: the Pueblo of Pojoaque, Pueblo of San Ildefonso, Pueblo of Nambe, Pueblo of Tesuque, and the County of Santa Fe. It is of great concern that under the JPA draft currently being considered, the remaining two directors are to be selected by a majority vote of the five Party Directors. We feel this will highly likely create an unfair representation of the customers the RWS will serve. Note: According to 2010 census data, the NPT Basin is comprised of 84% non-pueblo residents and 16% pueblo residents.

We, Santa Fe County residents who reside within the service area of the (RWS), firmly request Santa Fe County amend the current Joint Power Agreement (JPA) draft to provide for fair and equal representation under the Equal Protection Clause of the Fourteenth Amendment of our US Constitution for non-pueblo customers with a more fair and representative board, preferably a nine member board or at the very least a seven member board, with these additional appointed directors being non-pueblo residents in the service area of the RWS. The representation proposed with the current JPA is a clear violation of our right to vote through malapportionment. (Reynolds v. Sims, 377 U.S. 533 (1964))

Mary Woodson	<i>Mary Woodson</i>	1745 Woodson Dr SF	11/14/16
Jessica Soiz	<i>Jessica Soiz</i>	64A CR 84D	Nov. 14, 2016
ERIK WATKINS	<i>Erik Watkins</i>	64A CR 84D	11/14/16
Diane Quintana	<i>Diane Quintana</i>	80 Box 177 LANM	11/14/16
Christopher Garcia	<i>Christopher Garcia</i>	47A Feather Rd	11/14/16
Stella Shelburn	<i>Stella Shelburn</i>	58 # Evergreen Ln 87506	11/14/16
Jack Shelburn	<i>Jack Shelburn</i>	58A Evergreen Ln 87506	11/14/16
STEVE CARSON	<i>Steve Carson</i>	46 County Rd 89A SF 87506	11/14/16
John Zebchenak	<i>John Zebchenak</i>	109 C109	11-14-16
JOE BRIONES	<i>Joe Briones</i>	6205 Quintero Rd	11-14-16
Rudy Roybal	<i>Rudy Roybal</i>	157A Camino Del Rio N	11-14-2016
Mary Ellen Marino	<i>Mary Ellen Marino</i>	432C County rd 84 87506	11-14-2016
MELVIN CHANEY	<i>Melvin Chaney</i>	17 Veranda Romero, 87506	11/14/2016
Phyllis Russo	<i>Phyllis Russo</i>	6 Via Lagarto Tesuque NM	11-14-2016

70 Box 213  
 87574

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Anna Belle Rivera	<i>Anna Belle Rivera</i>	6-Loma Vieja Ln SF	
Oliver Rivera	<i>Oliver Rivera</i>	6-Loma Vieja Ln SF	11-20-16
Stephani Baca	<i>Stephani Baca</i>	324B CR 84 Santa Fe, NM	11/28/16
Leondro Rivera	<i>Leondro Rivera</i>	83A CR 84 GSE NM	11/28/16
JOHN VALENCIA	<i>John Valencia</i>	441 CR 84 SF NM	11/28/16
Mara Valencia	<i>Mara Valencia</i>	441 CR 84 SF, NM	11/28/16
JERRY L. GARCIA	<i>Jerry L. Garcia</i>	10A CALLE RIVERA S.F. NM	11/28/16
Leandro Garcia	<i>Leandro Garcia</i>	2A Calle de Cintas	11-28-16
Julian Gomez	<i>Julian Gomez</i>	37-ARRAYO NAMBE S.F.	11-28-16
Jose A. Garcia	<i>Jose A. Garcia</i>	10-B-Calle Vieja	11-28-16
Joe Oty	<i>Joe Oty</i>	113 Amador Rd	11
Mel Rivera	<i>Mel Rivera</i>	26 Summer Rd	11-28-16
PRINT NAME	SIGNATURE	ADDRESS	DATE
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Arnelo Trujillo Jr		200 Camino Del Rincon	11/14/16
ROBERT SALAZAR		TIA SHINING SUITE/SF, NM 87506	11-14-16
Oliver Valdez		RRI Box 104-DV Santa Fe NM 87506	11/14/16
George Valdez		7 Farming Dr Santa Fe NM 87506	11/14/16
Robert Duran		73 County Rd 84-B SE, NM 87506	11-14-16
GERALD RODRIGUEZ		33 Cook Rd. 849 87506	11-14-16
Babara Speers Kehoe		8 Tano Point Lane SF 87506	11-14-16
T. Robert Heineman		4 CAMINITO CORTO SF 87506	11-14-16
Kimber Heineman		4 CAMINITO CORTO SF 87506	11-14-16
Larry Macsson		29 Calle de Los Alamos SF 87506	11/14/16
Mary Beth Macsson		29 Calle de Los Alamos, Santa Fe 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
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Edgar Pulliam	<i>E Pulliam</i>	7A Hollyhock Lane SF, NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Sylvia Pulliam	<i>S Pulliam</i>	7A Hollyhock Lane SF NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
Ian Lopez-Pulliam	<i>I Lopez-Pulliam</i>	7A Hollyhock Lane SF, NM, 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
SHEILA DENDAHL	<i>Sheila Dendahl</i>	184 TESUQUE VILLAGE RD, SF, NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
HEROYMA GARCIA	<i>Heroyma Garcia</i>	18057 B US/84285 SF, NM 87506	11/14/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
JULIA TAKAHASHI	<i>Julia Takahashi</i>	149 NM 503, SF, NM 87501	11/17/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
RONNIE DURAN	<i>Ronnie Duran</i>	07 Entradade duran	11/17/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
John C Gutting	<i>John C Gutting</i>	4 Calle Tlaloussa ST 87506	11/17/2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Rodney Martinez	<i>Rodney Martinez</i>	15 Callejon Valdez SF NM 87506	11-17-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Olivia Roybal	<i>Olivia Roybal</i>	96 ACR 84 SF NM 87506	11-17-2016
PRINT NAME	SIGNATURE	ADDRESS	DATE
Antonia Romero	<i>Antonia Romero</i>	14A Calle Don Tomas SF NM	11/17/16
PRINT NAME	SIGNATURE	ADDRESS	DATE
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