

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

**February 11, 2014**

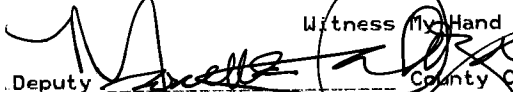
Danny Mayfield, Chair - District 1  
Robert Anaya, Vice Chair - District 3  
Miguel Chavez - District 2  
Kathy Holian - District 4  
Liz Stefanics - District 5



COUNTY OF SANTA FE                   )  
STATE OF NEW MEXICO               ) ss

BCC MINUTES  
PAGES: 190

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**BOARD OF COUNTY COMMISSIONERS**

**February 11, 2014**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:15 p.m. by Chair Danny Mayfield 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 Danny Mayfield, Chair  
Commissioner Robert Anaya, Vice Chair  
Commissioner, Kathy Holian  
Commissioner Liz Stefanics

**Members Excused:**

Commissioner Miguel Chavez

**c. Pledge of Allegiance**

The Pledge of Allegiance was led by Nelson Abeyta from Public Safety.

**d. State Pledge**

The State Pledge was led by Renee Fernandez.

**e. Moment of Reflection**

The Moment of Reflection was led by Melissa Oberg of the Public Safety Department.

**f. Approval of the Agenda**

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 Tabled or Withdrawn Items**

CHAIR MAYFIELD: Commissioners, thank you. Ms. Miller, we have some amendments or tabled or withdrawn items?

MS. MILLER (County Manager): Mr. Chair, yes. On page 2 of the agenda we have an amendment on item 5.a.6. The amendment was to request direction. The item was actually on there for presentation. Then also under Matters from the County Manager, we have added an implementation update on the Land Development Code and also some miscellaneous updates.

Then under Public Hearings, item 7.a.3 has been tabled.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: On item 7.b.1, since Commissioner Chavez is not present he had a conversation with me this morning and mentioned, and maybe he said this to Manager Miller, that he wouldn't mind if we went ahead with the public hearing but he hoped we could put off voting until the next meeting, and I just wanted to put that out for the Commission.

MS. MILLER: Mr. Chair, yes. I did speak with Commissioner Chavez about not being here. I thought we might talk about this later but what he did ask was that we continue with the public hearing, but as far as voting on any amendments or the ordinance itself, if that could be done at the next meeting, since he had co-sponsored this and wanted to make sure that he was able to vote on the amendments and the ordinance itself.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics, I'm okay with holding off on the vote but I would also like us to still have the opportunity at that meeting to have discussion as a Commission. Is that reasonable? Is that okay?

COMMISSIONER STEFANICS: Yes. Mr. Chair and Commissioner. One of the things I had thought is that if we took care of the public hearing today and finished all the public comments, that maybe we could go to the vote and the amendments first thing on the agenda at the next meeting, since we've been considering this for a while now.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics and Commissioner Holian, I would agree with that. I actually have some amendments I've been working with the Legal Office on and I would rather just hear the public hearings today and then defer any comment and amendment to next meeting with Commissioner Chavez present. So I like that.

COMMISSIONER STEFANICS: Thank you, sir.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of the agenda as amended, including holding off on the vote and the discussion of the amendments until our next meeting.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: Commissioners, I have a little discussion. On 7.a.3, how many times can this case be tabled?

MS. MILLER: Mr. Chair, this particular case was advertised for public hearing. It was tabled three times. They readvertised and the maximum number on an advertisement for a public hearing is three times so after this one there would be two, but it is my understanding that they are trying to work out a solution that would make it so we would not need to come back to you under this noticing.

CHAIR MAYFIELD: So, Manager Miller, Mr. Ross, regarding whatever an applicant chooses to do or not at a public hearing, if you have a case coming in front of this Commission and with a request to have it table either by this Board, by staff, or by the applicant. When those three tablings lapse and then they can just reapply again, can we just keep doing that indefinitely based on our prior Commission ruling?

STEVE ROSS (County Attorney): Mr. Chair, it's not a reapplication it's just the notice gets stale after three times. So the application is still pending but I understand that if they work out or are able to work out the details that they've discussed with me that they will withdraw the application and comply with the order of last summer.

CHAIR MAYFIELD: So, Mr. Ross, are they in compliance with the order that we signed?

MR. ROSS: No. No. They are not.

CHAIR MAYFIELD: Okay. Again, it was on the question of the tabling. I don't want to get too much in depth in the case until next time. Commissioner Anaya, is that

COMMISSIONER ANAYA: Mr. Chair, I have a couple comments that I want to put on the record in regards to the case that are important to me because we had a very long discussion on the case. Mr. Ross, Mr. Chair, Commissioners, Mr. Ross and we had it in the prior Commission. It came over to the current Commission and I want to say that when we made the vote on that item – it was a split vote, but in no way ever was my vote or my comments or my remarks as reflected on the record in any way construed to be voting for something that was going to put them out of business. I made modifications to the conditions that reduced the number of trucks and the size of trucks that they could store, but in no way in those discussions was I ever given any feedback directly in those meetings that that vote was going to restrict them from moving forward.

It later came up in discussions at a prior – at a Commission meeting after that there was issues with turning radius that had to do with the case. Those were not issues when the vote was taken. We reduced the size of the trucks from the existing trucks that have been using that access. I even recall that there was a fire truck that they showed – I don't know – I don't want to get into how they got it but they actually showed a fire truck turning into the property and making a radius as part of the case. And I bring these up in the record because I don't want to take away from the fact that we did restrict them; we did provide conditions, and I just want to make sure that my intent on that vote is maintained, because I did not intend to vote on something that would put them out of business.

MR. ROSS: Mr. Chair, staff heard that loud and clear and we're trying to achieve that objective to ensure they're in business as a viable entity.

COMMISSIONER ANAYA: Thank you, Mr. Chair and thank you, Mr. Ross.

CHAIR MAYFIELD: Thank you, Commissioner Anaya, Vice Chairman Anaya. As far as the request to do what we're doing on the living wage ordinance and on 7.b.1, Commissioners, I just want to know for clarification – this will come to us at the next County Commission meeting, and I believe there is going to be a discussion of amendments. I know I personally am going to bring up some amendments today on the ordinance. If we choose or choose not to act on them I respect that request and just ask that we kind will afford that kind of request on any type of ordinance that's in front of us if any Commissioner has an

emergency, at next weeks, two-week meeting from now, if there are new amendments proposed, and this has not been noticed as a public hearing for the next week or two weeks from now, are we still going to afford the public to comment on any of our proposed amendments or changes, even if that's just in general comments. Steve, are these allowed? Or afforded?

MR. ROSS: Mr. Chair, we didn't advertise the meeting two weeks from now as a public hearing. There's just two weeks. So it would have to be in the paper today if we were going to have that hearing in two weeks, so I'd suggest we get all the comments out on the table today so that in two weeks the only thing on the table is a discussion amongst the Commissioners.

CHAIR MAYFIELD: But again, respecting Commissioner Chavez is not with us today, he may have comments he wants to interject at the meeting two weeks from now.

MR. ROSS: Yes. That would be perfectly appropriate. The statute proposes to give notice of a public hearing, not of the adoption of a statute. The notice has to include information on when the ordinance might be adopted, so the advertisement for today says it may be adopted today. So it can be adopted at some subsequent meeting. We've done that before.

CHAIR MAYFIELD: I think we've kept [inaudible] over our animal control.

MR. ROSS: I believe that's right.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Mr. Ross, just to follow up with that. If I asked a question on that meeting, if I said, Mr. Chairman Susman from the Corrections Advisory, I want your feedback on an amendment I had proposed on the minimum wage and asked him to come forward, we could do that in that meeting if we so desired at a Commission?

MR. ROSS: Mr. Chair, Commissioner Anaya, I think it would probably be best not to. It would probably be best just to have a Commission discussion. The more of those kinds of interactions you get the more it starts to look like a public hearing. Now, that being said, if there's a need for more discussion we can advertise it for the meeting March 11<sup>th</sup> and have a full discussion then.

COMMISSIONER ANAYA: Mr. Chair, if it's okay – we're making an accommodation that I fully concur with, but if it doesn't impose an issue with the Commission I would actually agree with that, if we noticed it for the March 11<sup>th</sup> meeting and then I would even say that we limit it to discussions or questions that we raise, so instead of a full-blown hearing, if a Commissioner wanted to ask Mr. Ellenberg or Ms. Susman or somebody a question they could get up and give feedback. So I guess I would agree with the March 11<sup>th</sup> date with the full capacity to raise questions. Because some of the amendments that are going to come up – I know my amendments – I'm going to actually want to hear from some of the people that have been making comments and get their feedback on those amendments.

CHAIR MAYFIELD: Commissioner Anaya, just so you know, we're looking at hearing this on February 25<sup>th</sup>.

MS. MILLER: Mr. Chair, yes, and what we were saying is that that's what it would be. If we postponed the vote that would be the end of February meeting. However, we

cannot notice for a public hearing in a two-week timeframe. So what the suggestion is, we've already noticed for the public hearing for this evening. Let's just have the public hearing this evening and then just do the Board discussion and vote on the 25<sup>th</sup>, because another public hearing would require another two-week notice, which, to meet that, by the time we would get it in the paper, the earliest it could be heard would be March 11<sup>th</sup>, to do a public hearing. I don't think there's any problem doing the public hearing tonight and then just postponing your vote to the 25<sup>th</sup> and that's what was requested by Commissioner Chavez because he could not be here this evening.

CHAIR MAYFIELD: Thank you. So Commissioners we have a request and a motion and a second to approve our agenda.

**The motion passed by unanimous [3-0] voice vote.** [Commissioner Anaya did not vote on this action.]

COMMISSIONER ANAYA: So Mr. Chair, we didn't answer the question.

CHAIR MAYFIELD: But Commissioner Anaya, I got from Ms. Miller, how she presented it and I believe that the public still would be able to provide comments, and I think at this time the Commission has always exercised the discretion to ask anybody a question in the audience.

COMMISSIONER ANAYA: Well, that's what I want to get a clear interpretation of is can I ask a question of Mr. Susman – Mr. Susman, I'm picking on you a little bit but it's for a good purpose – if I want to ask him a question on an amendment I want to know that I'm able to do that. So, Mr. Ross, am I going to be able to ask Mr. Susman a question of we leave it as is?

CHAIR MAYFIELD: I believe you are.

MR. ROSS: Mr. Chair, Commissioner Anaya, leave it as is, meaning to go to the next agenda for discussion only?

CHAIR MAYFIELD: No. I want to be able to ask Mr. Susman a question if I have an amendment that I think his advice or recommendation might offer positive impact to that amendment, I want to be able to ask him for feedback at that meeting. I don't want to just limit it to our discussion as Commissioners.

MR. ROSS: Mr. Chair, Commissioner Anaya, the more it could look like a public hearing the more it might become a public hearing. So these are matters of degree and I really can't answer whether a single question will affect the validity of an ordinance, but I see where you're coming from.

COMMISSIONER ANAYA: We still don't have an answer.

CHAIR MAYFIELD: Well, and Vice Chairman Anaya, I hear you. I guess we can still – we're just on the approval of the agenda and it's been approved but we can still discuss this on the ordinance tonight itself. I don't feel that there should be any issue with us talking to the public if they're here in front of us or if they wanted for a comment. I think we've already afforded that in prior resolutions we've passed at this Commission. I bet we can still discuss this in more depth when we get on to this agenda item if that's okay. Thank you, Commissioners.

1. g. **Approval of Minutes**

1. **Approval of January 14, 2014 BCC Meeting Minutes**

CHAIR MAYFIELD: Are there any amendments or requested changes?

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

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

2. **CONSENT CALENDAR**

a. **Final Order**

1. **BCC CASE # MIS 10-5361 Saint Francis South Master Plat Authorization. Vegas Verdes, LLC, Applicant, Requests Authorization to Proceed with a Master Plat for the Creation of Twenty-Two (22) Mixed Use Lots on 69 Acres More or Less. The Property is Located on Rabbit Road, via St. Francis Drive, within Section 11, Township 16 North, Range 9 East (Commission District 4) Vicente Archuleta, Case Manager (Approved 5-0)**

CHAIR MAYFIELD: Is there any Commissioner wishing to pull anything right now from the Consent or ask and discuss anything for five minutes? Seeing none, do we have a motion?

COMMISSIONER HOLIAN: Mr. Chair, I move for approval of the Consent Calendar.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

4. **Matters of Public Concern**

CHAIR MAYFIELD: Is there any audience members from our public that wish to address this Commission on any matters that are not on this agenda, or even if there is concern on the agenda item we can just defer that to a little later. Seeing none, we are going to move on.

**5. Discussion/Information Items/Presentations**

**a. Presentations**

- 1. Recognition of the Santa Fe County Adult Detention Facility for Meeting Professional Standards of Detention Administration Established by the Adult Detention Professional Standards Council and for Receiving the New Mexico Local Accreditation Program Certificate from the New Mexico Association of Counties**

CHAIR MAYFIELD: Again, Commissioners, we brought this up at our last Commission meeting but it's an honor for me to just read this title in. Katherine, do you want to start this off for us please?

MS. MILLER: Mr. Chair, Commissioners, as you know, the Association of Counties has an adult detention facility accreditation for meeting professional standards and our County Corrections staff went through enormous amounts of work to apply for this accreditation and meet the standards that are required by the Association of Counties. And at the New Mexico Association of Counties mid-winter conference they received a notice and a certificate of the accreditation and the Commission wanted to make sure that they recognized the staff that was responsible for that. It's a great accomplishment. It required, I would say hundreds of hours of work in order to make sure that our policies and procedures were in compliance with the accreditation standards, and then going through the evaluation and even having the evaluators come back and do another check and they did meet all the requirements and many of the individuals responsible for leading that effort are here today. So they're here and I think, Mark, if you want to stand up and say something about what it took I think the Commission would really appreciate hearing that.

MARK GALLEGOS (Warden): Mr. Chair, Board of County Commissioners, it is a process that when I first got hired with Santa Fe County was one of the things that I was told that we need to push forward and meet the standards, 210 rigorous standards, which are all mandatory. So every single one of those standards focus on the quality of life, the physical plant, the operations of the facility itself, and most of all providing a humane type of environment for the inmates.

So the team that we established together and I was like the quarterback and I'm not going to sit here and take all the credit. The credit is due for the department heads. When I first came into this facility was to put this team together and have them start working on it immediately, since day-one I walked in. That was our first meeting saying that. We're going to accomplish this. I said 18 months and in reality we did it 14 months. So kudos to the staff, and I'd like to acknowledge our staff members that are here. One of the primary persons, the go-to person that facilitated this whole operation is our accreditation manager and that is Mr. Anthony Martinez. I'll confirm he's the brains of the operation. The major that runs our security operations, Mr. Nelson Abeyta, our classification supervisor, a big task for her as well, Melissa Oberg, programs manager, Ms. Renee Fernandez, Deputy Warden, Mark Caldwell, and the continuous quality improvement department that we established, and this was to ensure that not only are we following the standards we are doing this on a quarterly basis and we are doing a self-audit within the facility and making sure that we continue to



sustain that, and that's Ms. Ardis Thomas. Our medical department, Lisa Leiding and our new doctor who just came in. In fact his first day was the day of the audit. So how do you like that, to walk into the door and know you have an audit and you're the medical director, Dr. Tim Taylor.

And just in closing, I just want to take this opportunity to thank the County Commissioners, the County Manager and I would thank Mr. Pablo Sedillo for giving us the resources to move forward to obtain this accreditation. It's a good thing for Santa Fe County and we will continue to lead the counties. And again, this is the easy part. The hard part is the next few years sustaining it to make sure that we'll provide and do exactly what we're doing today. Thank you.

CHAIR MAYFIELD: Warden Gallegos, I just want to also thank you for all of your hard work and all of your staff. I know all of our detention officers and everybody who contributes to our operations had a huge part in making this happen so kudos to all of them also. Vice Chairman Anaya.

COMMISSIONER ANAYA: Thank you, Chairman Mayfield. Mr. Gallegos, I want to comment the entire team – yourself, Mr. Caldwell, Mr. Martinez and the entire team sitting here and the people that couldn't come. It always has to be raised, any chance we get that the business of County government and some of our departments and Corrections is one of them, never stops. 365 days a year, 24 hours a day. There's no holidays, there's no breaks. You guys are constantly working. You have your shifts. You have your officers. Everybody that goes in there and provides the work from the maintenance aspect to the highest levels and everywhere in between. It takes a team effort working in concert with the Manager and the staff in Finance and this Commission to make it all happen. And so I congratulate each and every one of you for that hard work. I think you said it best when you said the maintenance of that is the hard part. Getting there is tough but maintaining that high level of professionalism is what I know you and your staff, Mr. Sedillo as well, are committed to. And so we look forward in partnership, I think, which is very important. We're going to hear an update from Mr. Susman from our advisory committee that it's a partnership between all those parties and our Correctional Advisory Committee is very much a part of that many-spoked wheel that makes it all work and makes it all happen. So we're very appreciative of, Mr. Susman, your efforts and staff and just everyone involved. So thank you very much. I think we're going to probably come up here with that accreditation in a bit but I thank you very much for your efforts and Mr. Caldwell as well. You've got a good professional staff set up, Mr. Sedillo. I don't know why he's hiding back there. You need to come over here, come forward. You should be congratulated and I'm glad that we waited a little bit to adequately recognize and honor the entire team that made it happen.

WARDEN GALLEGOS: Thank you. Mr. Chair, Commissioner Anaya, there's one individual that couldn't make it today, who's out sick, and that is our maintenance supervisor, Mr. Basil Davis. That was one of the biggest challenges that we faced was the physical structure and making sure that we went in and were unable to comply with all of those standards. So the maintenance department did an extraordinary job in making sure that we met all the standards and we continue to meet those standards on a daily basis. And lastly is the staff, those people that are in the trenches on those 12-hour shifts, that are working

inside the pods. Those are the individuals that take credit for this. We can [inaudible] all day long but it's up to those individuals that we continue to mentor, support, motivate and have them understand the policies and procedures and what our mission is and its quality services. Thank you.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I just want to simply say congratulations to you and your staff. This is a huge achievement and I am really, really proud of our County. Thank you.

CHAIR MAYFIELD: Commissioner Stefanics, I know a big advocate and staunch supporter of having this accreditation happen.

COMMISSIONER STEFANICS: Right. And thank you, Mr. Chair. Last year when the first county jail was accredited I threw down the gauntlet and you all stood up and met the standards and I truly appreciate it. We are now, I believe, one of three in the state that are accredited so I thank you very much for that distinguished work and acknowledgement of not only your work but also Santa Fe County. It speaks very well. And I know that many of our County staff have participated in different NMAC programs and different national programs, and you said a great model for them to continue to do that. Thank you.

CHAIR MAYFIELD: If I may, on this award that they're receiving. This is from the New Mexico Local Government accreditation program, so it's also the New Mexico Municipal League and the Association of Counties who are awarding this. So again, congratulations to all of you and to all of those who are not here with us to day. Hopefully, let's take a picture of you guys and ladies.

[Photographs were taken.]

5.      a.      2.      **Acknowledgement and Recognition of the Santa Fe County Risk Management Division for Completing Five Years of the New Mexico Association of Counties Risk Awareness Program and Reducing Workers' Compensation Claims By 27 Percent, and for Receiving the Honorable Mention Safety Award for Division V, Class A Counties**

CHAIR MAYFIELD: I will turn this over to Commissioner Anaya as being our representative of New Mexico Association of Counties to the Association for risk management. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Commissioners and Ms. Miller and staff, Chairman Mayfield. Thank you for letting me say a few words, Mr. Trujillo and staff. I'm going to be doing a resolution that we took to the Association of Counties Commissioners affiliate that's going to go to the board of directors as well supporting what you do day in and day out. There's no exception or excuse that we can have as a governmental entity to not be as trained as we possibly can and to have ongoing safety measures done in the county environment.

All too often we see other entities across the country where lives get lost and people get hurt and we want to do everything we can to avoid that and with you as our team working together in partnership with the rest of the County departments we make it happen. And this recognition is a testament to the work that you guys do day in and day out. And so I very much respect you all and respect the work that you do to help make sure that we trained and that we're acting in a safe and responsible manner and training ourselves over time to do that. So thank you, Mr. Chair and Mr. Trujillo. The floor is yours

JEFF TRUJILLO (Administrative Services Department): Mr. Chair, County Commissioners, County Manager Miller, I'd like to thank you for the opportunity to present these awards to our Risk Management Department. During the mid-winter conference we actually received two awards. The first award was for successful completion of the risk assessment program of the Association of Counties year five. Five years we've been doing this. We are currently starting year six.

Through the risk assessment program all counties have to set goals. Most counties set goals of a ten percent reduction in Worker's Comp injuries. Santa Fe County this year had a 27 percent reduction in Worker's Comp injuries this year. We surpassed the ten percent by 17. The reason we did this is the Risk Management Division, they have been going out, they do an enormous amount of training. We assess where our accidents are happening. We train in those specific areas to stop the recurrence of the same type of accidents. We have numerous kinds of accidents. Motor vehicle accidents are a popular one, but we do as much training as possible to help out with those.

Santa Fe County Risk Management will continue to strive in these areas. We will continue to try to get our percentages lower, our Worker's Comp claims, every year as much as possible.

The second award we received by the New Mexico Association of Counties was honorable mention of the safety award. Although we didn't win first place I still think this is a great achievement for Santa Fe County, especially being part of Division V, Class A counties. We had a good showing; we were close to first place, but we didn't get it this year. A big part of that are the people I'm about to introduce. We have the Risk Management Division Director, Mark Lujan, safety coordinator, Patrick Ortiz, safety coordinator John Sanchez, and our administrative help and also kind of the main heart of our department, Elsa Ornelas-Segura.

Also one more thing. I would really like to thank the Santa Fe County employees, because with their participation the RAP program and them putting up with our visits to their shop, putting up with our visits to their office, and doing evacuations during the cold day in January, I'd really like to thank them for their participation. Thank you so much.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. The risk management portion of the work here is very near and dear to my heart. I don't want to see employees hurt, and so the fact that you're working to mitigate the risks, the fact that you're working to make people safer, and that you're being recognized for it, I really appreciate it. Thank you very much for your work.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just also want to thank you for your work at keeping the people who work at Santa Fe County safe. That's the most important thing. Of course it saves money too, and we're glad about that, but safety is the most important goal. Thank you.

CHAIR MAYFIELD: Commissioners, I also want to recognize the work on staff. Thank you. You've all done a phenomenal job to bring awareness to us and to make our staff a lot safer. We're recently now members of the multi-line pool with the New Mexico Association of Counties and I'm sure you're all aware of this. But they offer phenomenal training opportunities that will come to us, to our Corrections Department, to every other aspect that we have within Santa Fe County. That service is there for us by being members. That can help build more awareness, free training programs that come in to us. I know that's something that you all definitely can benefit from by just tapping into those services. And again, I think Mr. Trujillo articulated well, it's all of our Santa Fe County staff who makes this happen by them being more aware and the training opportunities. I know also our HR Department, Ms. Gigi Gonzales has very numerous training opportunities for all staff and just awareness is a good thing, so thank you all for your work. It's a much well deserved recognition that you all have achieved on behalf of Santa Fe County. Manager Miller, please.

MS. MILLER: I just want to say that they did receive two awards, the honorable mention, which I would like to give to you to present to them, and also the completing year five of the RAP programs.

CHAIR MAYFIELD: And Manager Miller, some comments please also.

MS. MILLER: Mr. Chair, I wanted to express my appreciation to the staff and all the staff around the County and particularly the risk staff. They do a great job. They really are good at making sure our safety committee meets and stays on top of things. I get the emails every month about our safety meetings and making sure that staff are aware, that all the departments participate in it. They're good at keeping me informed when somebody is not participating and making sure that all the employees know about ways to reduce risk and have more safety throughout all of our working areas.

As you know the County keeps growing. We used to be, when I was here before, 400 employees and now we're pushing 900 employees. And to keep reducing our Worker's Compensation claims and staying on top of this is a big feat when we have 900 employees and all the different programs we have. So I really appreciate what the staff does and what the risk management program does. So, thank you.

[Photographs were taken.]

**5. a. 3. Corrections Advisory Committee Bi-annual Report Presented by  
Chair Frank Susman**

FRANK SUSMAN: Mr. Chair, members of the Board, I want to thank you for the invitation to appear this afternoon to supplement the Corrections Advisory Committee fourth biannual report, a copy of which is provided to you. The report was captioned biannual report because that's how it's described at the authorizing Board resolution although I believe

it was and is intended to be a semiannual report and unless I hear to the contrary I will proceed on that basis in presenting the report semi-annually.

Although I'd be glad to answer any questions from the Board, I know Mr. Anaya has some, at least he referred to them, I'd like to begin by reporting some statistical data and then by offering several observations which I believe accurately reflect a consensus of the committee's thinking. First I would note that this has been a particularly hardworking committee and I commend every member of the committee which you appointed. Initially some basic statistics.

The adult facility provides approximately 650 hours of behavioral health services to inmates per month. That is a staggering amount. The facility houses an average of 540 individuals, of which 82 percent are male. The inmate grievance procedure averages five to six grievances a month, which I assure you, based on other facilities, is an extremely low number. The average length of stay at the adult facility, which I'll mention later, is 9 1/2 days. The average stay at the juvenile facility is 6 2/3 days. And approximately 70 to 75 percent of all the inmates at the adult facility have identifiable behavioral health issues consisting of serious alcohol issues, drug issues and other mental health issues.

Some basic observations of mine. Clearly, the facility is not the most appropriate resource for the extended treatment for those with behavioral health issues. Two, nor is the facility the most economic facility in treating these types of issues. In fact, it's probably the most expensive. All the studies nationally always show it's more expensive to keep somebody in a jail or a prison, but in this case a jail, than it is to treat them on the outside in a residential facility, and as you're well aware, approximately 50 percent of the County's budget is allocated to the Department of Corrections.

In addition, again, on an ever-increasing basis, pace, nationwide experience has shown us that outpatient facilities are better equipped to handle these types of issues on a more permanent basis and are significantly less expensive to operate on a daily basis per patient/inmate, than are correctional institutions. Many of the issues impacting the jail population are totally not in the province of the committee and even beyond the facility's control. To name but two of this is the time interval between arrest and trial. If this could be somehow abbreviated, and I'm not prepared to discuss how and why here, that would obviously affect the number of prisoners per day incarcerated.

And secondly, the inability of the facility to offer more permanent assistance with those with these behavioral health problems, 75 percent of the population due to the presence of length of incarceration which on the average is so short and then if they're in a treatment staff personnel would be able to have them pointed to perform this type of functions. I would note, as you probably are aware, the jail population is adversely skewed toward the poor and the indigent, since any arrestee, with any resources bails themselves out if they possibly can. So we have this skewing of the population.

The committee firmly believes that availability of outpatient resources for these inmates with behavioral health problems would significantly reduce over time the jail population and in time would significantly reduce County expenditures. And again, I repeat, and I know from experience, this is the national trend. It has been for many years. The committee itself does not see any significant issues that need to be addressed and which in

fact are addressable by the Department of Corrections. And with that, I'm ready to answer any questions the Commissioners may have.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Susman, I have a couple, but I'm going to read specifically off of the minutes of the December meeting because I think it summarizes the majority of what you were talking about of your report.

MR. SUSMAN: Which month?

COMMISSIONER ANAYA: December. I'll read it to you.

MR. SUSMAN: What page are you on?

COMMISSIONER ANAYA: I'm on the last page of your biannual report that you just gave.

MR. SUSMAN: Page 9?

COMMISSIONER ANAYA: I don't have a page number. But it has respectfully submitted, Frank Susman, Chair.

MR. SUSMAN: I see December. Yes.

COMMISSIONER ANAYA: Okay. Third paragraph down. The CAC, Citizens Advisory Committee, as a whole believes – Corrections Advisory Committee, my apologies – as a whole believes that the further success of the It Takes a Village project will have a significant and positive impact on individuals in our community in need of both behavioral health treatment and care upon Department of Corrections by reducing the number and length of incarcerations and costs related to incarceration.

MR. SUSMAN: Yes, sir.

COMMISSIONER ANAYA: What I want to ask you is, I want to ratify what you're saying in here in a letter from the Commission supporting what you're saying and I want to thank you for the conversations that you had with the district judge, Judge Marlowe Sommer, in regards to behavioral health and length of incarcerations. At a recent board of directors meeting with the Association of Counties we had the Chief Justice of the Supreme Court present at the meeting and it was some of these items, tied to length of stay and other issues that we could help in corrections and incarceration that we specifically brought up, that I specifically brought up to the chief justice to say more frequent conversations with the judiciary as well as some targeted ways of improving the situation as it relates to behavioral health and length of stay in particular.

And so I want to hear your feedback on that. I want to first say I support that effort and your work, but I want to ask you, what else do you believe that the advisory committee can do to take that from a discussion point to more of an action point? What would you feel you could do with the committee to help us better understand and grasp the issue, and then also move to some action steps that would net some positive results for us.

MR. SUSMAN: One prefatory remark and that is this whole concept of It Takes a Village conference arose out of the CAC and many of the members of the CAC are on that steering committee. It did not feel, and I do not feel personally, that it's really a function of the CAC to run that kind of an operation. It needs to be separate, which it is. The

biggest drawback to accomplishing the kind of progress that I've mentioned here that you've discussed is financial.

I am convinced and experience shows us that by establishing more and better outpatient facilities we'll reduce the cost. Unfortunately, before we see any decreased expense in the Department of Corrections, you will have already spent money to provide these other facilities. Unfortunately, it's not the reverse. So there would have to be expenditures of funds before you see decrease in expenses.

COMMISSIONER ANAYA: So, Mr. Chair, if I could just isolate one piece and say that if we reduce the length of stay, which we know for a fact, if we reduce the length of stay, that we're, in effect, helping progress the issues that arise from people with behavioral health issues that are incarcerated that in there are going to be hard-pressed to get the full scope of services that they need. And so the sooner we can help them as best we can, reduce their length of stay and then work on ways outside of the facility help them better, right?

So if we just focused on –

MR. SUSMAN: Length of stay is a two-sided coin. One is to reduce the length of stay there, and two is to prevent them coming back as frequently as they do.

COMMISSIONER ANAYA: Right.

MR. SUSMAN: I mean, there are people who come back for healthcare. Commit a non-violent offense and they know they're going to get healthcare by coming into the facility.

COMMISSIONER ANAYA: Well, I stand ready and I think the Commission has been supportive of improving efforts around behavioral health but that length of stay issue is something we could work immediately with the courts on and you've already started work on and I guess what I'm staying is we want to continue to support these efforts for more ongoing communication and some targeted action steps to work with the judges, as you have, to reduce the length of stay and also provide those services.

MR. SUSMAN: Commissioner, I'm more than happy to attend as many meetings as people want to call.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I appreciate your work and the work of the committee.

CHAIR MAYFIELD: Vice Chairman Anaya, thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Mr. Susman, for your very thought provoking presentation. I have a question that may be a little outside of your purview but one thing that I was wondering is do we actually have the resources in our community that we actually need to deal with all the behavioral health problems that we see at the jail? Do we have sufficient resources?

MR. SUSMAN: Absolutely not. We need to talk with people in the field. That also came through loud and clear at this conference that Judge Marlowe was gracious enough to chair and call, and fortunately I felt if an invitation letter that went out on her stationery everybody would come; nobody would not come to an invitation by a judge. Okay? And that



worked. There was over 130 people there. But there was clearly a consensus. There's no coordination. To go from one thing, to one agency, but these people have multi-faceted problems. And there has to be some oversight to make sure they get to all the places they need to go, because no one place can provide everything that the average person needs who has these situations and problems and health issues.

COMMISSIONER HOLIAN: So we need to develop more resources in our own community.

MR. SUSMAN: Unquestionably.

COMMISSIONER HOLIAN: Thank you, Mr. Susman.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, and thank you very much for the report. I see that Judy Williams is on the Corrections Advisory Committee and she also is the chair of our Health Policy and Planning Commission, so I'm hoping that Judy is bringing back – and I was going to ask Judy to talk later about something different, but that Judy is bringing back to her group some of the needs that are being identified in the community, and we have acknowledged and actually discussed behavioral health for over the past year because of the money that's being decreased from the state towards the funding agencies and that some of the services are actually being shut down.

So I'm very happy that – I'm not happy that we're seeing a lack of funding and services, but I'm very happy that your group is identifying that as a continued focus for us to be concerned about. Thank you.

MR. SUSMAN: Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Mr. Susman, thank you for your report and I was also going through the report. One thing that caught my interest [inaudible] but one thing that was significant in the August report, and I'll just read it, the part I highlighted. Christus St. Vincent's will not accept anyone who is the electronic monitoring program. The adult detention facility's full-time psychiatrist is Dr. Dulanto and at least 200 individuals per calendar quarter are in need of advanced behavioral health. I think that's we're all discussing. So I know we have our chair, Ms. Williams here, and also Director Sedillo. Can you explain that a little more to me. So St. Vincent's will not accept anybody that is the electronic monitoring program?

MR. SUSMAN: I think, without a doubt, and I have no reservations about saying this, the Department of Corrections is doing absolutely all they can do with the resources it has. I don't know how else to say it.

CHAIR MAYFIELD: Well, I hear that, and I think, you know, I guess my concern is is there an agreement that Christus will not accept these individuals that are on the monitoring program? And whoever can comment on that – Mr. Susman, if it's not you, if it's Ms. Williams, if it's Director Sedillo, please, just so I can understand this a little more.

MR. SUSMAN: I'm not sure I can – my assistant here is going to answer that question. We had a deal that I will answer all the easy questions and he will answer all the difficult questions.



CHAIR MAYFIELD: It just came up in your meeting minutes so that's why I'm asking the question.

PABLO SEDILLO (Public Safety Director): Mr. Chair members of the Commission, there is an issue in regards to people who had psychiatric problems or who have mental health issues that St. Vincent's would not take those individuals on the electronic monitoring. I argued the point at a meeting in regards to that, that they are obligated to provide that care no matter what. They had to relook at their policies in regards to that. There is some discussion and argument on that at that particular meeting. I am taking the stance that they do need to address those individuals and treat them as well, if they're on electronic monitoring or not.

So that is still a debatable matter at this point. We are meeting again in March and there is supposed to be some follow-up on that particular issue of electronic monitoring.

CHAIR MAYFIELD: Thank you, Mr. Sedillo and I would have to agree with your thought process on this. I see Commissioner Stefanics may want to comment.

COMMISSIONER STEFANICS: Well, Mr. Chair and – Steve's out of the room but I think he could probably hear me, and Ms. Miller. If we're providing County indigent funds to match with federal dollars, I know we've done away with certificate of need in the state hospitals but I don't see how the hospital can deny some indigents that we are sending them when we are providing the source of funding. Do you want to comment on that?

MR. SUSMAN: I agree with that. I have always felt, this Board has the ability to bring as much pressure as they wish, based on financial needs that they can provide to the hospital to get them to do what they need to do and should do and ought to do.

COMMISSIONER STEFANICS: Okay. But I want our Manager and our Attorney to respond to this. So, Katherine and maybe Steve.

MS. MILLER: Mr. Chair, Commissioner Stefanics, it's my understanding they cannot turn them away and it's position that they can't turn them away. I don't know what our next legal ramification is relative to – we're not the ones who actually put them on electronic monitoring. That's the judiciary that puts them on electronic monitoring and they're required to take individuals that are indigent and come to them. So I'm not sure how our legal recourse should be but I definitely think we need to take steps to clarify that and make sure that they are taking them, whether they're on electronic monitoring or not.

COMMISSIONER STEFANICS: So, Mr. Chair, I'd like to ask Steve Ross what our legal recourse is when Christus St. Vincent's denies service to one of our inmates regarding mental health issues.

MR. ROSS: Mr. Chair, Commissioner Stefanics, that's a Medicaid question.

COMMISSIONER STEFANICS: No. When people are in our jail they don't have Medicaid.

MR. ROSS: Oh, right.

COMMISSIONER STEFANICS: So, we provide sole community provider funds from our indigent funds. My question is, is there any legal right that they have to deny service to one of our residents, and in fact, what do we do when that happens?

MR. ROSS: Mr. Chair, Commissioner Stefanics, we'll have to look into that.

COMMISSIONER STEFANICS: Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioners, and that's just why it caught my eye and with what we're dealing with now with sole community provider funding, I guess there's a new name for it now, a potential new name. And what I just heard from your report, Mr. Susman, if we need either additional dollars because Santa Fe County is throwing as many resources as they can right now with this situation, and St. Vincent's is receiving money through the old formula of how it worked, well, this could free up some internal services in time with our physician to assist and help those that are currently incarcerated, versus those who are on the monitoring program. So I would ask, and hopefully you all could champion some dialogue here, we can ask St. Vincent's to come to our Health Policy Commission meeting. I know we have Chair Williams that serves – I'm not going to say a dual purpose; she wears two different hats, and we just had a meeting with them, Director Sedillo and we asked for that meeting to take place tomorrow.

MR. SUSMAN: On the one hand, I can understand the reluctance of the hospital on the basis of security issues, of not having those kinds of patients. On the other hand it is not an excuse or any justification for not treating them. Reluctance doesn't equal a justification.

CHAIR MAYFIELD: Again, and I hear what you're saying but respectfully, the judges are the ones who ask that they go on electronic monitoring program, and they felt that they did not need to be incarcerated within the jail. So they are still individuals who are walking around every day in our society, so they have a right to use that hospital too.

MR. SEDILLO: Mr. Chair, members of the Commission, you're absolutely correct. Now, you have to understand it's the judiciary who places those individuals on – those devices on those individuals. So those are individuals who are in our community working, going to school or whatever they're doing and they have every single right to be treated by that provider. And this is an issue that we talked about at our last meeting. As I indicated, we're having a meeting in March in regards to a follow-up on that. My stance is that they will be treated. I think this was an internal policy that they had that they were going to review and maybe revise because they can't deny any individual any medical care.

CHAIR MAYFIELD: Thank you, Director Sedillo. Commissioners, any other comments? Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think, Mr. Chair and Katherine, we need to put this on our agenda at the next HPPC and ask somebody from Christus St. Vincent's to address this issue with us at the indigent board. Thank you.

CHAIR MAYFIELD: Mr. Susman, we'd love to have you at that meeting also, if your time permits. And Director Sedillo. Thank you, Commissioners. Any other questions? A great report and thank you all in the committee for all the work they do. It's much reward involved for everybody.

Commissioners, I am going to ask for the indulgence, and hopefully they're still here. If we can go back really quick to matters of public concern.

4. **Matters of Public Concern**

CHAIR MAYFIELD: I had the opportunity to be at the roundhouse this morning and I ran into some folks, and I was going to save this for Commissioners' comments but the individual was able to make it, Ms. Karla Moya, and it would be very brief if the Commission would indulge it. She just wants to bring attention to the second annual Million March Against Child Abuse, if the Commission would afford that for one minute.

COMMISSIONER STEFANICS: And Mr. Chair, could we also after her have Judy Williams give us two sentences about something else? I asked her to come talk to us about it under public comment.

CHAIR MAYFIELD: I have no problem with that. Commissioners, are you okay with that?

COMMISSIONER ANAYA: That's fine. Ms. Moya, do you mind coming on up, please.

KARLA MOYA-CRITES: Good afternoon. Thank you, Mr. Chair, for letting me speak. Sorry for such short notice. We were at the Capitol today. I would just like to announce that we will be having on April 5<sup>th</sup>, our second annual Million March Against Child Abuse, a march which starts at the Capitol. It will end at the plaza. As you know, in the media now we're seeing so many issues of child abuse. Currently I am a state contractor with CYFD as their foster parent liaison. I'm also a foster parent and an adoptive parent, so I've worked in all spectrums of CYFD. And so I just want to bring the information to you. *[Exhibit 1]* We need people to walk with us, to stand with us so that we can be the voice of the children and so we're going to stop the violence and try to change the laws so that these children can be protected, and focus on how we can prevent and educate people on child abuse.

CHAIR MAYFIELD: Thank you, Ms. Moya, very much. Commissioners. Katherine, would it be possible if we could hang some of these fliers up throughout the County facilities just to bring awareness to this march?

MS. MOYA: I do have them also in Spanish.

CHAIR MAYFIELD: Great.

MS. MOYA: I have more Spanish with me than English, just because at the Capitol they asked for more English. So I do have lots of them. Thank you very much for allowing me to speak. Thank you.

CHAIR MAYFIELD: Ms. Williams, please.

COMMISSIONER STEFANICS: Mr. Chair, as a preface, Ms. Williams has a comment about we had asked the HPPC to look at that City resolution regarding the task force on the hospital, and she had some initial comments that I thought we should hear before it goes much further. Thank you.

JUDY WILLIAMS: Mr. Chair, Commissioners, we were asked – the HPPC was asked to consider these two resolutions and make a recommendation. I don't know how much you know about them or whether I should mention what they are, briefly. Should I do that?

COMMISSIONER STEFANICS: It's about – the task force is on the hospital. One was from Councilor Bushee. One was from Councilor Peter Ives. We discussed it at the last indigent board meeting.

MS. WILLIAMS: The Councilor Bushee one focuses on the hospital. The Councilor Ives one focuses on more community-wide approach to looking at problems, issues, challenges, and what's going on, etc. So these were considered last Friday at our meeting and we made a couple of recommendations. One is that we think it's really premature to be doing this. I can read you the language if you like. And I'm not really checking my email. It's the only way I have of getting the language from the stenographer. We recommend that the Board of County Commissioners recommend to the Santa Fe City Council that any discussion of a task force be deferred until after July 1, 2014. The healthcare system is in a state of change and uncertainty with the pending state legislation and funding for indigent care, sole community provider and the Affordable Care Act roll-out, as well as planning activities already underway by the HPPC and other bodies.

The second one is that if the task force or study committee of any type that is a broad spectrum like either one of these, if one of these is constituted, we are recommending that since there's an implicit role for the County in both of those that the County be involved in the design, scope of work, charge and membership of the committee.

COMMISSIONER STEFANICS: So, Mr. Chair, I think that what I'm hearing is that it would be a great deal of work for our staff, remembering our HPPC members are volunteers, and that if either of those are passed and they write us into them, we'd have to discuss seriously whether or not we want to be at the table, because it would mean a great deal of staff work. That's all. Right, Judy?

MS. WILLIAMS: Yes, yes. They both involve a whole lot of work, whether they involve just the hospital, in which case it would involve an awful lot of work by the hospital as well, and the second one Councilor Ives' one, is an awful lot of analysis of all kinds of data, which usually professional staff does.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: Thank you, Ms. Williams. Thank you for bringing that to our attention. Commissioners, thank you for letting me go back to that item.

**5.      a.      4.      A Presentation on the Draft Plan, for Planning Santa Fe's Food Future Presented by Erin Ortigoza**

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I was really fortunate to be able to attend an event at the Farmers Market on October 24<sup>th</sup>, which was I think National Food Day, as I recall, and Erin at that time presented the draft plan for Santa Fe's food future which is called *Planning for Santa Fe's Food Future, Querencia, a Story of Food, Farming and Friends*. [Exhibit 2] And I would really like to thank the Food policy Council for all of their work in putting this plan together. I'd like specifically to thank Erin Ortigoza, Alena Paisano and Susan Perry, and I think our own Patricia Boies participated in this as well, and Pam Roy is here. I know she participated in it quite a bit. So thank you all.

I think that there's something that we all agree on and that is that everybody in our community should have access to healthy food. And in fact I think it's true that if we want to be healthy, if we want the people in our community to be healthy, the most important thing, the single most important thing is to eat healthy food, and no amount of exercise, no amount of taking a whole bunch of vitamins and a whole bunch of pills – in fact no amount of healthcare can make up for a poor diet. And at the same time there are many farmers in our community who farm because they love farming, because there's a strong tradition of farming in our community, but the sad truth is that many of them are barely making a living. So the question is, how do we support our farmers and how do we connect the people in our community with the great vegetables and fruits that they grow, as well as the meats that the produce?

Fortunately, there are good answers in the food plan. It's very comprehensive and I would now like to turn it over to Erin.

ERIN ORTIGOZA: Thank you, Commissioner Holian and Commissioners, Chair Mayfield. I am very excited to speak to you today about the work that we have done that is current in this draft form and the work we're looking forward to doing as we move into this next year. The Santa Fe Food Policy Council as an advisory body to the Santa Fe County and Santa Fe City has an active interest in promoting a future of local food security for residents across Santa Fe County. These collaborative efforts aim to ensure access to healthy, local food as well as to protect agriculture activities, skill sets, and resources necessary for maintaining our agricultural heritage.

Over the past few years the Santa Fe Food Policy Council has, in partnership with numerous stakeholders across the community embarked on a community research process to assess our local food system. These efforts represent a major step in our collective journey toward building a local, health, and prosperous food system for Santa Fe County. In October 2013 a draft of the first ever food plan for the Santa Fe region, called *Planning for Santa Fe's Food Future, Querencia, a Story of Food, Farming and Friends*, was released. This document highlights several goal areas and policy action items focusing on how our community accesses, produces and shares knowledge about food.

In the upcoming year this document will serve as a tool to reach out to all corners of our County to gain input, understanding and to strengthen relationships to provide foundation for future food policy initiatives and programs. The process will culminate in the development of a strategic food plan for the city and the county of Santa Fe, a detailed road map for action and accountability around food-related issues.

To start off, I would like to speak a bit about the concept of *querencia*. This word embodies a foundation and a relationship to the land and to our food and to our resources that is a thread we're weaving throughout the food plan. I would like to read an excerpt from a local New Mexican historian, farmer, and writer, Estevan Arellano. "The New Mexico landscape is one of many contrasts: deserts, mountains, meadows, orchards and gardens; dry as the bones in a cemetery, our final resting place. Part of what defines our *querencia*, which gives us the sense of place, is our food, contrary to those who say there can be no sense of place in today's global experiment, and our food cannot be separated from how we work the land and how we water the crops. Again, we learn from folklore: *Para vos, para nos, y para*

*los animalitos de dios*. For you, for us, for God's animals and plant. Water is a *don divino*, a divine right, not a commodity to be sold to the highest bidder. This dry landscape with a beauty only we might understand and find sustenance in is what defines our *querencia*."

With that in mind, I would like to talk about why a food plan. We're faced with a population increase that we're all well aware of. The current world population of 7.2 billion is projected to increase by one billion over the next 12 years and reach 9.6 billion by 2050, according to a United Nations report published in June 2013. The complex global food system which today is a result of scientists and farmers working to find ways to increase efficiency of food production and distribution to feed this growing population. As Americans, we enjoy some of the least expensive, safest, and most abundant food in the world and the food on our plates is the result of a worldwide production, processing and distribution supply chain.

This is the system that currently feeds the majority of our community and provides food security by increasing access to low cost and diverse foods that can be enjoyed year-round. However, this system has altered people's relationships with food. Food has been removed from the farm and the implications of this are shaping the way we are working our food system from this day forward. On this slide and in your document on page 6 and 7 there's a schematic, asset-based map that we are working with to start to understand some of the resources in our local food system. On this map you see shades of orange that highlight population centers, shades of green that highlight current and potential farm and ranchland. You see purple roads that are generally the arteries that local producers may take to get to markets. You'll see yellow roads which indicate areas of regional and national and international food traverses the county.

So all of these factors in our food system are important to understand as we move forward because it's a very dynamic process of relationship building and working with what we have already, looking forward to what we want to create for this county.

In 1993 a Swedish researcher calculated that the ingredients of a typical Swedish breakfast, including apples, bread, butter, cheese, coffee, cream, orange juice and sugar traveled a distance equal to the circumference of the planet before reaching a Scandinavian table. In 2005 a researcher in Iowa found that the milk, sugar and strawberries that go into a carton of strawberry yogurt collectively generate 2,200 miles just to get to the processing plant. As the local food movement has come of age this concept of food-miles – the distance food travels from farm to plate – has come to dominate the discussion particularly in the United States, the United Kingdom and parts of western Europe. This concept offers a kind of convenient shorthand for describing a food system that's centralized, industrialized and complex, and since our food is transported all those miles in ships, trains, trucks, planes, attention to food-miles also links up with the broader concerns of carbon emissions into our atmosphere.

In the United States the most frequently cited statistic is that food travels 1,500 miles on average from farm to consumer. That figure comes from work led by Rich Perrog, the associate director of the Leopold Center for Sustainable Agriculture at Iowa State. Just to give you an idea, 1,500 miles would be the equivalent of going from Raleigh, North Carolina on I-40 straight west and you would end up about 25 miles west of Amarillo, Texas. Or you

could think about going a more zig-zagging route all the way from Raleigh up to Fargo, North Dakota. It's also the distance of the historic Camino Real de Tierra Adentro from Vera Cruz, Mexico to Santa Fe.

This amount of traveling by contrast, local resource food travels on the average of 44.6 miles to local markets. In light of such contrasts eating local seems to be common sense, and indeed, at the most basic level, fewer transport miles denote fewer emissions. This team of researchers found that the conventional food distribution system uses four to 17 times more fuel and emitted five to 17 times more CO<sub>2</sub> than local, regional models. And a Canadian study found that shifting to a more local and green market would save transport-related emissions equivalent to 50,000 metric tons of CO<sub>2</sub> per year, or the equivalent of taking 16,191 cars off the road.

A study in 2012 from Duke University found that 50 percent of Americans are convinced that climate change is happening, and another 34 percent believe it's probably happening. Duke indicated this is the highest level of belief in climate change since 2007. Climate change and our food system are very closely related and the implications for soil, for water use, for carbon sequestration in the soil, are all part of the way that we think about growing our food, the land ethic, the stewardship that farmers that have grown in this area, specific to Santa Fe County have been doing for generations.

This is one of the most important things to consider in trying to link climate change with preserving our resources is empowering the farmers to continue working the land in a way that is congruent with our natural systems.

Valued farmland is something that is extremely quantifiable and it's qualitative, and the open space, the habitat, the character, the economic potential and cultural resources, all combine in these open landscapes. And the thing is with farmland, once it's gone you really can't get it back, and yet development pressure, coupled with land values, result in more arable land being subdivided and compacted every year. The 2007 USDA Agriculture Census states that in 1930 21 percent of the labor force were farmers, and the average farm acreage was 150 acres. By 1990 only 2.6 percent of the labor force were farmers and the average farm was 461 acres, marking the peak in large-scale agricultural production. Fewer farmers were operating larger farms and the specialization was contributing to fewer people having the knowledge and the resources and the time and skills necessary to grow food for a growing population.

According to a poll run by the Kellogg Foundation in 2012, more than 80 percent of people strongly or partly agree that Washington should shift its support towards smaller, more local farms and away from large farm business. Nearly 90 percent strongly agreed that they would pay more for produce if that money stayed in the community and a general rule of thumb is that for every dollar paid in our local business \$1.80 circulates through the local economy. Supporting local agriculture benefits the local economy and increases access to local food.

Since 2002 nearly 300,000 new farms have been started nationwide and this new generation of farmers has a characteristic that's about half the size of the previous generation and grosses half the income. In general, they also have younger operators. This is contributing to an increased availability of local produced food in supermarkets, institutions,



food assistance programs and farmers markets. Additionally, this is improving food security, freshness and educational opportunities for the young generations by bringing production closer to consumption.

Ninety-three percent of folks surveyed through the Kellogg Foundation in 2012 think it is very important that all Americans have equal access to fresh produce. Moreover, people agree that officials should have to ensure that. More than 80 percent believe that Washington needs to play a role to increase access to locally produced fresh food, and more than 85 percent of people believe that local and state officials have a role to play in ensuring access to fresh produce. Food policies and programs that increase local produce availability through direct sales, as well as the institutions such as hospitals, schools, senior centers, prisons and pre-schools.

There are at least 21,270 individuals in Santa Fe County that do not know where their next meal comes from. This is equal to two times the total population of Espanola, New Mexico. Within the city where only 10 percent of low-income families live a mile or more from the nearest grocery store. These individuals not only have difficulty accessing healthy food, but increasingly find themselves faced with only unhealthy food choices, and nearly one-third of the restaurants in the county are fast food. Such limited access also contributes to a growing rate of obesity with almost 30,000 county residents experiencing the effect of obesity, this current generation of youth is poised to be the first generation with a lower life expectancy than their parents.

Access to fresh, affordable food is a challenge for many of us. Thus strengthening the food system in the Santa Fe region should be considered a major goal for our community. Our challenge is to write the next chapter in the Santa Fe food history, one which honors local food traditions, integrates local food production practices with the innovations of a modern food system.

The food plan is a tool that examines various issues through the lens of food, including health, distribution, economy, education, agriculture, land and water conservation, and it also bridges local, state and federal issues pertaining to food. There are multiple documents and resolutions in the county currently that reference food and nutrition and agriculture. The Sustainable Growth Management Plan has a chapter dedicated to the issues facing agriculture management practices in Santa Fe County, including food security, diminishing number of farms and ranches due to financial constraints and development pressures and limited resources and incentives.

The Sustainable Land Development Code is developing mechanisms to sustain agricultural economies in the county. The Santa Fe County 2013 Community Health Profile has a chapter focused on the physical and environmental factors that affect health, including access to nutritious food, grocery stores, food assistance, SNAP, [inaudible], and free and reduced-price school lunches, school nutrition and fast food outlets.

Resolution 2007-9, titled a resolution in support of a declaration of seed sovereignty, a living document for New Mexico, supporting a seed sovereignty declaration signed in 2006 by the New Mexico Acequia Association honoring pueblo existence. It is a regional declaration supporting the protection of ancestral and spiritual connection between native farmers and crops that are free from genetic engineering. And the recently passed resolution



to support New Mexico grown fresh fruits and vegetables for school meals at the 2014 state legislature.

The approval and implementation of a food plan in the Santa Fe region is a mechanism by which the County can prioritize programs, policies and initiatives for a food system that nourishes all the people in our community in a just, sustainable and regenerative manner. The timeline for the food plan as it exists currently is we are going to be connecting outreach from about February through May 2014 in the form of community planning events and then we'll be working at organizing the data that we accumulate through these events with our existing data in June through August and updating the existing draft that you have in front of you. In October we plan to present the 2014 food plan to both the City and the County for adoption and we want to have this in time for the second annual Food Day event, which will be October 24<sup>th</sup>.

This current draft of the food plan reflects information gleaned from multiple views of information gathering which included a community food assessment, surveys, community discussion forums and most recently an extensive interview process during which we began conversations with over 70 stakeholders in the Santa Fe regional food system. In the next phase of community planning sessions we will work with people around the county from Edgewood to Pojoaque to Chimayo to gain more information and momentum around these initial goal areas listed in the food plan.

The food plan is divided into three major sections. I mentioned that we are working mostly with – in the food plan we were trying to conceive of how to organize all of the different ideas and initiatives we brought up throughout this whole process and we have settled on at this point thinking about getting food, growing food and learning about food in order to start to think about the way that these goals can come together, how they can support each other. There is overlap and those are things that we're interested in starting to flesh out and diagram as we move forward into the next planning phase.

What I'd like to do now is read through an example of a few of the goal areas under each of these topic outlines, just to give you an idea of how we are structuring the document. The first goal area can be found on page 8 of your document, and it's under Getting Food. Goal one, we have improve our elders' ability to access fresh, nutritious food when they attend community meals at local senior centers and when they shop for affordable foods to meet their daily needs. And under that goal you'll find the chili pepper action item steps and those read: encourage City and County operated senior centers to prioritize, purchasing local food for the meal service programs, coordinate with area public transportation providers to improve seniors' physical access to stores offering diverse and affordable food options to meet their daily needs and cultural preferences, and increase seniors' awareness of various food assistance programs that meet their economic needs.

You'll also see a list of potential partners. Again in this next phase of the food plan we would like to refine that list and have the 2014 simply state Partners. We will be continuing to have dialogue with these organizations as we move forward into some more concrete steps and areas to leverage these goal areas. And so as we talk with communities in these next four months we will be asking for their perceptions of any partners that we're

missing or who they think might be best held accountable for some of these important projects and ways that we might go about beginning these projects.

On page 11 of the document, under learning about food, again, I'll read another example of a goal area. Goal one is to integrate and institutionalize wellness programs across Santa Fe County which serve our school communities, City and County employees, and private sector employees. The action steps are: ensure that schools are implementing wellness policies, which along with federal requirements set achievable goals and are culturally appropriate for the students and staff that they serve. And also support private sector wellness initiatives to establish incentive programs and policies that contribute to the well-being of employees and their families.

The final area that we will look into is growing food and on page 16 of the document we look at Goal Area 5, which states: increase the viability of local farm and ranch activity by working with the City and County to ensure land use plans are supportive of agricultural use. The steps to that include encourage public and private landowners within the city to revitalize vacant and underutilized property by allowing lands to be used for greenspace and gardening opportunities, work with Santa Fe County to incorporate land use allowances for agricultural activity into the Sustainable Land Use Development Code, and develop innovative land use strategies that promote density in urban areas and reserve outlying lands for increased food production.

Now, as we also move into the next phase of this document we are going to be highlighting these action items that are already in progress, as some of them are. And it's important to, I think, provide feedback to our community partners, to community members that this doesn't exist just in an abstract plan form but this actually a tool and a guide through which we will create real change in our food system. And I thank you so much for your attention and would love to open it up for any questions or comments.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chairman Mayfield, thank you for giving me a few moments. I just have some comments I want to make and then you can maybe touch on them briefly. It's probably going to be something that entails more work, but when I got to the back, page 20 and 21, your recommendations really summarize in a clear and concise fashion what you're after and what collectively we're all after. And as I was listening to the presentation and then reading through the summary and the recommendations various entities started popping through my mind and as they were popping through my mind you were talking about them. But I think it's really important that we capitalize quickly – I'm going to steal something from Mr. Griscom who's going to do a presentation a little later on economic development – some quick wins that are available.

I think a lot of what you guys have done a great job rolling together and beginning the roots of some real action steps forward is you've really put together those three key concepts – getting food, learning about food and growing food. And many of the things that you talked about, there's many entities out there that for many, many years have been working on those matters. USDA Rural Development, through their numerous programs, cooperative extension agencies through New Mexico State University and their wellness section and economics and master gardeners and healthy foods. And I know that you've already thought about those

entities, but I think the sooner in the next draft that you guys begin to list those in the document. So New Mexico State University Extension Services does these for health and wellness, for agriculture, for gardeners. USDA does these things for awareness of food and where we need to head and recommendations. I think there's more done in a lot of these areas or more to build on than a lot of people realize. And a lot of money and resources have been spent for decades and I think you guys are pulling together those things and trying to get everybody on some focused path. So I appreciate and respect that and I just want to read these off because I want them on the record, but the Community College, obvious partner, Northern New Mexico College, obvious partner, Central New Mexico College, partner, County Extension Services, 4-H, master gardeners, our Soil & Water Conservation districts that continually work to conserve and maximize the water and the environment but also improve and help farmers and ranchers be able to produce. School districts, your educational component. Every school district in Santa Fe County – Espanola, Pojoaque, Santa Fe, Pecos – we sometimes don't mention Pecos, but Pecos serves many of our county residents in the eastern part of the county in Commissioner Holian's district. Moriarty, Edgewood schools. There's all their charter schools. I think those schools, we need to get to the point where we're enlisting them on there and then actually figuring out how do we collectively make those action steps happen.

The last think I would say is a lot of the things the County has been very progressive about, as you know, in our senior centers, where we've actually built gardens and we're beginning to take our food from our own gardens and put it in our senior centers programs. So I think those things and those specific examples of projects and programs that we can build on and list in the document will help coalesce us all around your common goals. So I greatly appreciate the work and your efforts and I look forward to the evolution that's going to take place from now until August as we are building the draft even further and I commend the group for their work and look forward to seeing these other partners engaged – mutual domestic water associations, community associations and the like to really continue, as I know you have, to coalesce the information and to create a hub that we can all hopefully build off common goals with. So thank you for your work and the work of the group and the Council and look forward to seeing more development and expansion including just articulating what we're already doing in many parts of the county to get to the bottom line point that when you spoke of access and people being a mile and a half from a grocery store or there being food deserts out there that exist in the count that they can't get an adequate supply of fresh vegetables, even though a lot of production happens in close proximity to those very same individuals that need them. It's a shame and it's something that we need to continue to work through. So thanks again. Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics, please. Thank you, Mr. Chair and thank you for your presentation today. I was noticing on page 19, your membership and your stakeholders, and I have a couple of questions. That answers how many people are on the task force, but a year or two ago I had brought up that this group and another group really needed to coordinate or invite County Extension and 4-H to the table so that there could be some dialogue. We fund – partially we fund you all but partially we fund County Extension and 4-H programs, and there really needs to be a connection.

And the other item I would bring up for the future is to see how you could piggyback on our mobile health van. Our mobile health van goes out to rural areas. It goes out all year long, but in the summer or in the fall when there's an excess of produce, maybe that's a venue for sharing some of that produce, whether it's apples or lettuce or whatever, but maybe that's something that you could coordinate with. That's it. Thanks, Mr. Chair.

CHAIR MAYFIELD: And Commissioner Stefanics, thank you for bringing this forward and thank you all for the presentation. And just – we can't think of everything or you all as far as who all to collaborate with but I think another couple of important groups are local acequias. I know we've talked about water conservation. I think that's great. But good or bad in the state of New Mexico there's a use or lose policy, so I think that's something that needs to be addressed even with our local representatives and the Office of the State Engineer. We have the Aamodt system going in right now in the northern part of Santa Fe County and there's also surface water rights there that folks have to figure out. I've talked to Mr. Ross about maybe establishing a water banking policy; I think that could help for some sustainability of these localized gardens and education also.

And we talked about our public schools, but even private schools. We have Montessori schools. I have one up north that provides phenomenal service for farming and agricultural education. So I would still not just leave it limited to our public school systems but also some of our private schools such as some of the Montessori schools out there that do afford this type of training. And I know Santa Fe County also recently put together a Water Advisory Board. I would definitely talk with them, because we've pulled together all kinds of individuals throughout Santa Fe County that have all different types of disciplines on this board and I think they could be a valuable resource to us.

And then as far as specific sites, I suggest you look into our public housing sites. Our senior citizen sites of course but we have public housing sites that could benefit from a community garden just right there, educational for both the kids and all residents that live there, and I just want to commend you on the work you're doing. I think it's great and hopefully people from our Land Use Code Department are here also. Thank you, Mr. Griego, because I think that's important. And whoever did your photos – they're beautiful and I know I saw one that I'm very biased towards and it might be a piece of open space that we have up in northern Chimayo County so I saw that on the video. So that was great. But thank you all for your work and I think – I can't speak for this Commission right now but I think we pretty much would stand in support of such a policy looking forward.

SUSAN PERRY: Can I just say something?

CHAIR MAYFIELD: Yes, Ms. Perry, please.

MS. PERRY: First of all, we appreciate immensely your support and I'm hoping that now that we have something to speak from and we're getting this great support from the County Commissioners and the County, but some of the folks we have reached out to before and perhaps it didn't look like we were doing much are looking back. So we actually have reached out to County Extension, so we're very familiar with much of the work they do. [inaudible] So I'm delighted to hear you all say let's bring all these other folks to the table, because that's what we want as well and so we will reach out and I think maybe we've got a little bit of momentum now, but from my point of view, I really appreciate some of the

other listing of groups to make sure that we connect with and I would – not just folks at County Extension a little bit more myself.

CHAIR MAYFIELD: And also, ladies, I saw on one of the slides – I think it's on this general slide of Santa Fe County. Even a canning program. I know I hear that a lot in our community with even people that have local gardens. Maybe that art of canning was kind of lost and maybe we could get together. I know I've talked to Representative Lujan about this, about maybe working with the USDA. That was mentioned, and maybe getting a localized canning program to have folks can.

MS. PERRY: The County Extension has one.

CHAIR MAYFIELD: Great.

MS. PERRY: So maybe what we're looking at is finding a way to support that to take it to greater heights. Because I happen to know they've gone out to a couple of the sites in the county and done that very same thing, so you're absolutely right. And so maybe one of the things we can look at is how can we support the County Extension which has a program for that and staff that have the skills. [inaudible] to be able to get out to some of these other communities because you're absolutely right.

CHAIR MAYFIELD: Thank you. Commissioner Holian and then we have Commissioner Anaya.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I realize that this is a community project, but I also realize that the County has a huge role to play in this so I just want you to know that I want to help out in whatever way I can so please feel free to contact me if you need anything.

MS. ORTIGOZA: Thank you.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Chairman Mayfield, I just have a follow-up to the County Extension discussion. I think a request that I would have is that sometimes the communications that occur get lost, as we all know. And I think it's important to make sure we ask the right questions. So I think if somebody were to send the New Mexico State University board of regents, for example, the president and the director of the School of Agriculture a targeted letter that said we've been going through a lengthy process over a multi-year period that address getting food, learning about food and growing food, and we have specific, identified goals, we want to know first, how do you fit into those goals and what are you already doing and have you been doing for many years? And then are you interested and can you help us to enhance what you're doing or to coalesce together to work better?

And I think it's those types of things – then you can come back to the Board of County Commissioners and the City Council and say we asked a targeting letter of the mutual domestics, the acequias, the University of New Mexico, New Mexico State University. We asked specific questions for what they're doing and how they're doing it, and here's the feedback and maybe the commitment we received. I think that might help move the process along. And then as Commissioner Holian has said, I would do the same. I would be happy to be part of those discussions or engage those decision makers to say please respond to us and

tell us what you're doing and then tell us how we might work together to achieve the goal of access and good food and kids that aren't getting food and families that aren't getting food the ability to get it and have it. So thank you very much.

CHAIR MAYFIELD: Thank you, ladies. Commissioners, if it's okay, with indulgence, maybe we could take about a ten-minute break because we're going to have three other presentations that may take a little bit of time.

[The Commission recessed from 4:05 to 4:30.]

**5. a. 5. Draft Economic Development Plan Presentation**

DAVID GRISCOM (Economic Development Manager): Thank you, Mr. Chair, Commissioners. So what you before you is the draft economic development plan. This is the first time the County has put forth an economic development plan since 2005. The 2005 plan was the community development plan which was subsequently updated in 2007. This plan represents an effort to essentially implement Chapter 3 of the SGMP. Chapter 3 is the economic development element of the SGMP. This plan essentially takes the five identified target industries of the SGMP which are green energy and water, film and media, agriculture, arts and culture, outdoor recreation/ecotourism, and develops a series of recommendations, policies and goals to implement items within those target industries.

Today's presentation is going to be given by Mr. David Brecker, from Brecker and Associates and Mr. Drew Tulchin. I will touch on a little bit about the process after their presentation and after any questions you may have. Mr. Brecker and Mr. Tulchin, working with myself spent approximately five to six months working on this document. There was extensive outreach done for this document, approximately 150 people were contacted, about half of those were actually part of one-on-one conversations or part of expert roundtables and community meetings. So I won't go any further. I'll introduce Mr. David Brecker for him to give a brief, 15 to 20-minute presentation and then we'll open it up for questions and we'll talk a little bit about process.

CHAIR MAYFIELD: Thank you.

DAVID BREEKER: Thank you, David. Thank you, Commissioners, both for allowing us to take some time to present to you and also for the opportunity to work on this plan. We found it extremely engaging, interesting, informative as we've gone through it and hope that it has great value for the County. As David said, we only have a very few minutes and we want to get through a fair amount of territory so what we're going to do is just basically give you some highlights of the plan. You have it in your packet. There's a tremendous amount of detail in it and some additional backup, sort of background research that goes with it. But we will try and cover the highpoints and enable you to ask us questions at the end of the presentation which we'll be happy to answer.

So moving off an outline of the presentation we start with some background material as an introduction to the plan. A couple of key points that I want to emphasize here, one is that we were asked to create a very long-term foundation for the County's economic development, as much as 20 years. Obviously, we can't predict with any certainty what's



going to happen in that timeframe but you can put into place certain fundamentals that can serve as an ongoing sustainable foundation which we strive to do. As David mentioned this was rooted in the SGMP and the prior economic development efforts of the County and incorporated a very broad set of inputs, as David said, approximately 70 individuals that engaged with us, five expert roundtables and four community meetings.

Moving on to the actual structure that we used in the approach of the plan, two basic parts and this presentation will follow, first the strategic plan which basically deals with context and the major factors that bear on economic development, and then an action plan which is very granular, tangible recommendations that we'll get to in the second part. Looking at the diagram, this was an effort to really try and encapsulate all of the important principles that were used to come to those specific recommendations and we think it actually does a fairly good job. This again ranges from the most conceptual in general at the top beginning with a concise vision statement and extends all the way down to the specific industries and infrastructures and the recommendations that relate to it.

Another key point was that we built on what works. There have been some major successes in the county. Here are four, one I'm sure you're familiar with, but at the same time we were given a mandate to explore new directions and new opportunities which we've done our best to do. Now Drew is going to continue with the next section, some foundational materials and systems and infrastructure.

DREW TULCHIN: Good afternoon, Commissioners, people from the County. Drew Tulchin, Social Enterprise Associates working with David Brecker and Associates. I'd like to echo the sentiment that the County has a lot of great opportunities and through both this research and knowing the people and the many folks who do this work there's a lot to celebrate. Looking at some of the resources and the realities of our county where I live, we wanted to be able to build upon successes, that which is here, that which is legitimate, rather than trying to think about why we have to recreate the wheel. So for instance, the 1.2 million acres where 26 percent are national parks and open spaces and seven percent of our land is tribal. And so how do we use those resources to build upon what we already have for economic opportunity for both the people who live here and the people who might come visit here? And then the fact the County on its balance sheet has \$350 million in assets, leasing property, which are areas which we can use for economic development, both today and into the future.

And then we have many things to celebrate such as 6,000 acres of open space and trails, which again is an opportunity for tourism, ecotourism, and other attractions to build upon for the County. There's a lot to be said. We also have areas where systems and infrastructure both are strong and where there's great places for immediate impact for economic and other benefits. Some examples are in increasing fiber. We spoke with a few people down in Edgewood who were very excited in the opportunities of bringing fiber and faster connectivity, particularly for the people living in there around the town who working part-time in both Albuquerque, the labs, and even going up to Los Alamos.

Other examples are throughout the county we've got many opportunities that David Griscom is already involved with to spread fiber and increase connectivity as an economic

opportunity, both for artists, independent workers and others, people who are already living here or who might choose to live here in the county.

So looking at growth industries, again, we're building on the five that were available in the existing SGMP and then in our research we were able to identify a number of others that had focused attention. Health and wellness drew special warrant, both because of the report that was recently done here in the county as well as the Affordable Care Act, aka Obamacare, as well as statistical information, both nationally and in the state that identified healthcare as one of the fastest growing and largest number of new jobs, and supported by population which is as you know is turning older and needs more health attention.

So again, just selective examples. These are detailed more in the report and David Brecker has both case studies as well as lists of literature reviews for each of these chapters. He also has statistical data of what the County has done and what has been done in the region by other counties, by the state, and other examples of reports, such as the food policy efforts and other food examples that was done, presented to you just earlier.

So just as an example, highlights in agriculture, these are stats that many of you may already know. We have income falling for farmers as farmers get older and half of the land that is dedicated for agricultural purpose in this county is not currently under till, and that is because of economic reasons – people's individual choices, family, lack of water and other problems. So we have opportunity. We also have a strong history to agriculture here in our county in that the economic percentage of our gross bottom line is not as great.

Next we look at arts and culture. Many of you aware that we are third in the arts market. Some people think we're second but according to the data we're still third [inaudible] out of six jobs in the local economy are somehow connected to our arts and culture economy so these, according to the 2004 BBER study, which is often cited, is really important and gives us a lot of information but is now a little dated, and so the opportunity to bring new data and new information, new technologies. David Griscom has looked at mapping software and others so we can really specify how to help the arts and culture, particularly outside the city, and for our people who are living in the county in rural areas so that they can get to markets so that they can make money, and how we can help artists be businessmen, which many of you know, including your own Commissioner Chavez has a lot of experience in and [inaudible]

Ecotourism and outdoor recreation, in the SGMP this was a wide-ranging effort. We've identified a number of specific places where specific easy tasks could be done both by Commission level and also more importantly by the departmental level efforts. So in building out the examples of BTI and other professional companies that have come to the county and chosen the county as the place to be in and how do we build an ecosystem around outdoor recreation companies? And how do we foster this as not only a good place to be but where there's good jobs that can support these types of economies. So the idea of a shoulder season, for example. We have a ski area which is used heavily in some parts of the year but not in all the year. It's there; how can we use it more?

Looking at film and media, this is an area of great economic growth for the state and we've seen at the state level what happens when you even change or threaten to change some of the incentives, and so David Griscom and Robert in the Planning Department have looked



at how the County can be most helpful but still earn money and not just have the film industry walk over the County but how to find a way to build sustained effort here. So how do we build consistent efforts and how do we use the independent folks and how do we have local productions and not just people showing up and then leaving.

In green industries, we subgrouped this into three sections. First looking at building. Santa Fe County is lucky to have a lot of national level expertise of construction people as well as people who know green construction and they seem to be celebrated further. Do we integrate with the SLDC and other planning that's being done by the County? And then also to look at the exports moved to the rest of the state and to the rest of the nation for technologies, expertise, planning and other things so that we're earning money here in the country through an export economy.

Another example is energy. We have valuable renewables here. There's also the potential for grid-scale solutions, both within the existing grid and to build up and strengthen other parts of the grid. This is – renewable energy provides a great opportunity throughout the county. It's a great example to incorporate all four of our subsections, particularly Galisteo and the southern part of Estancia, which aren't necessarily spoken of for economic development projects, and where they have more land and more opportunity to do these more expansive projects.

The last element of green industries is water. We all know how vital the water is and how much of a challenge it is and the great work both from the City and County to collaborate in some really unique fashions to solve and to be able to forestall the water needs for decades further. We also have opportunities like Aamodt as contingency has been over history. It is an area where money is going to be invested and someone may want to use that as an opportunity for our local companies to benefit and our people here to be able to have good paying jobs so that when we're doing improvements for water the benefits stay in our local communities.

There's also a need with the fire challenges getting closer and closer to Santa Fe County how we can use water and water management for [inaudible] to get smarter and to create other jobs in a fire management area that can be healthy for our local people.

The last area is health and wellness. Again, this is a growth area where further examination is needed and where you've read other reports on this and our efforts are to identify the fact that there's both general medicine with the hospital as well as alternative medicines. We have five colleges or other institutions for alternative medicine and this is now kind of a medical tourism as a growing area for our county, and how we can grow and benefit and have the infrastructure and the future needed to see the values of this.

With that I'm going to turn it back over to David Brecker who's going to go into specific action items for you and then we're going to move for questions at the end.

MR. BREEKER: Thank you, Drew. So that concludes the strategic plan. We hope that the question on your minds is: Good ideas, how do we do it? And that's the action plan, specific recommendations. Our first is to ease you into this and how we did it. We cast a very wide net. We looked to incorporate as many new ideas and sources of ideas as we possibly could, sorted through them carefully, refining as we went and looking for commonalities and synergies and highest impact. And this ultimately resulted in 14 goals, 44

policies and 61 strategy recommendations, following the same structure as the SGMP for these three County goals.

Again, I'm only going to be able to give you highlights but I'll get to that in just a moment. We also looked at creating a diversified portfolio, if you will, of ideas using these three types of quick win, where there are immediate tactical things we can do right away that start to show results and create momentum and direction for implementing the economic development plan; capacity building, essentially working with what we have to enrich it, grow it, make it better, make it faster. Game changers are really systemic approaches that say if we took a different way of doing this it could have massive repercussions and positive benefits for the county. So we look for a mixture of those three things.

Okay. Beginning with these overarching areas of systems of infrastructure and then going into the specific target industries and what we'll do is go through each of the 14 goals but offer one example of a policy for each, because that's all we have time for today. Needless to say the full report has all of the policies and strategies for implementation with a lot of detail associated with them.

So goal number one concerns entrepreneurial activity across all industries. As you probably know, small businesses create the majority of jobs nationwide and here and it's critically important and as an example of a recommendation we found that there's a lot of progress to be made in something as simple as streamlining the processes and being more friendly to entrepreneurs in the region.

Goal number two concerns capital and while not the only factor in economic development it may well be the single most important one. The example here is to actually create a very small leveraged pool for specific ED and community-scale economic development targets that have been prepared before and then matching funds with other sources to the table. We think this can have tremendous impact.

Goal number three concerns workforce and we are only as strong as our workforce is. Now, we think it's quite strong. We've found an opportunity to make it even stronger by offering more on the job training opportunities ranging from the apprenticeship level to even ongoing professional training.

Goal number four concerns hard infrastructure in the traditional sense. Now, traditionally, we look at railway lines, highways, telephone cables and such to support economic development historically. Now we are in the information age and we're going to be looking to accessible and affordable broadband as the key. So the example here is to see what the County can do to work with other sources of capital and private sector suppliers to ensure that we have adequate and ubiquitous access.

Goal number five brings us to agriculture. Now as we heard both from Drew's overview and from the Food and Policy Council report this has enormous importance across a range of areas for the county beyond strict economics, and what we've found is that we can touch many of those points as we did from the Food Policy Council report with something as simple as growing farmers markets and access to locally grown food. It's a very proven and affordable method.

Goal number six is the arts and cultural [inaudible] As we saw, they play an outsized role in the economy. That's based on data that was most recently done in 2004 so the

example recommendation here is to simply update the report and make sure we're working with the most current data.

Goal number seven, outdoor recreation and ecotourism assets are probably one of our greatest strengths and a great opportunity to do several different types of economic development. One example is to expand the seasonality that we currently have for visitors here doing outdoor recreation and ecotourism and developing more types of activities that can occur in those shoulder seasons. Another way of doing economic development in this area is to follow the BTI model and grow companies that cater to the sector, and that can be in areas such as bicycling, where we've already had some notable successes, manufacturers, guides and outfitters and other start-up businesses, entrepreneurs and even relocating firms that cater to this area.

Goal number nine, film and media businesses and our core business is healthy as Drew said but it's inherently limiting. It brings businesses here to shoot films. They shoot; they go home. And the value added processes that yield the greatest rewards are actually done outside of Santa Fe County. There are things we can do about this. The example here is to expand essentially up the vertical integration chain and down into what's called post-production. This is editing activities after the film has already been shot, and to pursue other diversification activities within film.

Goal number ten addresses green industries. First [inaudible] for three green industries that have been developed. We find that often the upfront costs of making these improvements may be the inhibiting factor in many cases, so the example recommendation here is to find ways to make that more affordable for more people and essentially assist with the financing mechanism and calculation that needs to be done. I'll go into specifics of green industries beginning with green building. The County can have a very, very significant impact on this simply by continuing to set a better and better example, which is the example recommendation here. This can actually stimulate local demand. Also it's been demonstrated that it has an influence throughout the community and to help grow our businesses and even do innovative development of products and solutions to meet that demand.

Green energy – we know that generating our own energy from sustainable sources has multiple benefits to the community. One of them is to figure out how it can actually grow more businesses and jobs. Santa Community College's Training Center Corporation has already made great progress in this area and the example recommendation is to continue working with them to expand that entrepreneurial focus and create more businesses that cater to this market.

Goal number 14, the all important weather. We know we're confronting a major drought. We know we're confronting climate change. We know this is a challenge. One of the key themes of the plan is to figure out how we turn our challenges into opportunities and this is probably the single best example, by continuing the great work that County has already been doing in promulgating policies and practices that cause greater conservation, efficiency and reuse, we can actually drive innovation in this sector and I believe become a leader for developing products and solutions that can help an increasing weather-stressed Southwest, United States and even much of the world as we enter into a new climate regime. These are export markets in these jobs of the highest economic value.

And finally, the new sector we identified, health and wellness, because this is really new we don't have that much to say except that we need to approach it as an industry rather than a problem. This has tremendous potential. I think if we look at it strategically, get together with the key stakeholders and say how does this become a cluster that can actually be a driver for economic development and in terms of tourism, we can actually have a major success in the area.

Okay. Thank you very much for your time. I would answer any questions you have. I think David wanted to make a few closing remarks.

MR. GRISCOM: So just a little bit about process. So the ordinance 1996-7 allows us to adopt a new economic development plan by reference, so the current thinking is we want to post this first of all on the website and allow for public comment, and we'll be posting it tomorrow morning, and we want to open it up for public comment until the 21<sup>st</sup> of February. I'll receive those comments and incorporate those changes and get a new draft to you for the March 11<sup>th</sup> BCC meeting, and publish title and general summary at that meeting, and hopefully move for adoption on the April 8<sup>th</sup> BCC, in that meeting.

I do want to make one correction to the memo that you have in front of you. On the last page at the end it says that we are going to move for adoption on March 11<sup>th</sup>. Because we're doing it by ordinance we have to push that back to the first meeting in April.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you. Thank you, David for the work that you and the contractors have done on this and I know we've had a couple of conversations about it. A couple things, when we would notice to publish title and general summary, we have to have an FIR. Have you started thinking about the cost of this plan?

MR. GRISCOM: No.

COMMISSIONER STEFANICS: Okay. That could become a prohibitive issue so you might want to look at it in phases so that it doesn't come all as a huge sticker shock for one year. The other thing is that when you looked at the – when the comments were made on growth area and health and wellness, I'm not sure if I had shared this with you but Sandia Labs, their small business entity had done a survey in Santa Fe County and up the Rio Grande corridor on different spas and – it wasn't organic gardening, it really was around herbs. And the reason this came about was because of Marsha Mason and because it was in the newspaper this week it's fresh in my mind how she sold her farm, but they had some results about health and wellness and spas and generation of spa products here in Santa Fe County. So you might want to contact them and get those results. It's, I would say three to five years old but it might give you some baseline. That's all for right now. Thank you.

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Yes, I have several. I have quite a few, Commissioner. I'll wait if you want to go.

COMMISSIONER HOLIAN: Go ahead.

COMMISSIONER ANAYA: Okay, Mr. Chair, Mr. Griscom and I didn't get your names. I'm sorry. Mr. Brecker and Mr. Tulchin, I appreciate the presentation of the work. I'm going to make some comments on the record. Mr. Griscom, I know you've had

some discussions but there's some things that I'd like to drill down on before we proceed to approval so I'm going to just go through those now and I'll just read them off. One of the things that I think we need to expand in this document on that is paramount to the success of any workforce or any economic development initiative is education. I think we need to be more literal in this document in expressing that. I think we have some comment of systematic needs that we have, but I think we need to be more explicit. So I'm going in support of development of educational programs in coordination with school districts and community college including Northern New Mexico College, Central New Mexico Community College and Santa Fe Community College. I think we need to be explicit about those as being partners in our region, and also explicitly recognize that we have public school districts – Moriarty, Edgewood district, Santa Fe Public Schools, Espanola Public Schools, Pecos and Pojoaque.

I think somewhere in this document we need to – because it goes directly to the viability of our community – make a leap to what's happening in our educational system and speak to how they're going to train our workforce and deal with training needs, even at the level of graduation rates, to increase rates amongst high school graduates and target those people that are potentially dropping out with skills jobs and GED training.

Another specific reference, we talk about the Aamodt settlement, each Commission district I think has economic development needs and existing impacts. I want to reference in the document the need to coordinate with the Estancia Basin Group. I think it's EBRA, Mr. Griscom?

MR. GRISCOM: EVEDA. Estancia Valley Economic Development Association.

COMMISSIONER ANAYA: So I want to be explicit about that and there might be others in the central region and even in the north, so we need to find that out. I think in the workforce training aspect as well, being more specific about building capacity in traditional skill sets. We speak of new and innovative tools and mechanisms for economic development but I think the gaps that exist right now in existing skill sets, plumbers and the trades, plumbers, electricians, carpenters, welders, truck drivers, that we need to get our hands around associated with having a good strong work force and a system to have skilled employees.

Let me get to my next page here. I already spoke about coordination with EVEDA. You talked about the increase of fiber and I think maybe expanding on that and who those specific stakeholders and partners might be. You referenced some people in Edgewood, but if you go to any of our rural communities – Glorieta, Galisteo, Chimayo. I know Chimayo in the north has had a lot of help in recent months associated with the project with the Kit Carson Co-op and that work, but throughout the rest of the county we have more targeted needs that we can maybe zero on and expand on that.

One thing that's really important as far as a quick analysis and targeted work in our plan that I think we should have is we have the Southwest Chief that I know Commissioner Holian and all of us as a Commission, but Commissioner Holian and Commissioner Stefanics and I have, that Amtrak system bisects our districts and is a huge economic engine for not only Santa Fe County but the state of New Mexico. I heard some statistics the other day that there was about 60,000 potential passengers annually that utilize the Amtrak system and

that's a massive economic engine and how do we maintain that and how do we get our hands around it even further. I think we need to reference some of those broader, more immediate initiatives.

Housing is hand in glove with workforce development and I think you kind of touched on it in a crosswalk where we have the plan but then in your power point presentation maybe we need to crosswalk some of those things a little tighter and then be more specific about speaking to housing and how it will impact workforce development systems infrastructure is a think the tool or the comment that you guys had made.

And then you spoke of OJT, on the job training, I think we need to there again, we have a workforce board that works specifically on those initiatives, the City of Santa Fe and other local jurisdictions that have targeted programs. How do we tighten that up and even expand upon how we can have on the job training.

So those are some of the comments. I'll have others for you, Mr. Griscom, as we progress, but I appreciate the work thus far. One thing I would close with is – and one of you made the comment – maybe three of you made the comment, but making the county more friendly to existing businesses. I think we have to really take care of what we have as we progress to newer and broader thinking but we really need to take care of those businesses that are in the queue right now that need support, that we want to keep them functional and invite, obviously, newer businesses, but not only green and other out of the box type businesses but take care of what we have.

So those are some general comments. I'd like to get feedback from you guys briefly on some of what I've said and then how you might integrate some of my comments into the document if you could briefly give me some feedback on that.

MR. GRISCOM: Sure. Thank you, Mr. Chair, Commissioner Anaya. On the education programs, I've been working very closely with Santa Fe Community College on a number of different items, specifically with regards to the TCC, the Training Center Corporation and with regards to the advanced trades and technology center. I appreciate your comment about working more closely with Northern. I think that's a good idea and also with CNM and other public schools and not just Santa Fe Public School District but all the other ones, Edgewood, Moriarty, Pecos and so forth.

I do coordinate – you referenced EVEDA. I work closely with Myra Pancrazio and about two weeks ago I had a meeting with Roger Holden who's the director of RETRO, which is a new arts organization down there. There's an initiative to purchase a piece of property and they want to engage Santa Fe County in this to turn it into an economic development project. I do work with them. It's a great organization and I'll continue to work with them.

COMMISSIONER ANAYA: If I could, Mr. Griscom, those are the types of things that as you are explicit in listing Santa Fe Community College here as you should, I would like us to be explicit and list those other partners, wherever they might be, whether they be in the eastern part of the county or the northern or the southern, because I think that's where we build upon those stakeholders and really get to some of those, as you guys put it, some quick wins and be able to move forward. Go ahead.

MR. GRISCOM: Thank you, Commissioner. On fiber broadband. We have convened an informal broadband discussion group – we being the County, the City, the Santa Fe Community College, PlateauTel out of Clovis, and four other entities to explore how we can get fiber into the rural parts of the county. It's an ongoing discussion. It's not a formal convening of the SFRTC, the Regional Telecommunications Coalition, but one of the things that's immediately apparent is the need to do systematic study about getting broadband that's ubiquitous and affordable into the rural parts of the county. That's on top. I already have some draft language. We need to put it into an RFP and so on and so forth but just so you know, there are ongoing and regular conversations with these other entities about getting broadband into the rural parts of the county. So I appreciate your comment.

Amtrak, I am very involved in this issue and very aware of it. I went to the first stakeholder meeting out in Las Vegas two months ago and I've been working with Mr. Ford Robbins. The County now has the government relations team monitoring. There are two bills at the legislature. They are monitoring these two bills at the legislature. I am involved in that. I think we could easily but a reference to it into the plan. I might add that it is a very important economic development issue. There's approximately 15,000 boardings and alightings every year in Santa Fe County, coming in from Lamy. Each one of those people coming up to Santa Fe as tourists where they spend an average \$300 a day and so on and so forth.

But the other issue is if BNSF and not to go into too much detail about this, but if BNSF ends up abandoning the line, that's about \$230,000 in property taxes to Santa Fe County. So clearly we need to find a solution to that, but I appreciate your bringing it up and we can put a reference to it in the county.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: On the railroad, I just wanted you to know that the Association of Counties board did look at all of the railroad bills this last Saturday and they decided to support the study on the rail because the other – number one, there's a legal question about whether there's an anti-donation issue, and number two, in order to gain the executive support of funding anything they needed to identify that it was an economic boost. So the Association of Counties is supporting – and it's on a sheet I'm going to talk about later – a legal and economic analysis of the rail service. And that is the same sponsor. Thank you.

COMMISSIONER ANAYA: Thank you, Commissioner Stefanics.

MR. GRISCOM: I'll just add quickly, Commissioner Stefanics, the State Economic Development Department commissioned a study of Amtrak, specifically Southwest Chief's economic impact to the region and it amount to about \$28 million a year and so we had a meeting with some members of the Governor's staff on this and brought this to their attention. We don't know what's going to happen, but the bottom line with that is that it depends on the state of Kansas and the state of Colorado working in collaboration with the state of New Mexico to all three agree on putting money into keeping this [inaudible]. We'll put a reference [inaudible]



COMMISSIONER ANAYA: Mr. Griscom, if you could please do me a favor and notify me of all – and the Commission as a whole, of any and all meetings going forward with the stakeholders. It is such a huge impact to New Mexico that I absolutely want to participate in those discussions. So please notify me and notify the whole Commission and when we need to, if we need to notice it as a meeting, just because we might be in attendance, so be it. But it's that big a deal for us to be involved in the discussions and trying to keep that Southwest Chief intact. And we've already passed a resolution to that effect supporting that but I think we just need to continually stay on task with it.

MR. GRISCOM: Any other comments?

COMMISSIONER ANAYA: For now, I don't have any. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all, thank you, David, for organizing the effort to create this plan and thank you David and Drew for all the work that you did in drafting the plan, and it's really clear that you really made an effort to involve the community in drafting the plan. I was very impressed with it. It's comprehensive. Clearly there was a lot of community outreach and I think a very important thing that it does is it establishes processes for going forward. And I was very pleased to see the recommendations for – especially given the previous presentation we had about the expansion of local agriculture and also figuring out ways to make the products of our local agriculture available to everybody in our community.

I have a couple of questions. First of all, how will the plan be maintained and evolved over time? How do you foresee that happening, David?

MR. GRISCOM: Really we don't have a plan, Commissioner Holian, to update the plan, as Mr. Brecker mentioned early on. This is a mid-term and a long-term proposition this plan, so a lot of the recommendations that you see will not last but some of the recommendations you see in the recommendation chapter are really long-term economic development plans. And it's going to take a lot of time to build up to those. A lot of the recommendations can be done, as Commissioner Anaya mentioned, as just quick wins and we should be able to pull them off fairly quickly and tick them off a list. It's my job as the economic development manager for the County to stay on top of each one of those items in the list of recommendations and make sure that the respective agendas are moving forward. So that's the intent, but we don't have a plan to update this economic development plan other than staying on top of each one of the individual recommendations.

COMMISSIONER HOLIAN: There are a lot of initiatives. It would be hard to do them – as you mentioned, some of them are quick wins and you can do them right away, but then there are a lot of longer-term initiatives that are proposed. So how do we prioritize how we're going to put our efforts? Do you have any thoughts on that?

MR. GRISCOM: Yes. That's an excellent question, and I find myself pulled in many, many different directions, given the breadth of issues that this plan takes on. There are a lot of different items in there. There's no specific prioritization plan, per se. A lot of it has to do with my relationships with the partners that I work with, the strategic partners that I work with and where the conversation is at with those partners. So that drives part of the



success or failure of each one of these recommendations and so I roll with what's in front of me. I prioritize as I can.

For example, one of the recommendations that you have in that is to continue to research the viability of a municipal utility. So that's not something that I'm going to prioritize in the near term. That's something I'm going to engage in as necessary and as strategical as I can. I think it's important but I also think that it's a long-term proposition and I'm going to go after things that are going to give the County success so some of those are the quick wins.

COMMISSIONER HOLIAN: Also, at the risk of bringing yet another thing forward to an already very crowded agenda, I just wanted to bring one further idea up that I didn't see specifically mentioned in here, but I think could be a real game changer and could actually provide a lot of jobs, especially for young people. We live in an area that is very vulnerable, as we know, to devastating fires and to dwindling groundwater resources and the reasoning is not only because of the drought that we're facing now – and I even question whether we should call it a drought anymore. I think that our climate is changing. But it's not only because of the drought that we have these fires and water resource problems but a lot of it's due to the fact that we have overcrowded forests. And overcrowded forests have a lot of ladder fuels that allow crown fires and that creates a much more devastating kind of fire. We also have – because of the forest being overcrowded we also have less rainwater and snowpack that soaks into the ground.

Now, because of all those problems we've actually created some jobs in a funny sort of way. We've created jobs for people who are fighting these fires that are happening in our area and we're creating jobs by building more water delivery infrastructure, but it seems like we could do something to sort of get out in front of this problem and what I'm thinking about is land restoration activities – thinning in the forest, riparian area restoration, that sort of thing, to control erosion and also to allow more water to soak into the soil. So this could be a source of jobs and a source of economic development activity, I would think, and maybe it could be lumped under the category of green industry. Something like that. I hate to add yet another thing to your plate but this is sort of an area that I feel kind of strongly about, is going to become, is now, actually, but it's not recognized yet that it's a real need in our community.

MR. GRISCOM: I appreciate the comment, Commissioner Holian and it's actually referenced in – I believe it's in the recommendation chapter, the need to work in this arena, and I've had several meetings with the Nature Conservancy about this very idea. They're planning on a northern Rio Grande water bank where they essentially create a large pool of funds to do a widespread program of tree-thinning to reduce the impact of catastrophic fires. And so I agree with you; it's referenced in the plan and I will continue to work on that.

COMMISSIONER HOLIAN: Thank you very much. I'm happy to hear that.

CHAIR MAYFIELD: Mr. Griscom and all, thanks for the presentation. Let me just go straight to page 21. It's something that was mentioned by one of you. So utilization of the Pojoaque Basin using a water system, do you know what funding we have for it as the County? I don't know if the County has decided or come up with our funding dollars for this

system. So just educate me a little more of what your thoughts are with that, the economic development opportunities.

MR. GRISCOM: So I'm going to turn this over to Mr. Breeker. He has a reference to a program in Israel that's very interesting in terms of new technology innovation that comes out of this type of collaboration.

MR. BREEKER: Thank you, David. Thank you, Mr. Chair. That is the basic idea, that if you've got a large mass of potential uniform requirements – codes, policies, technical specifications – that represents a big enough market, that can be enough to drive the type of innovation that leads to new products, solutions, businesses, jobs, and even export markets. Israel is the case study with leverage. Israel has a federal water system that's able to do what I just described at the national level. But our hope is that we can do a modest version of that at the Aamodt level that could have very positive repercussions and expanded ramifications for the county's economy and it's ability to take a leadership position in an increasingly water-stressed world.

CHAIR MAYFIELD: So have you talked with all of the parties involved with that already? Have you had this discussion? Because the Aamodt right now is a very hot topic of discussion in the district that I represent.

MR. BREEKER: Yes. We have not. The recommendation for actual implementation is that Mr. Griscom become part of those discussions.

CHAIR MAYFIELD: Okay. And then where was it that you all talked about fiber interconnection in your proposal?

MR. BREEKER: Would you like a slide number of a page reference?

CHAIR MAYFIELD: A page reference.

MR. BREEKER: A page reference would be page 10, telecommunications. And that would appear again in the action plan, which I will find for you now.

CHAIR MAYFIELD: So Santa Fe County has been a signator to a JPA. I don't think we've put any financial money into it on the REDI-Net. We've had discussions on the REDI-Net before in these chambers. We're doing an interconnection between the City of Santa Fe and our Community College District. So have you even thought of talking with the IOUs? If we could get Century Link or Windstream – I tell you what, I couldn't run at 356 kilobytes a second. So I know we said we could look at providing this infrastructure down south, and that's great, but we're not even seeing that service at our facilities up north, the homes up north, and I'm thinking have you engaged the IOUs to talk to them about this also.

MR. BREEKER: Yes. Mr. Griscom will have something to say about this. I just want to add one point. In the action plan, the recommendations section, for each of the recommendations key stakeholders and partners are listed in some detail, as rule of thumb provision.

CHAIR MAYFIELD: Okay.

MR. GRISCOM: Mr. Chair, yes, at this informal broadband discussion group that meets at a monthly or bimonthly basis we have engaged with IOUs, specifically one IOU and although I can't announce it there is – hopefully, one of the outcomes of these

discussions is going to be a fiber project into the Community College District, directly from an IOU without requiring Santa Fe County investment.

CHAIR MAYFIELD: Okay. It's because they see the dollar investment of that too, right?

MR. GRISCOM: Yes. They recognize that there's a market for this. They've looked at the market and they're looking to invest directly into a five-year project.

CHAIR MAYFIELD: Okay. I just would want a little more on that, again, our involvement and other local governments and city governments with the REDI-Net, because we are also contributors to the REDI-Net agreement that provides some of that infrastructure there, not the last mile but second mile connections. So I think that's something we definitely should expand on and I'd appreciate it we would. And maybe that would bring some of the IOUs up to service some of these areas where there's already fiber in the area for potential economic gain. If they're just looking at the – if they can't get it from an individual residence, if there's no cost return on doing that, because nobody's going to sign up for four megs, but maybe if there's a business up there on some County-owned land or state land they could see the economic benefit for them there too, thereby other people being able to tie into that fiber for their homes and for education. Tele-health – I think that's another big one, Mr. Griscom and I'm sure you have that in there.

And then, as far as one other thing that I saw here on page 17. We have road, mountain biking and I think I spoke with you. I know I've spoken on this bench about it. We have a huge equestrian users within Santa Fe County. We saw them during the Sustainable Land Development Code and I almost think that that's the most commented issue that I heard when we were approving this code, maybe pro or con on certain provisions of that. And how are you engaging that community with equestrian?

MR. GRISCOM: Thank you, Mr. Chair. I'm not sure if you saw the email from the Horse Coalition in support of the economic development plan. I appreciated their comments about the plan and their willingness to strategically partner with the County. It's not directly envisioned in the plan, any kind of equestrian project per se, but I am more than happy to work directly with the Horse Coalition and other equestrian entities to help them.

CHAIR MAYFIELD: Well, and I think because Commissioner Anaya has a project going right now I believe out in – down south in his district. I know we have our Santa Fe County Fairgrounds and we've always talked about interconnection of our trails, and I think that is a huge potential for economic development too, of the integration and interconnection of our whole trail system.

MR. GRISCOM: Absolutely, Mr. Chair, and I've spoken again with Roger Holden, who's the director of RETRO based out of Edgewood about this very idea and we were looking at a map just two weeks ago about connecting a trail system that they've been envisioning in and around – south of Lone Mountain Ranch near Cedar Grove, connecting that to the trail system at Galisteo Basin Preserve which would connect into the rail trail which connects into all of the Santa Fe area trails.

CHAIR MAYFIELD: Okay. I know Clerk Salazar wants to comment but one last comment that I'll have and for the Clerk. Gentlemen, you're asking for timeline to have this done by the 21<sup>st</sup>?

MR. GRISCOM: So the plan is to have public comment until the 21<sup>st</sup> of February, and then publish title and general summary on March 11<sup>th</sup>, and adoption on April 8<sup>th</sup>.

CHAIR MAYFIELD: And when do we have that scheduled? Can we afford public comment knowing that we have all these groups out there vis-à-vis drop this plan in their lap, and I'm even thinking of all of our community plan organizations. How many we have to comment on this also. Because a lot of our community plans, there may be some decisions that those communities have talked about for potential economic development. Have you talked with all those organizations?

MR. GRISCOM: We've talked to a number of different organizations, Commissioner. I haven't spoken to every single one in the county.

CHAIR MAYFIELD: I would just suggest that we can open the 21<sup>st</sup> for public comment a little longer. I don't know why –

MR. GRISCOM: That's entirely feasible. I believe we'll have to check with the County Attorney in terms of the ordinance process. I believe there are certain time requirements after you publish title and general summary, whatnot, but that would push up back into late April adoption and we can work with that.

CHAIR MAYFIELD: Great. But they come to us to ask for title and general summary publication to this Board for us to authorize that. Thank you. Clerk Salazar.

GERALDINE SALAZAR (County Clerk): I have a suggestion from the future. I would like to see where Santa Fe County, because we issue marriage licenses in Santa Fe County, and I receive one to three emails or telephone calls a week regarding what's the process to obtain a marriage license. And now I'm seeing that couples are coming, purchasing their license, leaving, and coming back. So they do some planning. So I'd like to see in the future that we market Santa Fe County as a destination for weddings. This is actively occurring and it's increasing and now I'm seeing a trend where they're coming in and planning and taking the time. So there are opportunities for Santa Fe County.

MR. GRISCOM: Absolutely. Thank you.

CLERK SALAZAR: You're welcome.

CHAIR MAYFIELD: Thank you for that. [inaudible] We have Commissioner Stefanics and then Vice Chairman Anaya please.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. When you started talking about the potential broadband in the Santa Fe Community College District, do you know the radius of that impact?

MR. GRISCOM: There's going to be two lines as envisioned by this IOU. One down to the Community College and into the area that includes IAIA, ATC, and the Amy Biehl School, and the second line down 14 to at least the County's Public Safety Complex.

COMMISSIONER STEFANICS: Okay. Thank you very much.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Nothing.

CHAIR MAYFIELD: Gentleman, thank you for this presentation. It was great. Commissioners, is there a request for any type of action on this?

COMMISSIONER ANAYA: Mr. Chair, I would concur that a little more time and public comment would be good, and I also think Commissioner Holian brings up a good point relative to prioritizing. Maybe that will give us some time to figure out when we do get to the point of implementation, how do we as a cc help create some priorities that are workable and that give you some support as well.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. And on that, Mr. Griscom, and I know you sit regionally on some different boards too. How about working with other local governments? Have you – I mean, Rio Arriba, Edgewood, I know the City of Santa Fe, but are you going outside of – and I know I saw Taos mentioned in here. But have you collaborated with them, if we can kind of join up on some different partnerships too?

MR. GRISCOM: I have collaborated with the Economic Development manager for Rio Arriba County, but I haven't done much in Taos. I'm happy to and I think it's a good idea to approach economic development in general from a regional perspective. We've actually had some conversations about that. We don't have any specific projects. REDI-Net's a good example of that, of course, but nothing since then.

CHAIR MAYFIELD: I appreciate that because if we're all kind of singing the same song that could be a huge benefit for us, even on those presentations that you brought for us from that other group.

MR. GRISCOM: I would mention, Mr. Chair, that we did have a meeting I'm going to say about a month ago up in Los Alamos with Kurt Steinhaus who directs the – and it was in part about creating a new REDI, Regional Economic Development Initiative, which was originally done back in 2007, 2008. It lives at the Regional Development Corporation and into Los Alamos initiative. So the discussion was how really the County of Los Alamos, Santa Fe County, Taos County, can in fact work regionally on economic development matters and create a new plan. So we are calling it REDI 2.0. So there is some discussion on that but we haven't taken the initiative on it.

CHAIR MAYFIELD: Great. Thank you. Mr. Griego.

ROBERT GRIEGO (Planning Manager): Mr. Chair, Commissioners, in regard to the public comment period, we think as Mr. Griscom pointed out the process would be to bring the ordinance to you in March. However, I think based on the Commissioners' direction we can certainly extend that public comment period till February 28<sup>th</sup>. Would that work?

CHAIR MAYFIELD: Yes, Commissioners and Mr. Griego, my thoughts are I think all of the Commissioners have their newsletters. We know the Manager has her newsletter. We could put this plan in our newsletters also. A lot of our communities receive these letters. Various individuals from community plan organizations receive these letters and just let them know that this is out there because I think a lot of times what I hear in the community is, well, we didn't know it was there and we didn't know we could comment on it, like while it is there. So everybody who's listening today or watching us today, it's here and we would appreciate and welcome public comment on this, because this is why we're doing it. It's for you. So I just think extending time isn't bad, Mr. Griego, at all.

MR. GRIEGO: Mr. Chair, Commissioners, that should not – we should not have any problem with the schedule from that, extending the time period for public community to allow an opportunity for the communities to provide comment on it.

CHAIR MAYFIELD: And Mr. Griego, since you're here, how would this impact or the potential impact with the Sustainable Land Development Code and/or current community plans that are in place if they're not totally keen on a bunch of economic development within their area? That's why I think it is important to have their comment and maybe some of the benefits could be explained also. But if you can just give me your thoughts on that.

MR. GRIEGO: Mr. Chair, again, I think given the comments from the communities would be important. In regard to the Sustainable Land Development Code we do have – we are going through a process where we're doing land use assumptions. We need to identify employment projections in the county. So that's a process that we're going simultaneously with this process.

CHAIR MAYFIELD: Well, you all, and I think we have a presentation from you a little later, but you're also working on the zoning map right now. So for the whole area of Santa Fe County, I believe you are. So I just think it would be very beneficial to have these communities comment on this also. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, just a quick comment. I want to acknowledge former District Judge and former Assistant Attorney General David Thompson just came in. Good to see you, Dave. I just wanted to comment, Mr. Griscom. You and I had some preliminary discussions. I think we even had them here at the Commission level. You heard me make reference to CNM a few times as well as the Santa Fe Community College and Northern New Mexico College, but the reason that I did that, I do it on purpose today again, there's a lot of challenges that are going on right now in the Moriarty Edgewood School District. I'm going to speak to those a little later. But CNM is in active discussions right now with the entire region to move into one of the schools in that region. So I want to make reference because we talked about it before, to expanding the higher education opportunities. We could look at that in various parts of the county but in particular I want to reference that in the southern part of the county and we'll talk more and we'll speak more to some of the meetings that have taken place in the last few days as a matter of fact.

MR. GRISCOM: Thank you, Mr. Chair, Commissioner Anaya, and I have actually spoken with members of the Edgewood Town Council about that idea, following our discussion. So I am aware of CNM's interest in taking over or moving into one of the schools there in the area. There's no direct role for me at the moment but I've been in discussions with them.

COMMISSIONER ANAYA: And Mr. Chair, Mr. Griscom, I just want us to make reference of them in the plan that we want to enhance and be a stakeholder in those efforts as we try and enhance our workforce and our training and education and that would go for any educational institution in the county. But I just wanted to put that on the record. Thank you, Mr. Chair, Chairman Mayfield.

CHAIR MAYFIELD: Thank you. Thank you, gentlemen, all. Thank you, Mr. Griscom, very much for all your hard work on this.

MR. GRISCOM: Thank you.

CHAIR MAYFIELD: Commissioners, just let me ask really quick. We're on item 5.a.6 and then we have one other presentation, 5.a.7. I don't know how long that will be. But so we can just let our listening audience know and everybody who's here. We still have some Matters from our County Manager. I know she stepped out but that's going to be definite legislation updates. That may take a little while. I think a lot of us are informed through Commissioner Stefanics' involvement with the Association of Counties. And then we have our general updates. Matters from the County Attorney – I think Mr. Ross indicated that we do need to go maybe for some litigation issues. And then we have our public hearings on land use cases and an ordinance on the living wage. So what's the pleasure of the Commission so we can just let everybody know what we'd like to do? Commissioner Stefanics? Commissioner Anaya?

COMMISSIONER ANAYA: Mr. Chair, I think just letting people know what we have is good but I think we just continue through the agenda, would be my thought.

CHAIR MAYFIELD: Fair enough.

**5.      a.      6.      Update on Public Outreach Regarding Santa Fe County Old  
Judicial Complex Feasibility Study and Request for Direction  
From BCC on Next Steps for This Project**

MARK HOGAN (Facilities Director): Mr. Chair, Commissioners, in November we presented a feasibility study on what to do with the old courthouse building a block from here and we presented eight different scenarios. Most of the conversation boiled down to two different options and at the end of that meeting the Commission asked us to do some public outreach and provide some information on the various options. So we did two things. We conducted a public opinion survey done on line as well as distributed paper surveys which were located in various County offices downtown. And then on January 8<sup>th</sup> we had the townhall in the Commission Chambers here and presented the information that was developed in the feasibility study and went through a series of questions and answers, and then at the end of that took a straw poll on the preferences of the crowd.

So we got about two dozen people that attended that and in the straw poll all but one supported keeping County government in the downtown. What I'd like to do now is just present some of the results of the survey. On February 10<sup>th</sup> we had a total of 358 respondents and the summary of it – I'd be happy to go into breakdowns of it. I think those are in your packet but in the interests of time I'll attempt to be brief. The summary was that with adequate public parking, 61 percent of those that responded preferred that the County government remain downtown and 39 percent suggested that we move to another location.

The results of that, what we wanted to just present to you this evening and ask for direction in terms of what the Commission intends. We would like to come back in March with a step forward, including feasibility, finance information and a schedule. Before we can do that we would like direction from the Board in terms of which option you'd like us to pursue. So with that said I would stand for questions.

COMMISSIONER ANAYA: Mr. Chair.



CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would ask, I would just suggest to my colleagues that if we could have staff sit down with us individually and talk about the survey, and then bring back the recommendations so that we could have a broader discussion and provide some clear direction. I also think it would be important for Commissioner Chavez and all five of us to be a part of that dialogue and discussion. I appreciate that you did the survey, but I would suggest that we have some discussions individually and give us more info and then bring it back at a later date with all five Commissioners present for direction. That's my suggestion, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I have heard from several constituents and thank you for having these meetings and doing the survey. I have no objection to your having meetings with Commissioner Anaya but I am pretty clear that I think that the building needs to be razed, that our County offices need to be rebuilt and that we need to have adequate parking for the public. I've heard from people at my home. I've heard from people at my County email, as well as your survey and your meeting, so I'm pretty clear about my concept and my direction. Thank you.

CHAIR MAYFIELD: Commissioner Holian, please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I'm also clear about my direction. I recognize that the majority of the community does seem to prefer that the County services remain downtown, if there is convenient parking. I think it's also clear that we need better office space for the County and for example, it will save money if we don't have to lease so much space for our staff. So I really firmly believe that we should keep the space and not sell it, but I think it's also important to note that remodeling the building, in my opinion, is a no-go, because it could be a very expensive project. It could be difficult, very difficult, to turn it into a well designed, energy-efficient, well constructed building. I think it's much better to start from scratch. So my priorities are to provide County services downtown with good parking, go for the three campus approach that was outlined in our memo, and to have a new, energy-efficient, well laid out, comfortable, attractive building at that site.

So I would like to make a motion to 1) pursue the Santa Fe County three campus model, which was outlined in the memo; 2) to develop a plan for the downtown administrative complex; and 3) proceed with the process for the project design of a new building on the site of the old judicial complex. So that is my motion. I throw it out there for

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Yes, please.

COMMISSIONER STEFANICS: I will second it, but based upon today's vote I don't mind bringing it up again at another meeting. But I feel strongly about it as well so I have no trouble seconding this.

COMMISSIONER ANAYA: Mr. Chair, for discussion.

CHAIR MAYFIELD: Commissioner Anaya, please.

COMMISSIONER ANAYA: Chairman Mayfield and Commissioners Holian and Stefanics, just for clarity, I don't need the staff to debate the downtown aspect. I want to

look at the survey. But we're going to have associated costs and a factor of how we pay for such a project. And that is a taxpayer issue that I think we need to understand and fully vet as we broach it moving forward. And that's not something that I want to be – that I want to pass over associated with the discussion and then the costs there. So just to clarify, it's not to debate the points in the survey, but rather as we're moving into a budget cycle – that's the other thing I would put forward. We have existing needs and then we have new needs. We also have at our shoulders an issue with sole community provider that we're going to fully vet and discuss that could tap into resources that were formerly County resources that may get taken away. So we have a broader discussion that's well beyond what our desires might be that's financial and very real, so that's where my thought process was going. Not to debate the need for a better facility and parking and all those other things that were brought up but to have a heart-to-heart discussion about the costs, how would we do and how does that play into our existing challenges and our existing budget.

MR. HOGAN: Mr. Chair, Commissioner Anaya, that is essentially what we would like to do at the March meeting is be able to provide some specifics and some detail. And so I hear your question and would be happy to respond to that.

COMMISSIONER ANAYA: Mr. Chair, if I could also follow up, I don't want a decision on the courthouse to pre-empt needs that we have existing, so the budget process, we're moving into it right now. So I want us to take into account the whole gamut of what we consider and what we approve as County Commissioners and not pre-empt any of those budget discussions with any one project. So I'm not anti-let's keep things downtown or let's try and maintain parking but I am very cognizant that we have to be very careful with our monies and we also have to pay close attention to the challenges that might face us here in the next few months based on decisions that the legislative body and the government may make. So that's where my thinking is. Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya, thank you. I'm going to ask – I know County Manager Miller wants to comment on this but if I could ask you, Katherine also if you could please comment on some of the questions that Commissioner Anaya posed as far as our budget process, where we elect to go with what we do designate to happen with the old courthouse, how that does impact our current budget cycle or future.

MS. MILLER: Mr. Chair, Commissioners, I think one of the things that's difficult is we've had five options on the table and to really start to get down to costing one out and being able to present something to you that would be factored into the budget, we actually need to narrow it down and say, okay, if this is the direction the Commission would like us to research the most, because to constantly try to change all five of them and come back with some kind of financing proposal to you is almost impossible, because it would mean if we do a – say a three campus, we're looking at generating money from selling properties and things like that. So it really does change the whole picture of what would be needed for a downtown facility where everything's located.

So that's one thing. We can't actually make a presentation to you about here's how we would present financing it or where we would pay for it from without having at least the direction that the Commission would like to go. Now, clearly, if it becomes, when we're looking at the whole budget and we say, no, we can't afford to finance a percentage of then we might have to back up from that position. But I think it would be something that would

need to be considered if we do finance construction of it, a portion of it, you're talking something that would be paid for over 10 to 20 years, maybe 25. That's some of the things we have to look at is how we would propose doing that and what portion of the budget and where we would take that from in order to make that happen.

So it would be a part of the budget discussion and just directing staff to kind of work on this proposal would still – nothing would happen without coming back to you as here's how we would propose building that into the budget.

CHAIR MAYFIELD: Thank you, Manager Miller. Commissioner Holian, I still want to comment but I believe Commissioner Holian wants to make a –

COMMISSIONER HOLIAN: Yes, I would like to make an amendment to my motion, to also bring back a fleshed out proposal with more specifics, more details, including estimated costs so that we have something specific that we could look at.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya, let me just ask Commissioner Holian if she can repeat please.

COMMISSIONER HOLIAN: The fourth part of my motion is to bring back out a fleshed out proposal – it doesn't have to be exact, but anyway, with more specifics, more details about what I outlined, including estimated costs.

CHAIR MAYFIELD: Thank you. Do you have a second accepted? Accepted second. Commissioner Anaya.

COMMISSIONER ANAYA: Chairman Mayfield and Commissioners Holian and Stefanics, I would ask that you withdraw the motion and that we have a consensus of direction that staff look into the alternative of the building, which I think I expressed even at the BCC meeting where we had the discussion that it probably makes more sense to consider tearing down the building without a motion as such. I don't want anything to be construed as approval in any way at this time of any fiscal direction. But I think conceptually it makes sense to evaluate the costs with what it would take to tear it down, basically, is what we're talking about, and reconstruct the campus there.

We also had ideas that were put out of utilizing this facility not only for Commission and other County business but maybe even some other potential use for a museum or other tourist oriented idea as well, So if we could have consensus rather than a vote I think I could go with it. Otherwise, I don't want to be construed as voting for some financial commitment that I don't think we're ready to make and I feel that the motion would still put us in that position of making a commitment. So I'd just ask if you'd reconsider it before we vote.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. My proposal is not committing us to a particular course of action but it is choosing one course of action that we want to look at in more detail now first. So if you were willing to go along with having staff flesh out a proposal of what it might look like to tear down that building, build a new building with better parking, and put a lot of the County offices in that complex, then I would be willing to go along with that. But I don't want us to keep considering all the different options. I'm really ready in a general sense as to what I believe is the appropriate way to go forward, and that is to keep that property and to build a new building on that site.

CHAIR MAYFIELD: Commissioners, I'm going to just weigh in for a few

minutes because I haven't had my say on this presentation yet. Mr. Hogan, thank you for bringing this to us and I have heard what everybody said and I appreciate all comments. I do think it's very important that Commissioner Chavez is here also on this piece, as it has a huge impact on the constituency he also represents. With that I would ask also that we have – I have the plan in my office. I guess I could walk over there and pull it out, but I think we need to have the discussion and all the plan options at least one more time just so we can all see that. I know that the County – and I have seen the benefit of the new courthouse which we've built with environmental remediation. But there were costs associated with that that this County never thought we would incur.

Respectfully the film and media district that we talked about in the economic development plan, hopefully that does pan out fruitfully for all of us with what the County engaged in that. But if we are going to make a significant financial commitment on which plan we are going to decide on tonight, and hearing even Commissioner Anaya's comments, I would want all five Commissioners here, hopefully to hear that and we have that whole plan in front of us again to look at it. And that just [inaudible] and I appreciate all the comments. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think a couple different comments. One is there are going to be meetings when all five of us aren't here. I mean, I can already think of one coming up in the next couple months that I won't be here. So I'm going to miss a vote or two. The next thing is that unless our survey showed that there was some other option that was very close to this one, I'm not sure – I think we should look at the costs so we can see if we can swallow the cost. Because if we can't then we have something to tell the public. But I'd hate to have all of the surveys and the meetings and then say to the public, you don't matter. So I think, somehow, costing this out brings back to us, whether it's at the next meeting with all five of us but we should be looking at what the public has been saying and then taking it. So I'm not seeing Commissioner Holian's motion as a definitive action to build.

CHAIR MAYFIELD: Sure.

COMMISSIONER STEFANICS: I'm seeing it as – I don't know. An option to bring forward further information.

CHAIR MAYFIELD: Commissioners, I appreciate that and I am looking at the spreadsheets in front of me and one of the graphs I have in front of me, how important to you is keeping County government services downtown. Of those that were polled, 39.94 percent are saying not important, 19.81 are saying important. 37.15 are saying very important, and 3.10 percent are saying no opinion on that. So I am looking at the survey that went out also and I know that they've talked with all the elected officials. I do, and I hear what you're saying, we can't stop County government operations for one Commissioner not being here, and I respect that and I appreciate that, however, I do think it's important enough to have – do you all have the survey, or not the survey, but the architectural proposal with all the options with you?

MR. HOGAN: Mr. Chair, yes, and I just want to point out I have quite a bit of detail here on financial options that we presented before and I'd be happy to present those. In my attempt to be brief I did not want to not be thorough, so we do –

CHAIR MAYFIELD: I appreciate that and I guess I'm just going to do this

and see if the audience that's out there right now. I pretty much know how I'm going to vote on this so I'm going to call for the question.

**The motion tied on a 2-2 voice vote with Commissioners Holian and Stefanics voting in favor and Commissioners Anaya and Mayfield voting against.**

CHAIR MAYFIELD: So right now it's 2-2 so we'll just move this to the next meeting please for discussion. Thank you.

5. a. 7. **Update on Northeast and Southeast Alignment and Corridor Study**

MR. LEIGLAND: I'm going to turn it over to Chuck.

CHAIR MAYFIELD: I just want to recognize real quick, we have Mayor David Coss in the audience, so Mayor, welcome. Don't know why you're here to night but thank you for being here. Folks, for everybody in the audience that's here, we still have this presentation. How long are we looking at this presentation? Fifteen minutes? Five minutes?

Okay, and then I do see Mayor Coss here. I think I know why he might be here for an ordinance tonight, but we still have a land use case for everybody here in the audience. We have a couple matters from our County Attorney, I believe, our County Manager, so I want to say, maybe an estimate, even to get to the ordinance on the living wage would be I believe at a minimum, an hour, maybe an hour and a half. Thank you, Commissioner. So I just want to let everybody know that who is here for the living wage ordinance, because we still have a land use case ahead of us. Excuse me we have two.

MR. VIGIL: Thank you, Mr. Chair, Commissioners. Good evening. Santa Fe County has been allocated \$500,000 to perform a corridor alignment study. The goal is to eliminate a lot of the [inaudible] and minimize the traffic flow on Richards Avenue. This funding has been allocated by NMDOT and FHWA. We are obligated to follow the policies and procedures of NMDOT for this corridor and alignment studies. These studies basically entail following three different phases. Currently we have completed the first phase of this study where we've taken various alignments. We've evaluated them and as a result we're moving on to Phase B of the study with the alignment that we currently have displayed on this exhibit. We anticipate on completing Phase B of this study in July and completing the entire study, all phases, A, B and C, at the end of December of this year. We anticipate moving on to the design phase of this particular project in the early spring of 2015 and then go to construction hopefully in the spring of 2016.

Through this process we've been in communication with four of the major property owners in trying to get these alignments to basically meet everybody's needs and so with these communications I think we've come up with some alignments that I think will accomplish everybody's needs including the landowners' in moving forward with this corridor alignment study.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I would like to thank the staff very much for their work on this. They've had to work with the MPO staff, with

constituents, with the Santa Fe Community College, with the property owners and I know that there will always be some individuals who are very concerned about what we're doing, but I believe we've been very transparent as we've moved ahead and we will continue to be transparent. Could you tell us where this information will be posted for anybody who's listening so that they can go and look at the map and see what we're doing?

MR. VIGIL: We're trying to get that posted on the Santa Fe County website. I don't know –

COMMISSIONER STEFANICS: Under where?

MR. VIGIL: Public Works, Public Works website.

COMMISSIONER STEFANICS: Okay. So for those individuals who are listening and who want to know what the heck we're talking we're talking about, and we are talking about the northeast connector, the southeast connector that will alleviate some of that Richards Road traffic, also connecting to Rabbit Road, going around Oshara and I think that you will want to pay attention and look at this. We've been talking about this for about two years now at the MPO, maybe longer. The state is involved in financing. The County's involved in financing and ultimately the federal government will probably kick in something. So it's very important for all the constituents in that area, in the southern portion of the county who use those access points to really look at this map to know what we're talking about. And I thank the staff very much for the work on this.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Holian? And also for staff, and Manager Miller, and I just appreciate Commissioner Stefanics points, I think it's important that we – I don't know if it's publish a white paper on some of the stuff we're doing, but all the efforts, the time that has went into it, the public outreach that we have done, and whenever we have – every project is significant in Santa Fe County that we do no matter how small it is or how big it is but something of this magnitude where there has been a lot of comment on it. But if we say have a summary white paper on a lot of this stuff because that's something I'm going to be bringing up in my notes in a second. I think that's just important and if it's a link to our webpage or to one of the County Commissioners' webpage just to let our constituency know this is how we got here today and this is all the timing involved that went into it. So thank you so much.

MR. VIGIL: Thank you.

CHAIR MAYFIELD: Commissioners, thank you.

**b. Matters From the Commission**

**1. Commissioner Issues and Comments**

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. The first thing I was going to ask for was an outline of the SLDC process, that is what the time table is for future developments in putting that into place and I notice that that's under Matters from the County Manager so I don't think I need to ask for any – I think it will be covered under Matters from the County Manager.

The other thing that I was going to bring up is that the City Council will be considering two resolutions tomorrow night regarding creating a committee to evaluate

healthcare services in Santa Fe County in a variety of ways including cost to the community and so on, and I'll note that the HPPC has looked into those two resolutions and actually made a recommendation as Judy Williams, who's chair of the HPPC outlined under Matters from the Public. So if the other Commissioners are in agreement I would like to direct Katherine to write a letter to the City Council that they would receive before their meeting tomorrow night, just letting them know what that recommendation is.

CHAIR MAYFIELD: I wholeheartedly support that I think Mayor Coss is outside, so maybe he can kind of hear that also.

COMMISSIONER STEFANICS: I would agree.

COMMISSIONER HOLIAN: That's all.

CHAIR MAYFIELD: Thank you for doing that, Commissioner Holian.  
Commissioner Stefanics.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, we can talk as little or as much as you want to. I know this will be part of Katherine's report but I have provided everybody here of all the bills that the New Mexico Association of Counties board of directors considered on Saturday and the positions that they took. And I handed it out during the break *[Exhibit 3]* It's paper-clipped. There's something very simple that says support, table, remove from priorities, etc. and then attached to that are the very brief summaries of the bills. I would be happy to answer any questions about those.

One of the issues that was voted on was the sole community provider bills on Saturday. On Saturday, the Assessor from San Juan County made the formal motion that the board of directors unanimously accepted which indicated that we would agree to provide 1/16 of our county indigent funds for the hospital matching pool that the Human Services Department was going to set up as long as the DWI funds and the jail funds were instituted, but did provide flexibility to the lobbying team of NMAC to work with the sponsors and the legislators up to the 1/8 but not approving the 1/8.

Three of four bills were heard in the Senate Public Affairs Committee on Sunday afternoon. We had some staff there as well as HPPC and I was there. Most of the members of the Association of Counties board was there, and at that time it was clear that Senator Rodriguez' bill, while accepted by the Democrats on the committee were not accepted by the Republicans on the committee and the Republicans wanted to move forward all the bills to Senate Finance. That is Senator Smith, Senator Munoz, Senator Rodriguez. All of those bills say something different so yesterday the New Mexico Association of Counties had an executive committee meeting to discuss what would be acceptable and we agreed on some items and split on some, so the president of the board called a full board meeting this morning by phone. It took about 2 ½ hours and the counties are very split about how much funding they would agree to providing for the hospitals.

On Saturday 1/16 was approved with flexibility and this County Commission approved the same thing. But on Saturday the flexibility was to negotiate up to 1/8. So today we were asked to take a position on 1/16, 1/12 or 1/8, and some other language. The other language is of course reinstituting the DWI funds, reinstituting the jail funds, providing additional taxing authority to the counties with no referendum, having a sunset of five years on this fund, and then deleting the language that had to deal with premiums, that the indigent funds could pay for premiums for indigent care.



The majority of the counties said 1/12 today. We were asked to weigh in on 1/16, 1/12 or 1/8. It was very apparent to the lobbying team and to Steve Kopelman, the executive director, that the counties are very split. So he has been texting me and tell me that he was in Senate Public Affairs this afternoon. So his message to the committee is that the counties are between 1/16 and 1/12, that the counties are not agreeing to the 1/8. So that is the main issue. I mentioned about the railroad issue, it being a study versus appropriating \$4 million this year, and there are many other things on here that I'm happy to answer questions about, but I know that Manager Miller will have more to say on this. This Commission has already taken a position on the 1/16. I do wish to let you know, and I'm sure she'll have some comments, that this is going to go higher than that and we won't have any control over the amount but we want to have control over some of the conditions. So I can answer questions.

CHAIR MAYFIELD: Yes, Commissioner, just let me ask this question really quick. So I also attended the meeting and you did a phenomenal job as always as our representative on the board. But there was some conditions when I was in the audience listening, were those discussed?

COMMISSIONER STEFANICS: On Saturday you're talking about?

CHAIR MAYFIELD: On Saturday.

COMMISSIONER STEFANICS: Yes. The conditions were that the DWI funds would be reinstated, the County jail funds would be reinstated, that we would be provided the tax authority without referendum, that Sandoval County would be exempted because they are part of the UNM system now with their hospital, and that the 1/16 was voted on with flexibility for the team to negotiate if they needed to.

CHAIR MAYFIELD: And again, the SPAC didn't receive that too well or they just pushed them all along to –

COMMISSIONER STEFANICS: Well, they wanted to – they, the chair, Senator Ortiz y Pino, wants to have a substitute bill that would come out of the committee. The drafter indicated the substitute bill would not be ready this afternoon, that the County association did attend the Public Affairs Committee this afternoon. Manager Miller might have more of an update, and all I heard from Steve was that he was going to represent to the legislators that the counties are still between 1/16 and 1/12.

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Chairman Mayfield and Commissioner Stefanics and Ms. Miller, if you want to chime in. The Board of County Commissioners in the resolution on the sixteenth, this Commission basically endorsed the County providing 1/16 of resources to augment the sole community provider budget that then is matched and leveraged with federal money that would ultimately fund hospitals. Is that a good summary that we supported the other day? Because I'm going to take it from there.

MS. MILLER: Mr. Chair, yes, Commissioner Anaya.

COMMISSIONER ANAYA: So on that point, Chairman Mayfield, Commissioner Stefanics and Holian, I am not prepared to increase that amount any further as a Commissioner and the reason why is that any additional increments that we go beyond the 1/16 results in a net deficit of resources to Santa Fe County in which we utilize our healthcare funds specifically for indigent care and indigent populations in Santa Fe County. The more we creep into cuts associated with our increments we will then have to go back to taxpayers,

potentially, and ask for potential increases which is something I don't want to do right now in this economy. We already have the resources that we provide indigent care to our population and we've already committed to step up and provide a sixteenth, and any additional money that the state wants at this point will cut into resources and direct services and monies that we provide to our indigent populations in the state. That's not just Santa Fe County; that's all 33 counties in the state of New Mexico.

So on that point, Commissioner Stefanics, I would kind of like to hear your thoughts on those comments but I'm very concerned if we take any more money in what I would say out of the people's hands in providing indigent care that we do and put it in corporate structures or larger hospitals where we have little to no control over the expenditure of resources.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and Commissioner. Today in the newspaper there was an article where Jeff Dye was quoted several times that approximately five hospitals might have to close if they didn't get the full 1/8. The conversation in Senate Public Affairs on Sunday, some of the Senators said, well, what are the hospitals putting into this? And it was pretty much ignored and the human services department didn't have anything to say about it. The one issue that – we can stand by the 1/16 but we have been threatened, basically, that we will not receive a taxing referendum and we will lose our DWI money and the jail money.

Senator Ivey-Soto has made it clear through his research that there's a court case that indicates that the state has the responsibility to take care of the jail population that we're holding for the state and that we might have to go to court to reclaim that money, which would cost a little bit of money, but they can't just say no; they would still have a responsibility. So some – now, the cuts to the DWI and the jail happened in the House, so we are still dealing with the Senate. So we have some negative activity on the House side as well.

The negative activity on the Senate side is from Senator John Arthur Smith and Senator Munoz from Gallup, because Senator Munoz' hospital might close if the 1/8 does not happen, because of the amount of federal money that would come in that is needed to go out to all the hospitals. So every county has a different perspective. This morning I'm driving in and this board meeting that the Association of Counties had was – it's public information, it was open to any members of the counties who could get onto the call, but I got calls from clinics, not only in Santa Fe but the southern part of the state saying let some of the hospitals close and keep the clinics going.

So as you can tell, there is a diverse opinion all over the state, and I will let our Manager speak to it. She's been at the roundhouse much more than I. I've been at the Association of Counties phone meetings and meetings discussing this and she could talk a little bit more about the politics and what we have to lose if we don't provide the money. Katherine.

MS. MILLER: Mr. Chair, Commissioner Stefanics, Commissioners, part of the problem that the state is facing is that if they don't come up with \$36 million in addition to the \$10 million they've put into both the executive and the legislative budgets, they will lose out on potentially \$135 million of federal funds in matching funds to the hospitals. They've already submitted and had approved to CMS, which is the Medicaid Center at the

federal level, they've already submitted their waiver that says this is the way the money will be distributed. So we're kind of working backwards on this issue, that that's already the plan and the approved plan that says, by the way, you can't change how we're going to fund – what we're going to do with the money when you get it, and now we need to go get the money. And we need to get the money, we need to get \$36 million and the \$36 million is equivalent to 1/8 of a percent of gross receipts tax in all counties except Bernalillo and now Sandoval. They're excluding that.

The way that the state legislature looks at this, this was a county-funded program in the past. Therefore counties should use their resources that they currently have in place to fund it, that the state's not going to go put in a tax and raise taxes in order to fund it. What – as Commissioner Stefanics said, the problem with this approach is it's a one size fits all, yet every county approaches this funding for their local hospital differently. They all use different funding sources and they all use differing amounts in order to make a federal match. But unfortunately, that program is gone. It just does not exist as of January 1<sup>st</sup>. It does not exist.

So the state legislature and the State Human Services Department are put into this position of, well, the program's gone. The hospitals need funding and we need to leverage the federal funds. Legislators look at this that do not leave federal money on the table and hurt our hospitals. They feel that they have put in \$10 million of state funds into a program that had previously been a local program and that's all they're willing to do. So what they have done in House Bill 2, although House Bill 2 did not pass the floor, but in House Appropriations they did take \$6 million of other county funds. \$3.3 million in Corrections funds, which equates for Santa Fe County somewhere between \$110,000 and \$130,000 a year. They also took \$2.7 million of DWI funds, which equates to \$290,000.

So at 1/16 we are at – counties have put forward \$18 million, and then they've attacked it from this other direction, and they've basically said, and I'll say they – it's particular legislators who have a great deal of influence and leadership, and then Finance, they said we're going to get the other \$18 million from you one way or the other. We will keep chipping away at your other local programs – your Corrections fund, your DWI fund, potentially your Fire funds – wherever we have to go to get this to make as much funding from the counties available as possible to leverage the federal dollars.

Typically when a House member that is, let's say, in tune with the leadership and a Senate member in tune with the leadership put in the same bill, and you have your administration telling you that's what we're going to do, they're likely to do it, particularly when you're more than half way through the session. Having been on that side of the fence before it's usually not something that they're willing to back off of. And if so, they're not necessarily willing to back off the amount, but they may make concessions on the other items, such as the ability to impose another gross receipts tax increment to replace the funding that would be lost, the ability to do that without a referendum, some language in the indigent care act or in legislation that gives some flexibility, and possibly even a sunset, that is, to my understanding right now, all of those things are being put into a substitute committee bill.

The committee is in right now. They are waiting for the substitute to be handed down. We've heard there is a minimum of one, possibly two substitutes combining components of the three bills that were introduced, the one in the House and two in the Senate. So I think

that one way or the other, counties are going to end up paying more than 1/16. Whether it's as much as an eighth and whether it comes from other funds they will likely continue to chip away at county funds in order to make this program as fully funded as they can. I say that just from the conversations I've had individually with legislators and collectively with the Association of Counties and their lobbying group.

CHAIR MAYFIELD: Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, Commissioners and the public, I guess, and the Manager, I appreciate the summary, but the reality is that what we're faced with the state saying we're going to fully fund the hospitals, we're going to take the money from you to match it, and then you guys, if you're going to continue your indigent funding and your other programmatic funding for DWI and other local funding that we've funded for many, many years, that's your problem and that's the community's problem, and I don't think that's the right approach. I think it's a balance of responsibility, shared responsibility and coordinated purpose. And so I for one am not prepared to say, well, they're going to shove it down my throat anyway, so I'll just go ahead and give it to them, because I think the local programs, the clinics you mentioned, Commissioner Stefanics, and the month-to-month decisions that we make every month, we're seeing them right across the hall and we have individuals and families that have come with their claims that they can pay that need support to pay them. And we fund those. And they're putting us in the position where we have to choose between the hospitals, larger hospitals and the board of directors of hospitals over indigent fund.

And I'm going to make one other comment. Year by year sole community provider funds this Commission angling for decades made a decision for how much money we were going to put into sole community, and how much we were going to have to keep in our programs. And I have to say, candidly, I advocated for as much as we could to match the federal dollars. But we never were able to fund fully what the capacity was because we had, among other obligations and responsibilities that included the indigent programs and other work we do at the Health Policy and Planning Commission.

So we did that. But now we're being asked to say, we'll fully fund this bucket for the hospitals so that they can be viable moving forward. You guys figure it out later. And, oh, by the way, we might give you some taxing authority so then you can go back to those very people that had to pay those obligations and ask them for more money to offset that indigent health expense.

I don't it's fair; I don't think it's reasonable, and they're holding us hostage. And I think we need to raise concerns. Commissioner Stefanics, absolutely. We've been at the table. We came back to the table as counties, not only this county but 33 other counties and the board with Commissioner Stefanics sitting on it said we'll give you the 1/16. So we've been at the table. We've been trying to negotiate. I'm not prepared to go further, to cut into further local decisions. If they force it down our throats then we're going to be faced – and correct me if I'm wrong, Commissioners or Ms. Miller – with those choices of which programs can we continue to fund, which indigent care programs or which healthcare programs, and what other tough decisions do we need to make. Correct?

Absent a new tax or a new revenue source, in essence if they took the 1/8 we would absolutely have to cut resources to be able to fulfill our obligations. Is that an accurate statement?

MS. MILLER: Mr. Chair, Commissioner Anaya, that is correct. We'd have to cut funding to other healthcare providers. We would have to cut indigent services to the community. We'd have to cut staff, and basically it would gut our health program.

COMMISSIONER ANAYA: I don't have any other comments, Mr. Chair.

CHAIR MAYFIELD: Manager Miller, really quick on Commissioner Anaya's point, who are the other healthcare providers that we would potentially cut services to without raising a new tax?

MS. MILLER: Mr. Chair, we have I believe between 12 and 15 providers in the community. Two of the main ones that we provide funding to are La Familia and Women's Health Services. Those are probably the two largest ones, but we have primary healthcare providers. We have the ambulance services. We have mental health and substance abuse providers. Without having the list in front of me we have about – I want to say about 16 different providers that we actually allocate funds for paying indigent claims. And we use all of those every year. Sometimes not every provider uses their full allocation but we do redirect it to ones that are using their full allocation. And we work also with other hospitals besides St. Vincent's, for funding.

CHAIR MAYFIELD: Thank you. And recognizing the importance of this and just for discussion, I know I was at the meeting when Sandoval County asked for an exemption. I know we have a new hospital there, Presbyterian, I believe.

COMMISSIONER STEFANICS: No, they have a UNM Sandoval. They're tied into the UNM system now, their tax dollars. So the tax dollars that they raise go to UNM and UNM is outside of the sole community provider pool.

CHAIR MAYFIELD: So then, Commissioner Stefanics, will they be exempt from any matching for their other hospitals then?

COMMISSIONER STEFANICS: The other hospitals don't receive any match in Sandoval County. It's Presbyterian Rust and Lovelace. The UNM Sandoval is part of the UNM system so they are under the mill levies that are collected in Bernalillo and in Sandoval, and they are not part of this pool.

MS. MILLER: Mr. Chair, Commissioners, one point to make though. UNMH would be putting in about \$14 million in intergovernmental gross receipts tax into the pool, but they would only be eligible for the increased Medicaid rate. So they are – the hospital itself though is actually going to contribute funds. It won't come directly from the counties.

COMMISSIONER STEFANICS: And Mr. Chair, on your point, even the counties that have no hospitals are going to be on the contributing line and be required to contribute, [inaudible].

CHAIR MAYFIELD: And I guess, Commissioner Stefanics, because if somebody gets sick, they're going to have to go to a hospital regardless of what county they live in. But let me ask this, and knowing how the new formula came out and sole community provider is not even the name of it anymore. What's the new name, Katherine?

MS. MILLER: It's the Safety Net Care Pool, but it's the Centennial – it's part of the Medicaid waiver of the Centennial Care program.

CHAIR MAYFIELD: So on that, the Medicaid waiver act, Santa Fe County couldn't petition to – we've showed what we've done. We've been responsible for the issues of those dollars. Couldn't we go to the federal government and ask, look, can we have funding just for us? Has that ever been done nationally by anybody else in another state?

MS. MILLER: Mr. Chair, Commissioners, it's not been done in the state of New Mexico but Commissioner Stefanics and I did discuss this a little bit and I do believe there are some maybe pilots or some states that have some counties that receive a direct federal match and we'd have to look into how that actually came about and whether that's something that could happen in the state of New Mexico. I would say that it would probably take a while and would not happen in the next year or two of funding.

CHAIR MAYFIELD: And on that, would we need state statute to give us that authorization to do?

MS. MILLER: Mr. Chair, it's likely that we would.

CHAIR MAYFIELD: Okay. Thank you, Commissioners, and I know this – thank you for all your time, Manager Miller and Commissioner Stefanics on this very important issue to all of us. So with that, Commissioners, we're still on communications. Commissioner Stefanics.

COMMISSIONER STEFANICS: I would wish everyone a Happy Valentine's Day coming up at the end of the week.

CHAIR MAYFIELD: Great. Commissioner Anaya, we're under Communications from Commissioners.

COMMISSIONER ANAYA: Mr. Chair, I just have one item that I'm going to read into the record. The Moriarty School District as many other districts in the state of New Mexico is faced with difficult challenges for funding and keeping schools open. And recently the board of education from Moriarty-Edgewood Schools had to make some decisions relative to closure of two elementary schools, and I would like to read this into the record.

I'm writing this statement to express my sincere concern in relation to the recent events leading up to the potential closure of two elementary schools within the Moriarty-Edgewood School District. One closure at the Mountain View Elementary School in the incorporated area of Moriarty and one closure in the area of the Town of Edgewood. I'm writing the comments as a parent, as a citizen and aspiring educator and I recently completed an alternative licensure program at Central New Mexico Community College and as an elected Commissioner.

The East Mountains and the Estancia Basin have been challenged with a declining population and reduction in the enrolment across the board for the Moriarty-Edgewood School District for many years. There are new charter schools and private schools in the region and some families choose to home school their children which is a given right. Additionally, the entire United States has been fighting the toughest economic depression in our modern history. These and other factors have resulted in challenges across the board with no exceptions for any public or private entity in our region.

I do not have the time or the energy to point fingers or to place blame, however, I do fully understand that the education of our children is imperative to the success of our collective community. I am hopeful that we will set aside our individual priorities and vision and collectively work through and resolve these challenges together and I respectfully suggest

that we all think in a region manner. We all benefit and prosper from a health and strong educational system. I am prepared to partner and work with anyone who is willing to work towards this common end.

We need to be a team, no exceptions, no one left out. The Town of Edgewood, City of Moriarty, the Moriarty School District, Bernalillo County, Torrance County, State Board of Education, state legislators, soil and water conservation members, religious leaders, churches, teachers, businesses and professionals and citizens and neighbors,[inaudible] an entity or group or individuals responsible; we are all responsible. Our children are watching. What will we do?

My children both attended school in Edgewood and Moriarty and I am proud to say my daughter has completed school and is a proud graduate of Moriarty High School and the Moriarty-Edgewood School District and is now studying at the University of New Mexico, aspiring to be an elementary teacher, and Joanne is still at Moriarty High School amongst many proud, strong Pintos working towards graduation. I sincerely thank each administrator, principal, board member, teacher, custodian, bus driver, citizen and neighbor that has helped my children and others succeed and graduate. After we work to resolve our immediate challenge I suggest that we turn to higher education and collectively build a strategy and bring an institution of higher education to our community, a community and region that continues to educate our children, builds a system of higher education and invites the business community to set up shop and hire our children is a community and a region that will long prosper.

Education is still a key aspect associated with our entire country and our region, and I strongly feel we need to continue to support education and work in partnership with our school districts as they face many different challenges now and in the future. Thank you, Mr. Chair. That's all I have.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. Some folks have brought up the concerns with both school districts to me also so I stand in support of what you need to do there.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

COMMISSIONER STEFANICS: Mr. Chair, can I ask Commissioner Anaya a question? So the school's board, what is their next course of action?

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics, they're still grappling with the reduction. They had a reduction of 2,000 students over the course of the last several years and had to face the cuts. So they're evaluating the existing schools that would be left and have now engaged in a regressive discussion with Central New Mexico Community College to potentially utilize one of the schools for a branch, for lack of a better word, for a branch in the East Mountains. But they're still trying to figure out how to reincorporate the balance of students in the other schools and all the challenges that go with it.

I want to say the Town of Edgewood is frustrated right now very much and passed a resolution considering a new school district, and I'm just suggesting in my comments that it would be very difficult to create a whole brand new school, new administration and new functions. I'd much rather see us coalesce and try and work through some of those challenges



than try and create a brand new school district. That's the other remaining issue that's been going on.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I don't think that a new school district would get to happen very easily, because they tried to consolidate it before. But it seems to me that the properties – it's a loss to the families. Absolutely. And so I'm wondering about multi-level schools. I'm wondering about whether or not some of those properties might have some charter schools interested. But I appreciate your keeping us abreast of this. Thank you.

COMMISSIONER ANAYA: Thank you, Mr. Chair and Commissioner Stefanics and I think just maybe going a little further, a lot of the skills-based training that we need is not happening maybe as readily, as available as we'd like it to. Our drop-out rates, as you know, are still very high, and I think you're right. I think all the alternatives or potential charter schools that focus more in on some of those students that are getting lost or are not able to complete school maybe can be tracked into more trade-oriented schools. Those are things I think are important to our economic viability. So I appreciate your feedback and the comments of the chair and the Commission as a whole.

CHAIR MAYFIELD: Thank you, Commissioner, and maybe if I can get copies of your notes when you have time so I can have some talking points also, I'd appreciate it.

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

CHAIR MAYFIELD: Commissioners, thank you. I'm going to be brief on my communications. One, today, Santa Fe County set out a press release on the Aamodt water settlement outreach schedule, so I just want the listening audience and the television audience and those of you who are here to know, really quick that upcoming meetings which will be meetings for any individual that could be impacted by the Aamodt settlement will happen on Tuesday, February 18<sup>th</sup> from 6:00 to 8:00 pm at the Pojoaque Middle School. Then also on Thursday, February 20<sup>th</sup> from 6:00 to 8:00 pm at the Tesuque Elementary School gym. There's going to be many upcoming workshops that will be limited, say, to 30 registrants and an individual can sign up with Ms. Darcy Bushnell who's on contract with us from the Utton Center an UNM Law.

So with that, Commissioners, I'm going to ask staff if they can notice this for potentially the presence of three Commissioners. I know the Commission signed on to the Aamodt settlement agreement and I just really respectfully Commissioners, ask that you hear what some of my community members are telling me. If any of you could please make it to these meetings, specifically the one in Pojoaque I would just appeal to you to please come. Please.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Yes.

COMMISSIONER STEFANICS: In one of my early years many of us were sat in a gym up there in Pojoaque regarding the Aamodt and we were part of the 300 people who showed up to debate and vent. So I'm sure you're going to have some lively meetings coming up.

CHAIR MAYFIELD: We've been having them, Commissioner, and again, I just think it's important if this can be noticed for the Commissioners' presence. Not that we'd

take any action, but just so if there's a quorum of us, and I hope there is five of us there, if you guys could make that into your schedule, ladies, I would really appreciate that.

With that, also, Manager Miller, what I would ask if you could do, or Ms. Bushnell, if we could do some videotaping of that meeting also, because I would like to put that up as a video on my website, at least to lead to my website of what's going on at the community, what the communities are saying. If that means that we can do that ourselves and have a videographer there, or if Ms. Bushnell can do that, I would just respectfully ask for that. And in saying that, the Pojoaque Middle School gym can only accommodate so many people by fire code. And I know that they tried to get it at the Pojoaque High School gym, however, I think there was a conflict on the date with another commitment that the high school gym had, so I have asked if Ms. Bushnell, and so nobody is turned away, that we would have maybe a follow-up meeting.

Also, what has been asked even on our website through I think a link to the EIS or the BOR, they're saying what is the County's involvement with the Aamodt settlement? I know I've asked that of staff. I asked that today with legal, with the individual who is assigned to it, Russ Rodke. Now I believe we might have somebody else assigned to that. I was saying I would like a full history of what Santa Fe County's involvement up to today was on the Aamodt settlement negotiations to include when – just a history lesson. I know Ms. Bushnell is working on that but also what Santa Fe County has done to date on that. I just think it's very important, Commissioners.

Also, I will just say this. In District 1 right now there are significant issues of concern that are going on with the cost recovery case that we have intervened on. Also the Aamodt settlement and some right of way issues that we're doing and working with the sovereign governments on. So I just wanted to bring that to your attention and thank you for that.

And just an aside, I know, Commissioners, one of our CDRC members, Manuel Roybal, his mother passed away last Friday, Margaret Roybal, married to Isaudro Roybal of the Pojoaque area and also, just so everybody knows, Margaret was former mayor Rudy Montano's sister also. So our condolences, my condolences go out to the family on that loss, great loss for our area. And thank you, Commissioners. That's all I have.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would like to just reiterate for the – and correct me if I'm wrong, but reiterate for the audience one more time that the public – we will have the public hearing on the living wage but we will not be voting this evening since one of the co-sponsors is away for a medical emergency. So if people are here for that, just so you know, we're not voting on that tonight. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. I was also going to come out with that but it's very important who is here to still provide public comment tonight, please, because this is a public meeting and we will be discussing – at least I will be bringing any potential amendments to this living wage ordinance and we will be taking public comment still tonight. And then this will most likely be rolled over to our next Commission meeting out of consideration for one of our Commission members who had a family medical emergency tonight.

**5. c. Matters From the County Manager**

CHAIR MAYFIELD: So with that, Commissioners, I don't think there's anything else from Matters from the Commission. We're on Matters from the Manager. Manager Miller, I don't know how long you'll be but I know together with Mr. Ross, I don't know how long that will be. Hopefully no longer than half an hour. Would you mind if we rolled over on your presentations?

MS. MILLER: Mr. Chair, real quickly. A couple things you asked, a couple questions on your presentation or your request about Aamodt?

CHAIR MAYFIELD: Yes.

MS. MILLER: Pojoaque Middle School has a 690 people. I don't know how many the Tesuque does. It will cost us \$500 each to tape. We do not have the equipment. If we could, out of our recording budget – I don't know how much we have but if we were able to come up with enough for one of them, would your preference be to tape the Pojoaque Middle School one?

CHAIR MAYFIELD: Yes, and let me ask that. We have dedicated Aamodt funds for this. We could reach – I'll ask, why can't our Aamodt funds be used for this? I'm just asking because it's for Aamodt outreach for all the constituency to have. I think it will be a continual loop on our website so people can see what has been said, what has been commented, and they can make decisions. And the reason I say that really quick, Manager Miller, individuals are now receiving letters from – and Steve, just so I don't get that wrong, the letters that people are receiving right now to make a designation, if they're in favor of the Aamodt or not in favor, if they have some comments, are due back on like April 14<sup>th</sup> and there are still questions on the mailing of those letters that went to well owners right now. Can you comment a little more on that? And that's why I think it's important to have this meeting recorded and on our website. The letters that went out from the district – not the district, but the US court, Steve, as somebody making the designation right now if they will accept the Aamodt settlement, if they will have objections to it. Because a lot of folks may not even be receiving those letters for the fact that there are some inaccurate addresses.

MR. ROSS: Mr. Chair, there are some inaccurate addresses and there is a process to, once letters are received to try and locate all those people and get them their letters, and that's ongoing right now. So that's the responsibility of the State Engineer, working under the supervision of the federal court.

CHAIR MAYFIELD: Sure. But there's information out there that if an individual does not sign this letter and return it that the State Engineer is going to make a designation for them or enter in an acceptance for them. I've heard that that's not going happen. I think that would be potentially answered by all the attorneys who will be there. Hopefully there are attorneys there from the Office of the State Engineer, from Santa Fe County and from every other entity that's involved in the Aamodt. That's why again I believe it's very important that we have this recorded because there are still a lot of unanswered questions up there. Thank you.

Katherine, if I could push funds from anywhere for this to happen I will do that.

MS. MILLER: So, Mr. Chair, we're going to try to get the funds. Tape One is going to focus that on the Pojoaque one, and then additionally, you and I had discussed a

potential study session or something like that, which is where I think we could also have some of the history brought forward and so we were looking at potentially adding that to the meeting on March 11<sup>th</sup> if the Commission wanted to do that.

CHAIR MAYFIELD: Can we find a venue that would accommodate 600? Or how many mail-outs did we do? 6,000? I think there will be a lot of folks coming to that. I think that's great if we had it.

COMMISSIONER STEFANICS: Mr. Chair, you're talking about March 11<sup>th</sup>?

MS. MILLER: Yes.

COMMISSIONER STEFANICS: I'm just thinking our next one we have a couple of votes to take, so that's all. I was jumping ahead. Thank you.

CHAIR MAYFIELD: Yes, March 11<sup>th</sup> or that following meeting because I think Commissioner Holian won't be here on March 11<sup>th</sup> and again, I know we can't always have all five Commissioners here but – Steve, when's the designation that folks have to make on that Aamodt acceptance or if they have objections to it?

MR. ROSS: [inaudible] I'll have to get back to you on the exact date. It's on the website though.

CHAIR MAYFIELD: Okay. Thank you. Again, everybody can go to Santa Fe County's website, who's listening or watching. There's a link under my name that talks about any information that Santa Fe County has, at least that I believe we have, of current information going on with Aamodt. But, thank you, Katherine. Anything you can do. If it can't be done, I appreciate it. I just kind of threw it out there.

MS. MILLER: Okay. And then the other thing, Mr. Chair, the only other thing that I would like to try to have done before we do executive session, then we can come back to the legislative stuff after your hearing is fine with me, but if we could do the SLDC implementation update, because Penny was going to present that, and then I'm fine if we want to wait on the rest of this stuff.

COMMISSIONER STEFANICS: It's a one-pager.

CHAIR MAYFIELD: Okay. What's one page? Thank you.

**5. c. 1. SLDC Implementation Update**

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair, Commissioners. I believe Erik handed out a one-page memo earlier for you. [Exhibit 4] This is the implementation schedule for the zoning map. The SLDC was adopted on December 10<sup>th</sup>, but it does not go into effect until we have a zoning map. So we are proposing the following schedule for the zoning map. We're actively working on preparing the next draft. During March we will also be preparing the public notice letters. By March 21<sup>st</sup> we will have a zoning map adoption draft release and available for the public. By the end of March we will have mailed all of the public notice letters. There's about 44,000 parcels within the county and we will be mailing every property owner a letter.

April 7<sup>th</sup> to 18<sup>th</sup> would be our public review period. We would have office hours for people to call in or come in and discuss their zoning. By the end of April, April 29<sup>th</sup>, we would come to the regular BCC meeting to request to public title and general summary of the technical changes to the SLDC and we would release those changes as well. We're estimating

two special BCC meetings. We've chosen as possibilities Tuesdays on your off weeks. The first one, May 6<sup>th</sup>, would be the first public hearing for the zoning map adoption, and also the first public hearing for technical changes to the code. May 7<sup>th</sup> to the 23<sup>rd</sup> we will drafting changes to the zoning map and releasing a final draft of the zoning map. June 3<sup>rd</sup> would again be a special BCC meeting for the second public hearing for adoption of the zoning map, and the second public hearing for adoption of technical changes to the SLDC. And six months after that we would come back to the Board as requested with a six-month review.

These timeframes are based on legal notice being first class mail to every property owner in a standard mailing format. If there needs to be individualized letters and certified mailing it may have an impact on the timeframe, but we would put this timeframe up on the website, we'd email it out to our SLDC mailing list, and we can get that done tomorrow, and every month when I give a growth management report I can update the latest on the schedule and where we are.

CHAIR MAYFIELD: Thank you, Penny. Commissioners? Vice Chairman Anaya.

COMMISSIONER ANAYA: Penny, I appreciate the update. The only thing I think, depending on how that comment goes, the feedback we get on the maps, remember we put stuff out the last time and we got a lot of feedback on code stuff so we may have to modify the dates just depending on the feedback we get. So I would just put that out there based on our experiences that we've had thus far with the code.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, absolutely. If we have 34,000 parcels, 34,000 letters going out, worst-case scenario we get 34,000 calls and obviously, we won't be able to handle that in an 11-day period. So as we go through this process we will give regular updates to the Board as to where we're at.

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

CHAIR MAYFIELD: Commissioners, I'm going to roll over on our legislative update for later in the evening, and legislation and we'll go to miscellaneous updates also later and informational items.

**6. Matters From County Attorney**

**a. Executive Session**

- 1. Discussion of Pending or Threatened Litigation**
- 3. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights**

CHAIR MAYFIELD: Mr. Chair, is there any need for an executive session?

MR. ROSS: Mr. Chair, [inaudible] an hour later. We do need an executive session to discuss pending or threatened litigation and acquisition or real property or water rights.

CHAIR MAYFIELD: And what are we looking at? A half-hour? I mean a realistic timeline to tell this –

MR. ROSS: Forty-five minutes.

CHAIR MAYFIELD: Forty-five minutes. What's the pleasure of the Commission?

COMMISSIONER HOLIAN: Mr. Chair, I move that we go into executive session where we will discuss pending or threatened litigation as well as acquisition of real property or water rights.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: And again, for everybody who's here and our listening audience, we will be going into executive session for 45 minutes and I will do my best to keep it at 45 minutes, and once we break we will be coming out to a public hearing to hear two land use cases and then an ordinance to be heard that affords public comment also on establishing a living wage within Santa Fe County.

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7 and 8) to discuss the matters delineated above passed upon unanimous roll call vote with Commissioners Anaya, Holian, Stefanics and Mayfield all voting in the affirmative.**

[The Commission met in closed session from 6:55 to 8:10.]

CHAIR MAYFIELD: Everybody, thank you for your patience. Can I have a motion to take us out of closed session, Commissioners?

COMMISSIONER STEFANICS: Mr. Chair, I move we come out of executive session where there was the County Manager, the County Attorney, the Deputy County Attorney, our Public Works Director for a portion of it and four County Commissioners, and we discussed pending or threatened litigation and acquisition of water and personal property rights.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: Thank you, Commissioners.

**The motion passed by unanimous [3-0] voice vote.** [Commissioner Holian was not present for this action.]

CHAIR MAYFIELD: Let me just go real quick to item 7.b.1 for everybody who is here for the living wage ordinance. If anybody here is for the living wage ordinance, and those in the hallway hopefully can hear, has provided any comments at a meeting two weeks ago, we do have that in the record and we will note that in the record. If they wanted to repeat the same thing I would probably ask that they bring up new issues of support and that's in case anybody has been very patient staying all night long, in case anybody would like to leave. But again, this is a public hearing tonight that the Commission will be having on the living wage ordinance. So thank you. I don't think these cases should take too long, Commissioners.

7. **Public Hearing**

a. **Land Use Cases**

1. **BCC CASE #PCEV 13-5370 Thomas Neff & Mary Lyndon Haviland Vacation of Easement. Thomas Neff & Mary Lyndon Haviland, Applicants, Rick Chatroop, Agent, Request Approval to Vacate a Platted Fifty-Foot (50') Wide Private Access and Utility Easement on 1279.30 Acres. The Property is Located at 300 Old Cash Ranch Road, within Section 12, Township 13 North, Range 8 East (Commission District 3)**

MIGUEL ROMERO (Case Manager): Good evening, Commissioners. The subject property, Lot 3-A is a legal lot of record which was created through a lot line adjustment in July of 2012. The subject property is currently vacant. The applicant intends to vacate a 50-foot wide private access into an easement on Lot 3-A that lies east to west, then proceeds north to south on Lot 40. The applicant will relocate this portion of the 50-foot wide easement on two other parcels which he owns, Tract 2-A-2 and Lot 8 as shown in Exhibit 4. The relocation of the easement will be identified on the proposed plat. The applicant also intends to vacate the 50-foot wide portion of Calle San Lazaro and Vista de Santa Fe private access and utility easement that lies north to southeast within Lot 3-A.

This portion of the easement was already relocated and platted in 2012. The applicant claims that the no other party will be adversely affected by the vacation of the easement.

Staff recommendations: Approval to vacate and relocate two platted 50-foot wide private access utility easements on one lot totaling 1,279.3 acres. If the decision of the BCC is to approve the applicant's request staff recommends imposition of one condition. May I enter this into the record?

CHAIR MAYFIELD: Thank you.

MR. ROMERO: Would you like for me to read the conditions?

CHAIR MAYFIELD: Yes, please.

MR. ROMERO: 1) The applicant shall file the portion of the final plat Lot 3-A affected by the intended easements and reflecting the new easements on Tract 2-A-2 and Lot 8 in the County Clerk's Office.

I stand for any questions.

CHAIR MAYFIELD: Thank you, Commissioners. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I went to a meeting two months ago that dealt with the General Goodwin Road and there were several individuals in the audience that got up and spoke about alternate access that existed to get out of General Goodwin Road, specifically noting the Cash Ranch. And so I need to ask you – we can ask the applicants, does this request today have anything whatsoever to do with the comments that were made by those individuals about a secondary access point? And is this that secondary access that was once in place off of General Goodwin Road through the Cash Ranch?

MR. ROMERO: Mr. Chair, Commissioner Anaya, I'm not clear what –



COMMISSIONER ANAYA: You weren't there. We had about six people from Public Works and we had about 100, 120 people present at the meeting. Packed the fire station. And many people were concerned, not only about the road but about the secondary access. And so I'm seeing this now in front of me a couple months later and I'm wondering if this has any bearing whatsoever on General Goodwin Road or an access point that used to come into General Goodwin Road at some point.

MR. ROMERO: Mr. Chair, Commissioner Anaya, what I can do is I also printed up an aerial photograph a little bit bigger so I can show you exactly what's on this map and I know it's in the packet. The agent wants to add anything, clarify anything he can.

COMMISSIONER ANAYA: Yes, and I would like to hear from that applicant just on that primary question. If they want to stand up and help me address it. I just want to see if there's any relevance. I don't want to go rushing into vacating easement if there's some other access issues that could be emergency or public safety or otherwise.

[Duly sworn, Rick Chatroop testified as follows]

RICK CHATROOP: I have a long history of working as a surveyor on this property. And there was an original – not a platted easement, but it was, I guess you'd call it a prescriptive easement many, many years ago. Probably 20-some years ago that was not dealing with this location. It was a little bit north of this location. And at that time the owners had shut off access probably in 1992 to that side of the ranch this is crossing now. That was vacated many, many – like decades ago and there's been no road built or nothing that would access that. And that came off of County Road 55-B or C at that point.

COMMISSIONER ANAYA: 55-A is General Goodwin and I think –

MR. CHATROOP: And it goes on to B, C, and D for different directions. In the case of this easement, everything that was in place originally is still in place with the new easement location. As a matter of fact it's a better location because it's moved to more northerly and actually reduces the area the guy has to cross to get to his property.

COMMISSIONER ANAYA: So, just on the record, this easement doesn't affect General Goodwin Road at all.

MR. CHATROOP: No, I would not tell you, this has always been a private easement and it's going to maintain a private easement.

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

MR. CHATROOP: Can I bring up one other issue?

CHAIR MAYFIELD: Real quick, sir. As of now we're going to hear from the applicant on this case, so, yes, please.

MR. CHATROOP: Okay. I am the applicant.

CHAIR MAYFIELD: Yes. I didn't know if you were represented by counsel.

MR. CHATROOP: I'm just a little concerned about the procedures here because I've done thousands if not – hundreds if not thousands of surveys that have been recorded in Santa Fe County and over all the years I've put in many, many easements crossing private property that were put in place for legal access and like in the case of this easement, never developed as a road or built up or any other situation where there's been any change to the property. And I'm just concerned that as these keep coming up, as we're getting

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back into more development, with the burgeoning economy here that we're going to be here again and again and again over private roads that are being relocated. I probably have thousands of them of record out there that were not put in a good location for their construction and were subject to relocation upon the further development of the properties. And if we have to vacate every easement and come to the BCC for every one of those and the [inaudible] refers to the final plat under the subdivision section of the code. These are not subdivisions; these are land divisions that were done previously. The BCC has not reviewed these as subdivisions. They're not dedicated roadways to the County. They were private roadways. In many cases, I've put in, like I said, thousands that were never developed and intended to be relocated upon the actual plan to work with the contours, the terrain and the lot layouts of future development. And I'm just a little concerned that we're going to be coming back again and again and again, basically over a private easement location. So I just wanted to bring that up to see what we could – get it on record and see if we can do something so we're not burdening you guys with thousands of easements over the oncoming years. Obviously, you have quite a packed agenda as it stands. Thank you.

CHAIR MAYFIELD: Thank you, sir. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, is Penny here? Are we treating this applicant any differently than we treat any other applicant?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, the last year we've reviewed this section of the code with Legal and it's clear that it says that if a portion of a final plat is being vacated it needs to be done by the Board. In the case of an easement, if you look on page 11, which is your Exhibit 5, this easement actually accesses a lot of lots. It may not be built yet, but it could affect lot owners down the road.

COMMISSIONER STEFANICS: But to answer my original question.

MS. ELLIS-GREEN: So, no. In the last year we have been taking all of the easement vacations or note vacations on a plat to the Board of County Commissioners.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: Thank you, Commissioners. This is a public hearing. Is there anybody from the public who wishes to comment? Please, Oralynn Guerrerortiz.

[Duly sworn, Oralynn Guerrerortiz testified s follows]

ORALYNN GUERRERORTIZ: Good evening, Commission. I am Oralynn Guerrerortiz of Design Enguinity. This is correct that this procedure for review of vacations of easement has just happened in the last year. It wasn't done previously. I work in probably five jurisdictions in northern New Mexico and none of them require these types of public hearings. So I'm really questioning it. I'm not being paid by anybody to be here but I really feel it's a waste of public moneys, hiring of people like Rick to be here, noticing and everything else, and it's abusing people's money who are doing things.

I'm simplifying this in a different situation. This is something that the County will now require to come to public hearing: if there's two lots and there is a road dedicated to go between the two lots, and it's a private easement that these two parties agreed to –

COMMISSIONER STEFANICS: I'm sorry. Are you representing the client?

MS. GUERRERORTIZ: No.

COMMISSIONER STEFANICS: But you're speaking as a member of the public.

MS. GUERRERORTIZ: Yes.

COMMISSIONER STEFANICS: Thank you. I just wanted to be clarified.

MS. GUERRERORTIZ: Yes. So this is a case where there's a dedicated easement serving these two lots. In the past, if these two parties agree to move that easement for terrain reasons or whatever reason, and they wanted to vacate that easement, it's a plat amendment. It was done administratively. It usually took a few days. Now it's taking months, noticing and public hearings. And I don't think it's in the public's interest.

I understand that if the easement has been dedicated for public use, has a public benefit, that it does need to come to a public hearing. But if it's a private easement and all the parties who are involved, whether they're utility companies or private entities, I don't think that it should be coming to a public hearing and I think that it's a waste of effort. And I know that that's how it's handled in every other jurisdiction and was handled in this community up until about a year ago. I can grant any one of you an easement on a piece of paper and it doesn't have to go through a public review. It could be recorded in the Clerk's Office. But if we decided, you and I decided we wanted to change that easement, right now I have to come back to the BCC, something you've never seen before. It's never been reviewed by the public before, but yet you're making it come back in front of the BCC. It's going to affect more parties than this little one. It actually – I have a little, little project that's going to be affected and so that's why I'm here. I'm hoping not to have to come to the BCC on that project.

So I'm asking you that you question staff on it. If it's got a public interest – yes. It should be here. If it's all private parties involved and the private parties are agreeing to this, why are we here? Why are we wasting our time? Thank you.

CHAIR MAYFIELD: Thank you. Mr. Sommer.

[Duly sworn, Karl Sommer testified as follows:]

KARL SOMMER: My name is Karl Sommer. My address is Post Office Box 2476, Santa Fe, New Mexico. I'll be brief. I've been practicing real estate law for 28 years. I have never seen this process, and it has been happening in the last year. The only reason you haven't see a lot of them is because there haven't been a lot of transactions going on. I can tell you that if I have to come to the Board of County Commissioners to vacate a private easement between two private parties in the middle of a transaction, it's going to kill the deal. I can't imagine what the lenders are going to think when the Board of County Commissioners has to sign off on the vacation of a private, say, utility easement or any kind of easement that is shown on a plat that is between private parties. There are hundreds of them that are changed yearly and I've never brought one of these to the Board of County Commissioners.

So what does it add? They'll be hiring Karl Sommer. They'll be hiring Rick Chatroop. They'll be hiring these folks. And we're not talking big wealthy folks. We're talking about people who might be selling their property or giving their property to a kid who has to do a – these are people that are going to be affected. And I think it's pretty clear that if only private interests are affected there is no need for it, and it's going to become a huge problem in the private sector in dealing with transactions on a timely basis.

I don't know when Rick filed this application but he's dealing with a single property owners who's not in the middle of a transaction. But if I have a transaction that's going to close in 45 days from the time it was entered into, that deal ain't going to close. That plat's not going to get recorded. They're not going to be able to do it because they're going to vacate a private easement.

So your statute is clear and your ordinance is clear. You can't vacate a public easement without coming to you all. That's clear. Private easements, you all don't have an interest in them. Why do you want to see them? And I would just implore you to direct staff not to bring these to you and you can put a note on the plat that says the vacation or an extinguishment of private easements – or public easements will require approval of the Board of County Commissioners so that people know, and then they'll bring those to you, but if you have a note that says private easements don't have to come up here, then you'll be fine. I would implore you to keep that in mind. It's an added expense and it could be critical in the middle of a transaction and it will affect a lot of people.

CHAIR MAYFIELD: Mr. Sommer, I have a question for you in your experience and I'll use my own personal plat as an example. So I have an easement and it serves a couple different families, but on that, for the example you just posed, I had to come and get County approval to have that easement into my home. And I'm hearing what you're saying but I don't see why the County shouldn't be aware of that also if I had to get that initially done on my plat.

MR. SOMMER: If you're dealing with a public easement or a –

CHAIR MAYFIELD: It's not public; it's private.

MR. SOMMER: It should not have come to the Board of County Commissioners for approval.

CHAIR MAYFIELD: Okay. I see what you're saying. It didn't come to the County Commissioners. It went to Land Use.

MR. SOMMER: Right. Land Use staff can sign off on the plat saying no public interest is implicated here, but you raise a good question. What are you going to do when you have people who come before you and they say, well, we're vacating a purely private easement, and someone from the public, a total stranger to the deal gets up and says, oh, well, I don't want you to do that. Let me tell you why. Because I would like you to make them keep that there, even though they don't have the right. Now you're deciding a private property issue? It just – it's fraught with a lot of problems. Thank you.

CHAIR MAYFIELD: Vice Chairman Anaya, please.

COMMISSIONER ANAYA: Mr. Chair, Karl, I've got a quick question for you. I've got a private easement that goes through four or five different property owners before it gets to my parcel. What if those four or five property owners decide they want to close that easement? When does an easement become public, I guess is my question. If those five property owners, before they got to my house, doing what you're saying, said, well, we're going to close the easement off. Even if I – then it becomes a legal issue for me, that I have to invest my own dollars in a district court or a magistrate court or somewhere to say, wait a minute. I have an agreement in place for that easement. So clarify that and help me

understand that. That's a real life example. I've got five property owners that I have an easement to go through the property for ingress and egress. If those five got together and say we don't want to do it anymore, where does that leave me?

MR. SOMMER: Well, it leaves you with a very, very strong legal case to stop them.

COMMISSIONER ANAYA: That's going to cost me money.

MR. SOMMER: But that's not going to involve the County one way or the other.

COMMISSIONER ANAYA: No, no. Follow me through it. So those five property owners, under the terms you just provided, could close the easement.

MR. SOMMER: No. They can't.

COMMISSIONER ANAYA: Well, they could, and they I'd have to go to court to change it, wouldn't I?

MR. SOMMER: That's correct.

COMMISSIONER ANAYA: That's going to cost me more money. So help me understand.

MR. SOMMER: So I guess then you're then going to be – let's take the converse of what you're saying. So the answer to your question directly is if the people over whose property your access easement goes decide one day I'm going to cut you off, you have to go to court. No doubt about it. If it's a private easement and there's no public easement. So that's just the way the law works. Let's do the converse. These five guys get together and they come to you and they said, well, they've cut my easement off. Now, you're going to have people coming to the Board of County Commissioners and saying, hey, you need to send your legal team out there to stop them from doing that.

Now the public is going to pay your legal fees to enforce your private rights? That's the situation that you raise by that. If it's a private right you have a private remedy. If there is a public right being affected you have a public remedy. Everybody has a public remedy.

COMMISSIONER ANAYA: If I, in legal terms, when does an easement go from being a private easement to a public easement? When it goes to a public facility?

MR. SOMMER: No. When there is a dedication, irrevocable dedication to public use. That's one way.

COMMISSIONER ANAYA: For what though?

MR. SOMMER: It could be for almost any purpose.

COMMISSIONER ANAYA: For building?

MR. SOMMER: It could be for access. It could be for utilities. It could be for recreational purposes. The purpose of an easement is different than the character of the easement. An easement is public when it has been irrevocably dedicated to the public, or it has been condemned by the public as an easement, or the public has used it in a prescriptive fashion for more than ten years. And when I say prescriptive –

COMMISSIONER ANAYA: Let me – let's go to that. I like that you brought that up. If there's not a hearing in a public forum to determine whether – I still want to learn

more about what you're saying because I don't want to add extra work, but on the other hand there are circumstances where an easement could have been granted through a private mechanism but has been utilized as a public purpose. And if it's ceased and stopped the only way you're going to know that is when it gets closed. And if the only avenue for rebuttal is to go to court, well, we know how the judicial system works. Let's be frank. And how drawn-out and long things take. So understanding what you're putting forth, you can have a property owner that's been utilizing it or a public person that's been utilizing it that would never have any say until way after the fact or way after the closure. So I think there's a – it's not as simple as you're putting it forth.

In your two-lot example, that's relatively simple. But in a multi-lot situation where an individual accessing a parcel where they might not even own a property – maybe they're accessing a national forest, it gets a little more complicated. Maybe there's degrees of what we review and maybe that's what we need to talk about.

MR. SOMMER: And I think that the point you make, every one of the examples that you've made, Commissioner, involve a public right. And when you say, hey, wait a minute, there are lots of situations where the public has been using a way to the point where it's recognized almost universally that it's a public way, should they be able to vacate that, just by signing a plat with nobody else involved? Again, you're dealing with a public right and there is a process for doing that and it is – if you want to try and vacate an easement like that you have a hell of a lot more to go through than just the Board of County Commissioners. But again, every example that you've pointed to is in some realm public in nature. And I don't have any qualms about that.

COMMISSIONER ANAYA: I think the [inaudible] we can talk about it at a later date but the thing we're going to have vet is there are many parcels out there where there are probably private under the letter of a private easement but have been public for many years and the only notice requirement is to get here and where people would have a voice to get up and raise an issue. Otherwise it would be left only to the courts, and that's where I think maybe we can have some discussion and maybe there's degrees that are – the less intensive ones we don't waste time but on broader parcels or multi-tract parcels or potential public access points, I think we need to be very cautious about just leaving that only in the hands of whoever initiated the easement or whoever we think may have initiated the easement. But thanks for giving us some feedback. Thank you, Mr. Chair.

CHAIR MAYFIELD: Are there any other members from the public? The public hearing is closed. Mr. Ross, I have a question. On some of the examples that were brought up tonight, Penny, and even with Commissioner Anaya, but what he brought up we go into degrees of what would have to come in front of you on this Commission. Is that a requirement we have now in our new Sustainable Land Development Code?

MR. ROSS: Mr. Chair, that whole distinction is completely – what you just heard about public-private distinction doesn't exist. I've got the Subdivision Act right here and I'll just read it to you. The Subdivision Act requires that this body in the case of a final plat filed in the office of the County Clerk consider – I'll just read it to you. In approving the vacation of all or a part of a final plat the Board of County Commissioners shall determine whether or not the vacation will adversely affect the interests of persons on contiguous lands

or persons within the subdivision being vacated. It's exactly what Commissioner Anaya was talking about. In this statute there's no distinction between public easements and private easements. The idea being if there's a final plat you must consider whether the vacation of an easement, public or private, will affect anybody. And that's what Land Use is trying to do. The new code is the same on this issue. Because it's statutory.

CHAIR MAYFIELD: Thank you, Mr. Ross. So what I'm hearing our County Attorney say is that does have to come in front of the Commission. Well, Karl, I'm not going to take your comments from way back there. And this part of the public hearing right now I'm going to go to Commissioner Stefanics first.

COMMISSIONER STEFANICS: Thank you. Do we have the – is the public hearing closed?

CHAIR MAYFIELD: Yes.

COMMISSIONER STEFANICS: Okay, thank you. Mr. Ross, I heard what you read from the Subdivision Act but I have some concerns about why we are doing this, and I see no problem in approving this and moving it along. So I just want to be clear about that. But if we have never done this except for this past year we have now set a new standard for property owners and it's going to affect many, many people who have no clue that they have to deal with this. And we are dealing with many, many lots that are undeveloped that will probably still sit there until we get to an exquisite economy where something is done.

So I'm really kind of confused out – not kind of, I am confused about why we would do this. It really is just creating another burden for a property owner. And it's not – I have a different perspective than Commissioner Anaya; I don't think it's hurting anybody, especially if it's not developed.

MR. ROSS: Mr. Chair, Commissioner Stefanics, it's in the Subdivision Act, so for subdivisions it's mandatory. I don't see anyway around that. If we were doing it otherwise throughout the years we were doing it wrong.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, I also got corrected by my staff and Katherine Miller that it's been at least three years that we have been doing this. Since I've been working in the Growth Management Department as the director we have been doing this. In addition, I would again draw your attention to Exhibit 5 on page 11, this actual easement is actually access for about 60+ lots, so about 60+ lots have the ability to use this easement. The plat that was done prior had about 40 lots using these easement. By coming through a public hearing process this has been advertised, certified letters have been sent out. These people have the right to stand in front of you say, no, the new easement doesn't follow the correct alignment that I can utilize, or it will adversely affect me. And from the State Subdivision Act, that is what the Board is making a determination on.

Now, my staff has looked at this. They've looked at the whole road layout and from that they have determined that we can support this easement vacation. But if there wasn't an alternative access to all those other lots we would not be in front of you supporting this. We would be recommending denial of that. But again, it's something that is done in a public setting. Notice has been done and we're making a determination tonight that alternative access has been granted to all of those lots that are shown on page 11. There's a lot of lots there. Also an issue was brought up that a final plat is only required for a subdivision; that is



not correct. A final plat is any final plat that gets through out code is defined as any final plat that gets recorded, whether it's done through a family transfer or a subdivision.

So that is a final plat and the Subdivision Act says that we will determine that there's no adverse impact. So if we – if years and years ago, if we had been doing this administratively, I believe that that was an incorrect reading of the Subdivision Act and of our code. It's been in our code for a long time. We should do these in a public meeting.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, we've got to work with the parameters of our code and the Act, but if there's a way we can have discussions about how things are approved and how it's processed as to not have as an adverse impact, I want to have those discussions. And so I would ask us to – we're not changing it, but if there's a process that we can figure out that's more expeditious for smaller decisions that come to the Board then I want us to review it and I think Mr. Sommer and others might be willing to participate in discussions associated therein. So, thank you.

CHAIR MAYFIELD: And for staff, and then I am going to go back to the public members really quick. But Penny or Steve, what if the applicant came in and just provided an affidavit saying, look, we want to put this on the record, an affidavit. We're not going to impact any other adjacent properties that access this, and if it went to court later, as Commissioner Anaya brought up, there's an affidavit on file by that applicant. I don't know. I guess that would be more of a legal question for Steve, and/or and then hearing Commissioner Anaya's concerns or questions, if this is accessing a – if a private lot is accessing say, a national park, BLM land. I think you would have to have in consideration of talking with those groups, and that's what Mr. Sommer was saying, just because you access that land on BLM's point doesn't mean that's where they want you to access that land at. If it was a mile down the road where you vacated an old easement. So I think that's why it is important that everybody is informed. But I do see that we do this all the time on family transfers where – and I've seen it on this bench, where I see Chief Patty in the audience, we're coming on a private lot family transfer and we're telling these folks, well, you've got to make your road 20 feet wide to allow two fire trucks to go through it, and you're going to have to improve this whole road, that's on a private road for somebody to get to their house also.

So I do see both sides of this but I would want to try to make it less cumbersome on the applicant, respecting costs that are involved and I just don't know if there's an expedited process we could have with staff on this. Steve, do you want to respond to any of that?

MR. ROSS: Mr. Chair, you asked about an affidavit and an affidavit is required.

CHAIR MAYFIELD: Oh, so it is required already? Okay. And Steve, if in that affidavit somebody missed something or said, and then somebody was potentially landlocked and couldn't get to that property – they would have to go to court though, right? Commissioner Anaya gave that example. He was the last person on that lot and if four people came in front and said, hey, we want to vacate this administratively and staff didn't pick up that there was one lot at the very end, or an undeveloped lot that nobody ever talked about that had access off of that private agreement, because we don't know what every private

agreement is, is that person that signed that affidavit on the hook, even if that person has already sold that property and they're long gone?

MR. ROSS: I don't know. It would depend on what the situation was, what the relationship was between sellers and it's all very complicated. But the applicant has the duty in the first instance to submit the affidavit to you and you have a duty to look at it and make those determinations I described earlier.

CHAIR MAYFIELD: Thank you, Commissioners. And I guess we'll go back to the public on this, but if you guys could keep it really brief, please. Maybe a minute, two minutes apiece.

MR. SOMMER: Very briefly. The regulation that was cited to is out of the Subdivision Act. Not every plat is a final plat under the Subdivision Act. So the idea that every plat is a final plat, if you can imagine, if you interpret every plat as a final plat for purposes of that, every note, every other change, any modification to every single plat because it got recorded as a final plat is going to come in front of you – isn't going to work.

CHAIR MAYFIELD: Thank you, Mr. Sommer.

MS. GUERRERORTIZ: I would just bring up two points. The example I gave there, that simple one? I have a case in front of staff right now that's even simpler, clearer cut, that there is no public interest. There's no other lots involved, and I've been told I have to come to the BCC. And I'm telling you it is as clear cut as possible showing there's no other interests involved. And again, I will remark that there is no other jurisdiction that is taking this approach and so they're all working under the same state laws. I don't understand how Santa Fe County is unique in this. Thank you.

CHAIR MAYFIELD: Thank you, Commissioners. Well, we have a case in front of us. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, maybe we're the only county doing it right.

CHAIR MAYFIELD: Thank you. Maybe we as a Commission and with applicants and all parties have a little work group on this and see if we can come up with something that's amenable to all parties, to keep expense down for everybody. I'm kind of all for that, knowing our new code too. Commissioners, we have a case in front of us. There's no more public comment. Public comment's been closed. Do we have a motion for the case?

COMMISSIONER HOLIAN: Move for approval.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: We have a motion for approval and a second.

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

7. a. 2. **BCC CASE # PCEV 13-5250 Thomas Wagner Vacation of Plat Note. Thomas Wagner, Applicant, Requests Vacation of a Plat Note That Requires Roadway Improvements on Lots 2A-1 and 2A-2 Prior to Development of the Property. The Property is Located at 67 Camino San Marcos, Off Goldmine Road (CR 55), within Sections 3, 4, 9 & 10, Township 13 North, Range 8 East (Commission District 3)**

WAYNE DALTON (Case Manager): Thank you, Mr. Chair. The subject lot consists of 40.1 acres and was created on September 2, 2009 by way of family transfer for Sharon Thams Carter. Tract 2-A-2 was deeded to Sam Carter, Jr. on September 2, 2009 and was then sold to the applicant on October 23, 2009. The property is currently vacant. At time of plat recordation a note was placed on the plat which states, Prior to issuance of development permits for dwellings on Lots 2-A-1 and 2-A-2, Camino San Marcos Roadway and drainage crossing within Lot 2-A-2 shall be upgraded to County standards.

Camino San Marcos crosses a drainage easement on the subject property. The drainage easement is not a FEMA-designated special flood hazard area and the all-weather requirement is not relevant as there is no flood plain crossing and the note referenced on the plat is related to a flood plain. The applicant states he's requesting removal of the plat note due to him not being in a position to upgrade Camino San Marcos all-weather standards. The applicant also states that he has received an engineer's cost estimate for the improvements and it would be in excess of \$50,000, a cost which is prohibitive for what he considers to be his driveway. At this time the applicant simply wishes to use the road as-is for access to his future residence.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Mr. Dalton, in recent months we've had applicants with a very similar issue in different parts of the county where we have put an additional note on the plat that speaks to the applicant understanding the ramifications of not having an all-weather access in the event of an emergency or fire situation. Are we including that notation on this if this is approved?

MR. DALTON: Mr. Chair, Commissioner Anaya, no, because that only pertains to properties that cross floodplains or have a floodplain crossing on their property.

COMMISSIONER ANAYA: Because it's an arroyo – going back to some of the other cases, are we only doing that if it's a designated floodplain? If it's an arroyo but not necessarily designated a floodplain? You're saying we're not doing that anymore?

MR. DALTON: Mr. Chair, Commissioner Anaya, if it is within – if it does cross a FEMA-designated special flood hazard area that is required within the ordinance to put that language in as a condition of approval, or on the plat, regarding emergency vehicles that may not get on that property at certain times in inclement weather. So that only pertains to properties that are actually crossing floodplains or have a floodplain on their property.

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

CHAIR MAYFIELD: Thank you, Mr. Dalton. You have some staff conditions or recommendations also?

MR. DALTON: Yes, Mr. Chair, thank you. Staff recommendation: Approval of the removal of plat note that requires roadway improvements on Lots 2-A-1 and 2-A-2 prior to development of the property subject to the following conditions. Mr. Chair, may I enter those into the record?

CHAIR MAYFIELD: Please, and if you'd read them in I'd appreciate that.

MR. DALTON:

1. The applicant shall refile the family transfer land division plat for Sharon Thams Carter of Tract C, Lot 2-A without note #15 with the County Clerk's Office as per Article V, Subsection 5.7.3.
2. The applicant shall comply with all fire prevention requirements at time of development permit application, and that's as per 1997 Fire Code and 1997 Life Safety Code.

Thank you.

CHAIR MAYFIELD: Thank you, Commissioners. Mr. Dalton, I'm going to ask one quick question also of staff before I move to the public hearing portion. So this property is located at 67 Camino San Marcos. That is a County road or a private road?

MR. DALTON: Mr. Chair, that is a private road.

CHAIR MAYFIELD: Okay. But it's off of Gold Mine Road, County Road 55.

MR. DALTON: Correct.

CHAIR MAYFIELD: So my question to staff is is all-weather access provided on all portions of Goldmine Road? County Road 55?

MR. DALTON: Mr. Chair, I can't answer that question. I know there are some low-water crossings on County Road 55.

CHAIR MAYFIELD: Are they all-weather?

MR. DALTON: There's, I believe, a dip section on County Road 55, right at the beginning, and Camino San Marcos, all the drainage crossings have culverts that are adequately sized. This is the only section on Camino San Marcos that has this issue without culverts place on the road.

CHAIR MAYFIELD: Thank you. Do we have the applicant here tonight?

MR. SOMMER: Mr. Chair, my name is Karl Sommer and you have my address from previously, and I'm here on behalf of Mr. Wagner who is here with me. He is the applicant. We'll stand for any questions and I think that the staff conditions are reasonable and we accept them.

CHAIR MAYFIELD: Thank you, Mr. Sommer and thank you, applicant. This is a public hearing. Are there any members from the public that wish to comment on this case? Seeing none, this portion of the public hearing is closed.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: I move for approval.

COMMISSIONER HOLIAN: Second. With staff conditions?

COMMISSIONER ANAYA: Of course, Commissioner Holian. Yes, with staff conditions.

CHAIR MAYFIELD: Thank you, Commissioners. There's a motion and a second on the floor. Again, I will just bring this up, because I bring it up all the time with the Sustainable Land Development Code and everything else. We put conditions of all-weather crossings on every applicant. Some times it comes in front of this Commission and yet we don't have all-weather crossings on the County roads that are accessing their properties. So I just wish, Commissioners, that that could be something looked at and considered by staff and our Fire Department. I'm just saying that I believe I've been a big proponent of the County needs to lead by example and if we put these conditions on staff that we need to abide by ourselves on our County roads.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I happen to know this road quite well. Commissioner Javier Gonzalez first had it chip-sealed and then Senator Phil Griego had it paved in two different five-mile sections, so it's in pretty good condition.

CHAIR MAYFIELD: I'm sure. And this was just more of a blanket statement for all roads in the county. You've heard me say that many times. We have a motion and a second on the floor.

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

7.     b.     **Ordinances**

1.     **An Ordinance Establishing a Living Wage within Santa Fe County; Specifying Employers Subject to the Living Wage; Making Findings as to the Necessity of a Living Wage; Establishing a Prohibition on Retaliation for Reporting Violations of the Living Wage; Providing for Remedies and Penalties; Specifying Enforcement Officers; Providing the Process to Be Employed Upon Complaints of Violation; Establishing Severability; and Providing an Effective Date. Second Public Hearing and Possible Action**

CHAIR MAYFIELD: There will be no action taken tonight as was stated earlier. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. We have had – this is our second public hearing. We have amended the proposed bill two or three times now. There are some amendments that are made public. There will be more amendments to be discussed in the future. The other co-sponsor has a vested interest in certain portions of this bill and since he's away on a family medical emergency that is why we're postponing the votes, but we'd be interested in hearing anything new that the public would like to share with us.

CHAIR MAYFIELD: Commissioners, yes, and I would suggest, if you don't mind just so if the public needs to comment on any proposed amendments that we would go

to our amendments first. Steve, our Attorney is out of here right now. Steve, do you mind coming in?

COMMISSIONER STEFANICS: Mr. Chair, even if you discuss amendments you're going to have to rediscuss them next time because the co-sponsor will need to rehear them.

CHAIR MAYFIELD: And that's fine, Commissioner. I have no problem bringing them up but I do want to bring up the amendments that I would be proposing on this, and I just wanted to bring them forward in case the public wanted to comment on them also. [Exhibit 6] Seeing that our County Attorney's not in here and I don't know if I get to move to that portion of the public hearing right away I would entertain if any Commissioner wants to put their proposal of amendments to the County ordinance. Mr. Ross, my question was we are on a public hearing on the Living Wage Ordinance. There may be some proposed amendments by some Commissioners to be discussed tonight or at a later date and I would just ask if any Commissioners had any that they would like to discuss tonight, that we could do that prior to the public hearing so that the public may comment on those proposed amendments also.

MR. ROSS: Good idea.

CHAIR MAYFIELD: Is that okay? Thank you. Commissioners, I'll defer to anybody who might have a proposed amendment. That's all right. Take your time, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have – there's a version of the ordinance in here with the two amendments that I proposed. The first one brings the living wage, what we call the living wage, as defined in this ordinance to be identical to the City's living wage. And the second amendment sets the base wage, that is the wage that is paid to employees who get tips, at 60 percent of the living wage. And so these two are in Sections 4.a and b.

CHAIR MAYFIELD: Thank you, Commissioner. I don't know if there's any discussion from the Commission on this. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think that the only comment I would have is on the living wage, to set it with the City's, as long as we're clear about the timing, I think that would be fine. And then on the base wage, it has a dollar amount versus a percentage. And I can't speak for Commissioner Chavez but I'm wondering if that would present a problem in the future to have a specific dollar amount versus a percentage.

COMMISSIONER HOLIAN: Commissioner Stefanics, here it actually has a percentage. It says, An employee who customarily and regularly received more than \$30 a month in tips shall be paid at least a base wage equivalent to 60 percent of the living wage. Initially, the base wage rate shall be \$6.31. The wage will increase simultaneous with each living wage increase. So it is set at a percentage.

COMMISSIONER STEFANICS: Okay. So Mr. Chair, Commissioner, the reason I want to just be a little careful is that if we do not vote on this till February 25<sup>th</sup>, and we take – Steve, correct me if I'm wrong – 30 days to implement, then we will have gone past the March 1<sup>st</sup> date that the City has, and in fact this ordinance says 60 days. That this ordinance would become effective in 60 days. So whether we keep it at 60 days on the last

page, or we change it to 30 days it would still be after the March 1<sup>st</sup>. So I just want to make sure that we don't need any other cleanup on language. So Rachel, could you comment on that?

RACHEL BROWN (Deputy County Attorney): Mr. Chair, Commissioner Stefanics, depending on when the ordinance is adopted I can adjust the language mirroring the City's living wage so that our implementation adopts the same amount. The language can be adjusted.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. There was one other question I had and I think I mentioned to the sponsor. The issue of looking at the value of health benefits. Have you had any time to look into that, Ms. Brown?

MS. BROWN: The language related to the health benefits will also be clarified so that it's clear that we're talking about the employer's contribution to those expenses as opposed to what the employee pays and will ensure that any contributions made don't reduce the hourly wage to less than what the state or federal hourly wage requirement is. So that we don't come into conflict with those. To the extent that that might conflict with any federal laws, I haven't had an opportunity to evaluate that yet.

COMMISSIONER STEFANICS: Okay, so Mr. Chair and Ms. Brown or Steve, the other issue is if we look at health benefits under the base wage but not under the other category, is there some – I just think that is another question in my mind because I don't know – since the federal government is requiring employers, either now or in the future to cover employees' health benefits, whether or not their wage is penalized. That's all I'm asking. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Holian? Thank you. Hearing Commissioner Anaya will bring his amendments at the next meeting, I don't know if Commissioner Stefanics has amendments I'm going to just put forth the ones that I've suggested. And honestly, Commissioner Holian and I were thinking a lot alike. So I am on – I don't know what page it is but Section 4, Living wage payment requirements, B, I have it a little different than Commissioner Holian but very similar. So what I'm asking that – and I'm just going to read it in of what I'm asking. So an employee who customarily and regularly receives more than \$30 a month in tips shall be paid at least a base wage – this is new language that I'm inserting – equivalent to 60 percent of the living wage. Initially, the base wage rates shall be \$6.30. This wage will increase simultaneously with each living wage increase. So that is one that I am putting forth.

And then I am striking that last paragraph on the bottom beginning January 1, 2015 and each January – you can see my comments in there as far as – okay, Commissioner Holian struck that similarly in hers. So, Commissioners, that's one amendment that I would like for consideration.

The second amendment that I would like for consideration, Commissioners and I have it in here at the podium and I'll pass them out to each of you. *[Exhibit 6]* If I don't have enough I'll make copies. Let's see where we're at here. It's under the Apprentice in a registered apprentice program. Let me just find out what page that is under. Ms. Brown, what page is that on on the actual Living Wage Ordinance? So here we are. We're under Section 2, Applicability and under Section F.3. I have inserted some new language and I'm just going to read as I have it stated, Commissioners. I have: Apprentices in a registered apprentice



program recognized by the State of New Mexico Apprenticeship and Training Committee, or the Federal Bureau of Apprenticeship and Training – this is new inserted language – as well as apprentices participating in apprenticeship programs providing significant instructional and practical experience in lieu of the living wage and offered by a 501(c)(3). And then there's some strict language. Apprentices are those bound to serve another for a specific time in order to learn some art, trade, profession or business – I'm asking to strike "and must qualify under an apprentice under federal or state-approved apprentice program."

And then Commissioners, just for discussion, this is kind of one that I'm just looking at now, but under Section 2 under Applicability, under C, we have – this is the language as stated. As of the effective date of this ordinance contracts entered into by Santa Fe County government for services including construction services shall require that the contractor to pay a living wage established by this ordinance. If the total contract amount of the contract is or by way of amendment it becomes equal to or greater than \$30,000. And I'm just asking that we would strike from – let's see where I'm asking to strike it. After ordinance. Strike the rest. If the total contract of this contract is or by way of this amendment becomes greater than \$30,000. And if Ms. Brown suggested I needed some added language I will take that recommendation from her.

So those are what I'm proposing to the Living Wage Ordinance and if the public could comment on those I'd appreciate that tonight. And with that, Commissioners, seeing no other – yes, Commissioner Anaya, please.

COMMISSIONER ANAYA: Ms. Brown, if you could answer this. We had a conversation earlier. Right now, as it stands with the current federal wage for tipped workers, the owners are responsible for paying up to the minimum wage by law. Correct? If they don't get enough tips, by law they're required to pay the difference? Is that correct?

MS. BROWN: That's correct, Commissioner.

COMMISSIONER ANAYA: And so the intent of the changes in our ordinance is to mirror that requirement? Is to have the base rate go up and then whatever the ultimate minimum living wage becomes, the difference would be covered, similar to the current law, federal or state law?

MS. BROWN: Mr. Chair, Commissioner Anaya, the way the ordinance that was proposed is drafted the employer would make up the difference between the base rate and tips earned and the living wage that we're imposing.

COMMISSIONER ANAYA: Yes. The other thing I wanted to ask, and I don't know if you can answer this or somebody in the audience would want to answer it, but there's been some discussion with business owners that I've had associated with not individuals that don't make a living wage but individuals that make tipped wages and make a very good living, and how the base rate might impact their overall business expense, not on individuals not making a living wage but we're talking about some of the wait staff that make a very good living as waiters. Does anyone want to comment on the business impact that might have on the base rate increase? If you know what I'm asking? And if nobody can answer tonight I'm definitely going to do some more research and feedback. So not taking about those that aren't making the living wage, but I'm talking about those tipped workers that make a very good wage as professional wait staff in the city. So does anybody want to comment on that? I'm not talking about people trying to make a living wage. I'm talking about the higher end

that the business impact might be on the base rate increase. Because as I understand it, correct me if I'm wrong, if somebody made \$40,000 a year, let's just say. Let's say they're an individual and they're a tipped worker and they make \$40,000 a year, they would now get the additional increase of the base rate on top of that income if we pass the ordinance, which is good for them but – is that correct, Ms. Brown? If you could just comment.

MS. BROWN: Mr. Chair, Commissioner Anaya, that is correct. The employee would get the benefit of the additional dollars that are a component of the base rate.

COMMISSIONER ANAYA: Right. And they're not necessarily falling in the bracket of a living wage, individuals that we're trying to help that are not getting a living wage. So I think that's a variable I want to put on the record. I would like to hear some feedback from somebody who wants to comment here or if somebody else wants to contact me by phone or email, to comment on that piece. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. Thank you, Ms. Brown for all your work on this also. We're going to move to the portion of the public hearing, but just by a show of hands, how many folks are looking to comment tonight on the Living Wage Ordinance? Great. Okay. So let's just open up this portion of the public hearing. If you all come on up and state your name for the record, slow and clear. Also if we have any interpreters here tonight, if they could also state their name. Whoever comes up first, please.

BOB SAMUEL: Name and address, is that what you'd like?

CHAIR MAYFIELD: Sure. Just name.

MR. SAMUEL: Robert Samuel.

CHAIR MAYFIELD: Mr. Samuel, please.

MR. SAMUEL: Good evening. My name is Bob Samuel. I live in the county, southeast portion of the county. I'm here to submit a short piece. I'd like to submit it in writing. [Exhibit 5] It actually is the editorial, very timely, from the *New York Times* from earlier this week, namely February 8<sup>th</sup> explaining what a higher minimum wage means to the American public and obviously to the people in Santa Fe County. I will summarize just a couple points in it, and I think they're critical. They take on some kind of false notions that a lot of people have put forth over the last 70 years since the first minimum wage was established in 1938.

In fact it says the results of the wage debate since then are clear. "Decades of research, facts and evidence show that the increase in the minimum wage is vital to the economic security of tens of millions of Americans and would be good for the weak economy." I think that's a pretty valuable statement coming from, again, one of the major newspapers in the United States, and this is their editorial comment. They then respond to three – I'm sorry – four quick questions and I'm going to summarize their responses. The first question is, what's the point of a minimum wage? And again, a summary – and I'm quoting. "The minimum wage is specifically intended to take aim at the inherent imbalance in power between employers and low-wage workers that can push wages down to poverty levels. When low wages rise poverty and inequality are reduced but that doesn't mean the minimum wage is a government program to provide welfare as critics sometimes imply in an attempt to link it to unpopular policies." That's point one.

Point two: Is there an alternative? And here's a really simple summation. "No", quoting from the *New York Times*. And the third one: How high should it be? Again, very

simple, one sentence. "There's no perfect way to set the minimum wage but the most important benchmarks, purchasing power, wage growth and productivity growth demonstrate that the current \$7.25 an hour wage – that's the federal minimum wage – is far too low." They also show that the proposed increase, again, of the national level of \$10.10 by 2016 is too modest.

And finally, the fourth and final question: Does the minimum wage kill jobs? One of the favorites. The answer: The minimum wage is one of the most thoroughly researched issues in economics. Studies in the last 20 years have been especially informative as economists have been able to compare states that raised wage above the federal level and those that have not. The weight of the evidence shows that increases in the minimum wage have lifted pay without hurting employment, a point that was driven home in a recent letter to Mr. Obama and congressional leaders signed by more than 600 economists, among them Nobel laureates and past presidents of the American Economics Association.

Their conclusion: Which brings the debate over raising the minimum wage full circle. The real argument against it is political, not economic. It also would help the economy by supporting consumer spending that in turn supports job growth. Ladies and gentlemen, Commissioners, I hope you will support a living wage for our economy, our youth, and everybody else that lives in the county. Thank you.

CHAIR MAYFIELD: Mr. Samuel, thank you, and if we could just have your comments that you handed right over here to the right please, and we'll get that original back to you if you need it. Thank you.

GLENN SMERAGE: Good evening. Glenn Smerage from Rancho Viejo. I am a long-standing proponent of living wage and I'm very pleased that this is now a current issue and highly potential new ordinance for this county. I'm furthermore pleased that you are trying to make the level of the living wage be compatible with the city's level and any future increments as well. Furthermore, I am pleased that this is written to treat all employees the same, irregardless of whether they're working for a small cap or a large cap company.

Regarding the wording of the ordinance, I'm generally pleased with how the original a week or two more ago was written. I don't have the benefit – I couldn't print a copy of that ordinance so I don't have the benefit to refer to it, but I think it's sections 4. A and B in particular I'd like to focus on a bit. In one of them, it's in reference to the tip-paid people. The words living wage are used mostly, but I think there's also a phrase, cash rate or something like that. Let's not use two different verbiages for the same thing. Let's consistently use wage rate and not bring in this cash rate or whatever it was, only one time in there. Let's keep the verbiages clean, clear as we can.

With respect to the amendments and I only read them this afternoon. I wasn't completely clear what was there, some of the lineage, where there was strike-out, underline and so forth. Anyway, I support going to the 60 percent level. I wouldn't mind it going even higher than that to be truthful. However, I would like not to see, and I implore you not to include consideration of healthcare and childcare. That would dilute your purpose in passing a Living Wage Ordinance. It would encumber that ordinance unnecessarily. What we need to do, particularly with healthcare in such a current state of flux is wait at least six months, more like one, two or three years before the County considers anything that it feels it needs to do

about healthcare or even childcare. Let's deal with this one thing, get it done, and get it done well.

The remainder of my comments mainly are a few principles that I kind of hold to on this matter. If a business has a task that it needs to be performed and needs to hire an employee to do that task, it should have to expect – it should expect of its own ethics, values and so forth, to provide that employee a reasonable living wage. If a business is unable to provide living wages to its employees we need to ask is that business marginal? Should that business cease to exist? I think business finally needs to realize, to recognize and to admit to the fact that if it is a successful business it isn't just the CEO, the president, the upper senior management of that business, small cap or large cap, that is the most important in the responsibility for that success. It is the worker. The worker underneath that glorified manager, and that worker should receive recognition by receiving a reasonable portion of the profit of that successful firm.

Too long society has subsidized business by giving aid to people that too many businesses keep in poverty by paying low wages with the minimum wage as being a support for them doing that. We need for businesses to take over more of this responsibility of reasonable, honest payment of people for an honest day of work, no matter of whether it's a menial task or a highly mental task. And society needs to get away from all these entitlements and making up for the weaknesses of business regarding employment and payment.

Finally, I want to say that \$10.50 we're talking about is really not a living wage. You, I, about anybody in this room would not want to try to live. It isn't a real life at \$10.50 an hour. A living wage in today's society is probably more like at least \$20 an hour and I would be inclined to even go above that if I look at what quality living consists of and what it means. So please don't be afraid. Mr. Anaya, I'd like to make a brief comment on your question regarding the tipping people. I don't think you should begrudge the tipping people who do a good job at their work and come away with \$30, \$40, \$80 a day, like so many other people in good paying jobs do. As far as their employer paying a few dollars more, again, we go back to my point that if that employer can't run that business well enough to pay the employee well and come away with a decent profit, maybe that business is too marginal and should cease to exist. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Smerage.

MICHAEL SCHAEFFER: Yes, I've been waiting a long time. My name is Michael Schaeffer and I live in the county.

COMMISSIONER ANAYA: If you guys could, I would like to know where you live so it's helps –

MR. SCHAEFFER: Okay. 119 Apache Canyon Trail, Santa Fe, New Mexico, 87505. I applaud this Commission for going in this direction. It's obviously that you're leaning towards approval. But I would like to just make a couple of comments and one is traveling this country and traveling the world, where there are low wages, there's extreme poverty. Where there's high wages, there's prosperity. Isn't that strange. If you go some place where people make a lot of money and there's just prosperity, just all over the place. You go, you travel from here to the west coast, you go across Indian country and it's just extreme poverty. Extreme poverty. All these rest stops with desperation on people's faces, looking to rob somebody, teenage prostitutes, you name it. Just horrible circumstances. Where I grew up

– I'm 72 years old. I grew up in prosperity in this country. There was high wages, and I'd like to see us move towards high wages again. Thank you very much.

CHAIR MAYFIELD: Thank you, Mr. Schaeffer.

RICH HIGGINS: Mr. Chair, Commissioners, my name is Rich Higgins. I live at 1353 Tano Ridge Road in Santa Fe, and I'm a board member of the Santa Fe Opera. And I would simply like to express our support for the ordinance as amended with the 501(c)(3) language and we very much appreciate that and look forward to this moving into our art, if you will, but also a business. Thank you.

CHAIR MAYFIELD: Mr. Higgins, no amendments have been approved; they've just been thrown out there for discussion right now. That will be acted on at probably our next meeting.

MR. HIGGINS: Thank you, Mr. Chair. I do understand that. I guess I'm indicating our support of that.

CHAIR MAYFIELD: Thank you, Mr. Higgins.

ELAINE VILLA: Good afternoon. My name is Elaine Villa. I'm here on a school night to show my support for the expansion of the living wage. I'm 15 years old and living wage affects everyone. I'm going to join the working force in the future. It's important for everyone to earn the living wage. I have friends and family that would be very deeply impacted by this ordinance. I live in Santa Fe in the city. It shouldn't matter if you live in the city or in the county. Everyone deserves equal pay. Looking into the future I hope the working force continues to be valued. I think it's time for all Santa Fe County workers to earn a living wage. I hope the working force continues to be valued and wage cost keeps going up like the cost of living. Thank you.

JARED AMES: I'm Jared Ames. I'm the state director for Working America, and we have about 4,000 Working America members in the county in Santa Fe and 1,000 real Working America members who are people who work in the film industry and I'm talking on behalf of them as well as many people who came here this evening who intended to speak but because of the late hour had to leave. I'm requesting to read some of their statements now for the record.

All workers deserve a living wage for decency, morality and to begin to narrow the income gap. Yes for living wage. –Jeff Haas, Santa Fe.

I support raising the minimum wage so that workers can support themselves and their families with dignity. Why should minimum wage earners be held down financially? Benefits of raising the minimum wage are 1) They will spend money to help our overall local economy. 2) They won't have to be on social welfare programs but can pay for basic necessities like food. It's the right thing to do. Vote to increase the minimum wage. Thank you. –Dennis Johnson.

Unfortunately, this one I'm unable to read because of the handwriting but I will read a sentence on here. Historically the increase in minimum wage has increased growth. And my colleague Pam has a few more statements from people that were here earlier.

CHAIR MAYFIELD: Mr. Ames, thank you.

PAMELA RESENDIZ: Good evening, County Commissioners. I also am requesting to read some of the statements that were made by some of our previous members that were here earlier tonight but unfortunately had to leave due to the fact that the hearing

was delayed. As Jared mentioned we have a lot of members that are part of Working America. We have about 4,000 in Santa Fe County and 1,000 that are part of the Reel Working America project which focuses on helping film workers to create a space where they can advocate and well as vocalize issues that pertain to them in the film industry. The following statement that I'm going to read is from someone that's in the film worker industry.

Hello, my name is Hazel Baca and I'm part of Reel Working America. As a film worker I will be directly impacted by the minimum wage increase in New Mexico as a lot of the movie studios are actually located in the county. New Mexico has a long-standing tradition of supporting her people and vice versa, so I please ask you to support us and keep this tradition alive as it will impact the whole identity of New Mexico.

This one is by Jeff E. Green. I used to live in rural Santa Fe County, Santa Cruz, New Mexico, for over a year and I moved into the city of Santa Fe in large part because of the greater opportunities in the city, including the living wage. I am 34 years old. Economic flight away from Santa Fe County's rural areas is a big problem, especially for the younger generations. Establishing the living wage throughout the county will be a small but significant step towards improving the economy for young people and working families. This is essential if we're going to reverse the population of rural communities for young people like me who are part of New Mexico's rural heritage and tradition but find it too hard to survive outside of the city in the current economic reality.

Establishing a living wage is necessary to ensure that the long-term economic health in Santa Fe County rural communities continues.

This next statement is by Maria Ignazi of Santa Fe 87505. The living wage is about dignity. It is about honoring people for their work. We are better off when we are all better off. Please pass the living wage throughout Santa Fe County to support a healthier Santa Fe.

The next statement is by Susan Duncan of 6 Oso Court, Santa Fe, 87506. Please pass a living wage for the county. Santa Fe County should certainly pay workers the same as the city. No one can live on the current state wage. If we pay our workers a decent wage they will have money to spend and that will help all of our businesses and stimulate the economy.

And the last one is by Richard and Ann Alexander. To the Santa Fe County Commissioners: We strongly support raising the minimum wage in Santa Fe County to match that inside the City of Santa Fe with a provision for annual cost of living adjustments to match those in the City ordinance. Anyone who works a full-time job, no matter their age, gender or nature of the work should be paid enough to live without having to depend on public or private charity. Employers who pay less than a living wage are depending on the rest of us to pick up the slack. Opponents of the City living wage had argued that businesses would close and that people would be thrown out of work as a result but in fact the economy has been healthier than that of other areas in the state that have the minimum wage.

The real value for the living wage is important for the current state as well as for the City of Santa Fe. It is time to correct that unfairness.

And I actually have another one. Hello. My name is Nadia Sandoval and I am speaking on behalf of all workers 18 and younger regarding the living wage. I was here but unfortunately could not stay since I had to actually leave to go to work. All I have to say is that as of right now, the living wage in the county is not enough to live off for many teens in

Santa Fe and provide for themselves. I hope to have your support on raising the living wage in Santa Fe County. Thank you.

And this is the overall statements that we're getting from our members, from Reel Working America that support the living wage.

And I actually have another one. This one is from Colleen Holmes and says I have a job as a busser. I get paid the living wage and I need money to pay for school, rent, food, dates, skiing, going to the gym and just basically daily activities that every New Mexican should have. Thank you.

LORENZO RAMIREZ: Good evening, Commissioners. My name is Lorenzo Ramirez.

ALMA CASTRO: And my name is Alma Castro and I'll be interpreting today.

MR. RAMIREZ: My name is Lorenzo Ramirez and I'm a member of the United Workers of Somos un Pueblo Unido. I live at #17-A Paseo de San Antonio, Santa Fe, New Mexico. 87507.

GLADYS JUAREZ: [As translated by Ms. Castro] Good evening. My name is Gladys Juarez and I'm a member of the workers committee of Somos un Pueblo Unido and if everybody in the workers' committee could stand. We primarily give information and help workers organize in the work site. We're here to ask you to support the proposal to raise the living wage in the County of Santa Fe that will help a lot of working families that live and work in the county, but who live and pay the high cost of living in the City of Santa Fe. We believe that the vast majority of employers are going to comply with the living wage but we do have a current anti-wage-theft campaign at the workers center, which we started in 2009. Again we ask for your support to raise the living wage in the County of Santa Fe. Thank you very much.

CHAIR MAYFIELD: Thank you.

MARIO ENRIQUEZ: [As translated by Ms. Castro] Good evening, Commissioners. My name is Mario Enriquez. I'm a volunteer of Somos un Pueblo Unido. I'm here to let you know how important it really is for the workers in the County of Santa Fe to get this raise. This raise of \$2 is going to help working families with children be able to be in a better position and not have to struggle as much. The cost of living is going up gasoline, for food and for many other things that we need for everyday life. I used to work at the Hilton that's at the Buffalo Thunder and I, because I work for the company, did get \$10 an hour but there's a lot of companies that are subcontracted at these casinos where people are paid a lot less than the living wage. And we really do see this as part of a campaign to help the immigrant community reach an equality and have justice across the board. Thank you very much.

CHAIR MAYFIELD: If you all will stay for a second I have a question for our County Attorney pertaining to this gentleman's - Mr. Enriquez' question. Steve, what will the applicability be on sovereign lands? We have had many issues. Like there's other companies working, say, for Buffalo Thunder.

MR. ROSS: Mr. Chair, I'll have to think about that a little bit. Give me a couple minutes.



CHAIR MAYFIELD: Okay. It can be in the next two weeks, that's fine for an answer. Thank you. Seeing nobody else standing up does anybody else to come up? Seeing none, this portion of the public hearing is closed. Commissioners. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I just want to thank everyone who came today, who talked and who were here to support others. We are taking this under serious consideration and we hope to move at our next meeting on everybody's amendments. So really, thank you for staying involved.

CHAIR MAYFIELD: Thank you, all. Sir.

MR. AMES: So I just wanted to clarify, so that next meeting's going to be on February 25<sup>th</sup>, and is it going to be also at 6:00 pm?

CHAIR MAYFIELD: Commissioners, I think we're looking at February 25<sup>th</sup> for our next hearing on this.

COMMISSIONER STEFANICS: Mr. Chair, since we've had our two public hearings, I would really like to have this discussion and vote earlier in the day so that – I understand some people might be working but we've heard from the public and we're ready to vote. We just want to make sure all of our colleagues are here, so I would request that it be earlier in the agenda.

CHAIR MAYFIELD: I have no problem with that, Commissioners. So staff, if we can have this moved up to an earlier item on our agenda for the 25<sup>th</sup>, I think it would be much appreciated by the Commission.

COMMISSIONER ANAYA: So Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: So we start the meeting at 1:00 and we have other items that will be heard but I think the consensus might be, Commissioner Stefanics, might we put it closer to the beginning of the meeting just to let the public know it could be closer to 2:00 probably and let them know?

COMMISSIONER STEFANICS: I think that's a great idea.

CHAIR MAYFIELD: Thank you.

MR. SMERAGE: I think there's some difference in the amendments. Could we have a – could you resolve your amendments which seem to have a variance among them and have a good final statement of this proposed ordinance? I'm not saying there won't be new additional amendments that day but I think it's not too broad a think to where you are right now.

CHAIR MAYFIELD: Thank you, Mr. Smerage. Commissioners, we still have I guess one or two items to do on our agenda, and thank you all so much for being here tonight. It was a very important matter. So, Commissioners, we're going to go back to Matters from our County Manager and we were going to have a legislative update. But I am going to ask for a five-minute break because I definitely need one. Otherwise we're going to lose a quorum.

[The Commission recessed from 9:45 to 9:55.]

5. c. **Matters From the County Manager**
  2. **Legislative Update** [Exhibit 7]

**i. Legislation**  
**ii. Discussion and Possible Action by the Board of County Commissioners in Support of or Opposition to Legislation Under Consideration by the New Mexico 2014 Legislature**

CHAIR MAYFIELD: Commissioners, thank you for that quick break. We will be going back to our agenda. Manager Miller, I know we have handouts on the legislative updates.

MS. MILLER: Mr. Chair, Commissioners, I think we talked quite a bit earlier about the things going on legislatively. I won't go through all the stuff that happened at the Association of Counties. I think what I'd like to do is just give you an update of what has happened this evening on the sole community or the Safety Care Net Pool. There was a committee substitute put in in place of Senate Bills 268 and 314 and a Senate Finance Committee substitute for Senate Bill 368. So the three bills that have been in discussion, there was a committee substitute and in short order, what it did is it actually said the counties would have authorization, in addition to the second one-eighth and third one-eighth that we currently have authorization to do for healthcare it would provide for another 1/12, a 1/12 increment that could be enacted any time up to June 30, 2019. And that would be similar to the second 1/8 or third 1/8 used for indigent purposes or healthcare purposes or general revenues.

And so they're authorizing that in accordance with the way that we can do the second 1/8 or third 1/8 and it would not require a referendum. And then, further back in the legislation it says that counties would then dedicate 1/12, the equivalent of 1/12 for five years, July 1, 2014 through June 30, 2019, would dedicate an amount of 1/12 of one percent to the Safety Net Care Pool, and so basically there is authorization in there to dedicate 1/12 to the state and to enact up to 1/12 for a five-year period.

It also had provisions in there that reduced requirements under the Indigent Care Act from shall to may that counties may do all the things that are currently required in the act. So that was one of the things that we'd advocated for. The sunset – the Association of Counties had asked for no more than 1/12 today and the sunset in five years and the authorization to be able to put a tax in place up to 1/12 in order to cover what the state would be requiring.

But they added – they also put in reporting requirements. HSD would have to provide annual reports to each county and each qualifying hospital and prove [inaudible] payments from the Safety Net Care Pool. So it also would not be combining these funds with the HSD state Medicaid program. So they would be separate. They would require reporting, and it would be up to 1/12. What [inaudible] in this committee when it was introduced and from what I can tell from staff that was there is that they actually added the hold-harmless provisions that were in Jason Harper's bill.

So all along HSD and LFC staff that have been working with the Association of Counties when we said it's been difficult to address this issue of raising taxes or taking taxes while you have this other hold-harmless issue on the table, they said please do not talk about the two issues together and the two are completely separate, that would involve a substitute bill to put them together.

So I think what Public Affairs – and what that provision says in – it's identical to what is in Harper's bill, and it essentially say that instead of the three 1/8s counties would only be allotted 3/16 and it actually diminishes the time you'd be able to impose them. So my understanding, what happened at the committee hearing, they did hear the bill, they talked about it and then actually questioned why that was in there, didn't want it mixed in there and have directed the bill drafter to go back and draft the bill without that in there and bring it back tomorrow evening to the committee to be heard.

CHAIR MAYFIELD: Thank you, Manager Miller. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Ms. Miller, does the state legislature have the statutory authority to impose their own increment on gross receipts to cover the sole community provider program with no referendum?

MS. MILLER: Mr. Chair, Commissioner, yes, they could actually enact a gross receipts tax increment of their own.

COMMISSIONER ANAYA: And we can only enact increments based on statutory and what they allow us to, and that's it. We have clear, well defined parameters as to what we can and can't do.

MS. MILLER: Mr. Chair, Commissioner Anaya, yes, that is correct. We are authorized particular increments and for specific purposes.

COMMISSIONER ANAYA: And so this proposal, and I'm going to go back to what I said earlier, would pass on our taxing authority that we had previously, would essentially take away the resources from that, and then they would graciously give us the opportunity to impose another tax on the constituents and the citizens of Santa Fe County.

MS. MILLER: Mr. Chair, Commissioner Anaya, you are hitting the nail on the head. Rather than the state imposing the tax they are saying you must dedicate an equivalent of that amount of tax within your boundaries and give it to us, the state, and for this program, much in the same way they've already done with the 1/16 state approved Medicaid. That was done – I want to say six or seven years ago, and then allow counties – give counties authorization to impose a tax to replace that tax.

COMMISSIONER ANAYA: So we'll pass on our tax and then Commissioners, you go ahead and take on the heat and concerns of the citizens for a new tax.

MS. MILLER: Mr. Chair, Commissioner Anaya, it would be that or you at the local level cut the services that you were providing with revenue that you had been dedicating to those services that you now have to dedicate to the state.

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

CHAIR MAYFIELD: Manager Miller, as far as some of the reporting requirements – I'm trying to go through the bill now, are hospitals required now? Are they just going to report through HSD or are they going to let us know what they're spending this money on?

MS. MILLER: Mr. Chair, currently under the – and right now, kind of everything is in flux, but let's say under the previous program the state did not require any reporting to the counties as to what they were spending the county match and federal match on. We made a commitment to make a match. We sent that to the state. The state matched that with federal funds and sent a check on a quarterly basis to the hospital of which there was no required reporting. What Santa Fe County did so was require indigent claims be

processed to at least substantiate that portion of that funding that we could identify went for indigent patients, which is what its primary purpose was.

CHAIR MAYFIELD: Commissioners, is that all you had? Okay, I'm just going to go – Manager Miller, on page 24, line 6.

MS. MILLER: Of the bill?

CHAIR MAYFIELD: Yes, of the new bill, the merged bill. County-administrative expenses associated with fund expenditures authorizing paragraphs 1 through 4 of the section. So just help me with some of our administrative expenses that we can pass through.

MS. MILLER: Mr. Chair, what I believe this section – so this is – the part of this section, what has been in statute is basically our indigent fund has been used to pay for the sole community provider, so they've taken that out and they've added – and then they've changed some of the things that we'd be able to – and they renamed the fund. As you can see they scratched out county indigent hospital claims and have changed this to healthcare assistance fund. And we'd be still pay for burial expenses or cremation of indigent patients, but what it does is actually take out requirements to pay for – it takes out requirements and shall pay for things and says that counties may pay for things.

So essentially what this – and then the administrative costs associated with those things that are still left in here. What I think what they're trying to do with this provision is actually two things. One is that instead of shall paying all indigent claims which we have had to do statutorily in the past; it says shall, to hospitals, saying you may use funds to pay for these things that are now not crossed out or things that have been added. So it leaves that discretion to the County and can cover the administrative costs of doing those things.

CHAIR MAYFIELD: Okay. And then on page 23, as you just alluded to, but – excuse me, Just try to find it here. County healthcare assistance – I'm on line 10. County healthcare assistance fund authorizes use of the fund, and then the fund may be used to pay for expenses of burial, cremation of indigent patients. And then on line 2 is ambulance, transportation, hospital care, healthcare for indigent patients, all or a portion of the monthly premiums of health insurance policies for indigent patients, and then four. So here's my point. Are we going to get matching dollars on that also?

MS. MILLER: Mr. Chair, no. These things are currently things we do not get matching funds for and this was added that we could do with the funds that we do have left. So let's just say for instance, if Santa Fe County chose – if this failed to pass and the County did not want to enact any additional tax. Let's just say we chose out of our current indigent fund of \$4.1 million to send 1/12, that would be 3/4 of what we currently get. So we would send, say, \$3 million over to the state and have \$1 million left. What this says is what we could then spend that \$1 million on instead of shall pay indigent hospital claims, which is one of our issues that anyone who wasn't Medicaid-eligible in essence, we would still have that requirement to pay and we said, if you're taking our money don't force us to still pay.

So now it leaves it as optional, and it actually expands some of the things. It takes hospitals out of the mix and then added some provisions to be able to make – you could set up a program, for instance for doing co-payments and deductibles incurred by indigent patients that might be insured by one of the health insurance programs but has large

deductibles or co-payments. So it actually gives a little more flexibility with the funds that we would have left and would reduce the requirements.

So these were some of the things that were actually asked for, that if the state was going to take 1/16, say half of the fund, these were some of the things that we had asked for that would allow some flexibility on what's left and not require us to make indigent claim payments.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Thank you, Manager Miller. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Ms. Miller, are you aware of any county commissions in the state that appoint members to the board of directors of hospitals in the state? Does Doña Ana County appoint members to the board of directors for their hospital? Or Commissioner Stefanics?

COMMISSIONER STEFANICS: San Juan County owns their own hospital, so they are in that situation and County Commissioner Tony Atkinson, who has been retired as a County Commissioner for many years is on the board, and he was appointed by the county commission. I'm trying to think of some others. I think it has happened but they have a county interest in their facility. Valencia County will be getting ready to build. They won't own it but they are trying to negotiate a seat on the board. But as I said, San Juan owns their own hospital.

COMMISSIONER ANAYA: So, Mr. Chair, Commissioner Stefanics, I think Doña Ana County has an interest in one of the hospitals. I'm not positive. But the balance of the state is not managed by board members who are appointed by public entities and the safety net of our state would be needed if no one implemented additional taxes to cover healthcare costs. The trust would be put into the services and the care rendered by those hospitals. And I guess that of the state and ultimately we would, as a state, would be moving in a direction where the hospitals would get those matching dollars and the state, at the state level would have oversight and regulatory responsibilities if they so choose and what has historically been a locally funded effort through indigent would likely gravitate towards a more state-driven and private-driven care system.

MS. MILLER: Mr. Chair, Commissioner Anaya, this system that is in the Medicaid waiver and this pool of funds does cut counties out of a say in dollars to the local hospital. It basically says this is how much will go to the state, and the only way a hospital can access those funds leveraged by the federal funds, the Medicaid funds, is through a claim for either a patient who's Medicaid-eligible, or an uncompensated care pool that's set up by formula. So there is no longer that relationship between the County Commission and the hospital in what kind of services would be rendered in the community based upon sole community funds.

COMMISSIONER ANAYA: Mr. Chair, thank you, Ms. Miller. I think for us and for myself and I think probably my colleagues is as we progress there's going to be things that are going to be done, obviously, beyond our control. We've had some input into some of the discussions but any of the things are beyond our control and surely the role and the prerogative of the legislative body to do and take on. But as we progress and the decisions are made I think it is an obligation on our part as the County to clearly communicate to the public cause and effect of each of those decisions, who is responsible for those claims, how those

claims would be processed and the fact of the matter is that if we would not raise taxes or choose to raise taxes in this scenario that the state would now be taking on those obligations themselves or via the vehicle of their hospitals throughout the state of New Mexico. And I think from my purposes I want to make sure we clearly communicate to the public what exists and what has progressed to potentially change or what I would say is regress to change.

But I appreciate the work and keep bringing back input and feedback to us but I am concerned where we're headed and I'm concerned that the responsibilities that we've had as counties directly in contact with people and directly in contact with indigent people is in my mind getting lost in the shuffle.

MS. MILLER: And Mr. Chair, Commissioner Anaya, I would like to point out that only those services provided by hospitals for the state will be taking on. They're actually not going to, although they're taking the majority of the funding they will not take on these other services that Commissioner Mayfield pointed out on page 22 and 24. Those are still left for counties to optionally do.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. You might want to pass along, since this is still going to work its way through the process, we as well as several other counties have put on conditions on the hospitals that they cannot put liens on assets of indigent patients and we should probably have that as a recommendation to put into these claims. The second thing is I thought there was a section in the bill – you'll have to look at it – that says claims are still coming to the County, and I think that we won't be having those claims anymore. So you might just want to check that one section, because I read through it really quickly. Thanks.

CHAIR MAYFIELD: Thank you, Commissioners. And Katherine, also, I guess two questions from me. One, Section 24, there's an emergency clause in this so if this is enacted we're prepared to act on that immediately? An emergency clause that goes into effect 30 days after if it is signed?

MS. MILLER: Mr. Chair, yes. And what that basically says is if that does happen then immediately, July 1 – and I would venture to say the reason that they put the emergency clause it means we have to start turning over the equivalent, if this bill were to go through, we'd have to start turning over the equivalent of 1/12 in quarterly payments to the state, whether or not this Board chose to enact any of the additional taxing increments.

CHAIR MAYFIELD: Thank you. Manager Miller, I see there's not a sunset in this bill. Correct?

MS. MILLER: Mr. Chair, there is a sunset on the 1/12 provision. So there's not a sunset on the overall act. Much of this is the Indigent Care Act that we already have but on the provision of the 1/12 being directed to the state, there's a five-year timeframe and the tax, dedicated to that. The reason being is that the CMS, the Medicaid waiver that this is all predicated on is a five-year waiver.

CHAIR MAYFIELD: And on that note, now that you've said that, we may do it instead of shall, because as I see this we have no idea what the federal government is going to be doing three years from now or maybe next year. So if we're still obligated to fund this, and there's no match money coming if that match fund law changes, will the legislature open this up and start taking, say, more money from us?

MS. MILLER: And, Mr. Chair, you bring up a good point. What the Association of Counties actually proposed was a one-year 1/16. The legislators that were dealing with the Association on this said no way are we going to come back here in one year. So they didn't want a sunset on it at all. The five-year timeframe came about to tie it to the actual waiver. And so I think that was one of the compromises at least that you would get looked at that again as to, do you change the program? What's the status of the federal funding? What's the states' whole Medicaid program at that time.

CHAIR MAYFIELD: Well, and on that note, the states' putting in \$10, they could pull that \$10 million I guess out of the general fund. But next year, if the feds change it they might need to fund that additional match \$20 million. And where are they going to pull that from? The general fund or are we going to see some more of our services taken away? I'm just throwing that out there.

MS. MILLER: Mr. Chair, it's a good point. It's one of the conversations that came up with the Association of Counties. Several people said who knows how long the federal funding is going to continue at the level that it's there and then what will the cost be and what will be the state's response and what will they direct the counties to pay.

CHAIR MAYFIELD: And then on that note, let's look at the opposite. Say the federal match comes out to be a lot higher. Are they going to take a reprieve on us? If they're doing, say, a five to one match or now a seven to one match from the federals? I don't know, if they come up with those dollars?

MS. MILLER: Mr. Chair, I think that was also the intent of keeping it as its own pool, rather than like our – the county-funded state-supported Medicaid, the 1/16. We have no idea where that goes and whether it's more or less every year in the way of services that were anticipated at the time. It was directed to the state. The efforts of the Association of Counties to make sure that this was separated out and it's a pool, we would know the expenditures that are hitting that pool and the revenues coming in.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics or Ms. Miller, did we ever ask the legislators specifically, or our own delegation if they would impose an increment for indigent care? Not for the safety net, but a specific increment coming from the state for indigent care? Have we asked that question? Did somebody ask John Arthur Smith or Michael Sanchez or one of the leadership if they would impose a tax and pass it back for indigent care?

MS. MILLER: Mr. Chair, Commissioner Anaya, actually, yes, that was one of the discussions in the meetings in October/November timeframe with HSD and LFC and the chief of staff as well as the director of LFC said there will be no new taxes imposed at the state level at all. And speaking candidly I said that you would like counties to impose those taxes.

COMMISSIONER ANAYA: Mr. Chair, I think if nothing more than a discussion that we should approach our own delegation. You're talking about Governor Martinez' chief of staff? Is that who we're talking about?

MS. MILLER: Mr. Chair, Commissioner Anaya, yes, and some of our delegation, as well as some of the leadership on the LFC staff that was advising the LFC on the proposals that were there.



COMMISSIONER STEFANICS: Mr. Chair, as of Sunday, in the Senate Public Affairs Committee, those Senators made it very clear that this was – that this could be done at the state level with the Governor signing a state tax bill but they knew that it was being passed on to the counties. As Manager Miller indicated, we did ask our legislators actually at the legislative dinner, some of them went on record saying, oh, we will not let this money be taken away from you and yet they're part of it.

CHAIR MAYFIELD: Commissioners, Katherine, thank you for the update. I don't think we're asking for any action on this right now. But I want to ask – I don't know if it's related or not question. What's the status of hold-harmless? [inaudible] getting hit on the other side.

MS. MILLER: It is related. It has been tabled and referred to a subcommittee or a committee, which typically means it's dead. So our belief is that's why it got inserted into this bill. Now, it may get taken out in Senate Public Affairs and get put back in in Senate Finance, but the Senate Public Affairs Committee that is actually hearing this, this particular substitute at the moment is not in support of having the two issues mixed. That was pretty much the direction this evening and that's why it did not get voted on, nor did it get passed out without a recommendation.

CHAIR MAYFIELD: But Manager Miller, that's the additional authority to do the taxation, right?

MS. MILLER: Mr. Chair, actually what it is is reducing the authority that already exists. In last year's Senate Bill 614 it was passed at the 11<sup>th</sup> hour and five minutes was actually authorize counties three one-eighths and if you look in here they've knocked it down to two or three 1/16s.

CHAIR MAYFIELD: With five-year sunset.

MS. MILLER: Yes, and the intent of it also is that at whatever level is enacted the equivalent amount of hold-harmless that we currently receive would be stripped away and stay in the state coffers. So right now, the way it works is that the hold-harmless distribution is reduced by six percent per year over 15, 16 years, and counties have the authority to impose up to three on-eighths. But it does not strip it away at the time that it's imposed currently and it would allow, say in Santa Fe County's situation, our hold-harmless across all funds and all our different gross receipts equates to about \$2.5 million, and one-eight equates to about \$4 million. So in order for us to be equivalent, if we put in 1/8 would be about where we'd be if the state stopped our entire hold-harmless distribution. Yet, we actually have the authority to impose three one-eighths which would be \$12 million. The state legislature when they did that did not realize what they had done and some municipalities and counties immediately went and imposed those increments and legislators felt like that was not the intent of the bill, so they said we're going to fix that this year. That's what Representative Harper's bill does. That's what this language was, so they tried inserting it in here because it – and I think, and one of the problems has been is that the two are related because if they're going to give authorization to impose more increments over here to counter the taking of the funds we're right back in the same issue of are you holding us harmless on this issue.

CHAIR MAYFIELD: Twice. Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Santa Fe County has taken the taxing authority that we've had. We've provided for offsets and matching dollars for the hospitals,

the sole community hospital, and then we've taken the balance of funds, we've funded it to indigent healthcare. We've also leveraged it to do mobile health vans and fund health clinics in Santa Fe County. We've done that in balance, and now we're going to be in a position where if this goes through and we don't any tax dollars then we're not going to be able to do the existing services that we did with the money we had in the first place. And the state is essentially saying the hospitals will be able to cover that safety net. So I think it's a wait and see and I'm not prepared to give or hand over if you will any more than we already have and I'm fully prepared to communicate with constituents and the public so that they're aware of how these changes could directly impact their care in Santa Fe County.

MS. MILLER: And Mr. Chair, Commissioner, that is correct. And I would like to say that I think it has really helped and whenever possible if we can talk to our legislators and if we are at the committees, because the hospitals were out in full force today at the Public Affairs Committee.

CHAIR MAYFIELD: And [inaudible] we're out there looking for a nurse right now, we don't even know if we can financially sustain that nurse, based on this emergency clause that's put here. So I mean, it might just be something you think of, Katherine, before the position is offered. Commissioners, thank you. Manager Miller, thank you. I think we probably don't want to hear any more legislative updates, gentlemen.

**8. Concluding Business**

**a. Announcements; b. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Holian declared this meeting adjourned at 10:25 p.m.

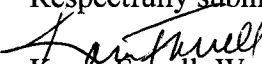
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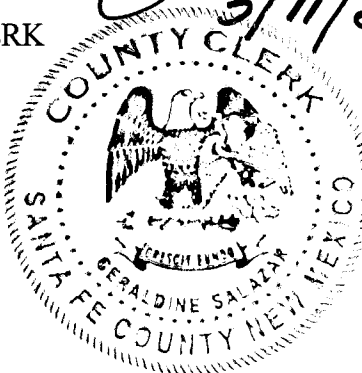
  
Board of County Commissioners  
Daniel W. Mayfield, Chair

ATTEST TO:

  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK

Respectfully submitted:

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





EDUCATE \* PROTECT \* PREVENT



# Santa Fe's

## 2<sup>nd</sup> Annual Million March Against Child Abuse

**End child abuse!**

**March with us**

**April 5<sup>th</sup>, 2014**

**10:00 a.m. – 1:00 p.m.**

**We will start the march from in front of State  
Capitol to the Plaza.**

**EVERY ONE IS WELCOME ~ kids too!!!**

**Please wear a Royal Blue t-shirt to represent child abuse awareness.**



FB PAGE – Millon March Against Child Abuse – Santa Fe, New Mexico





Segunda marcha anual:  
**“Un Millón Marcha en Contra  
del Abuso Infantil”**

(MACA por sus siglas en inglés)

**¡Marchemos juntos contra el abuso  
infantil!**

**5 de abril del 2014**

**10:00 a.m. – 1:00 p.m.**

**Desde el Capitolio hasta la Plaza**

**¡TODOS SON BIENVENIDOS – Incluyendo  
niños!**

**Vistan camiseta azul en apoyo a la prevención del abuso  
infantil.**



**FB PAGE – Millon March Against Child Abuse – Santa Fe, New Mexico**





# Planning Santa Fe's Food Future

## Querencia--- A story of food, farming and friends

A publication of the Santa Fe Food Policy Council  
October 2013



*The New Mexico landscape is one of many contrasts:  
deserts, mountains, meadows, orchards, and gardens;  
dry as the bones in the cemetery, our final resting place.  
Part of what defines our querencia,  
which gives us this sense of place, is our food,  
contrary to those who say that there can be no sense of place  
in today's global experiment.  
And our food cannot be separated from how we work the  
land and how we water our crops.*

*Again we learn from folklore:  
paravos, paranos, y para los animalitos de Dios;  
for you, for us, and for God's animals (and plants).  
Water is a don divino, a divine right,  
not a commodity to be sold to the highest bidder.  
This dry landscape,  
with a beauty only we might understand and find sustenance in,  
is what defines our querencia.*

*- Estevan Arellano  
New Mexican Historian, Farmer, and Writer*

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## Working Together to Plan Santa Fe's Food Future



This plan represents the first step of our collective journey to building a local, healthy, and prosperous food system for Santa Fe County. Over the upcoming year, this document will serve as a tool to reach out to all corners of our county to gain input, understanding, and build relationships around how to design a local food system that works for us. Our process will culminate in the development of a final strategic food plan for the city and county of Santa Fe— a detailed roadmap for action and accountability. Within this process there is an opportunity for every person, organization and agency to help transform our local food system; with collective effort and innovative collaboration we can accomplish more as a community than we ever could alone. We will see this plan evolve from a call to action to a success story; its impacts felt in our daily lives. Together we will celebrate progress, overcome boundaries, strengthen partnerships, identify common shared goals and commit to action.

Research for this plan followed a methodology which drew upon data from a variety of local sources and called for additional research at the community level to help put this information into context and to capture innovative solutions. We used data presented in a variety of resources available to our community: the Santa Fe Food Policy Council's Community Food Assessment, Santa Fe County 2013: A Community Health Profile , The City of Santa Fe's Sustainable Santa Fe Plan, as well as number of other local and state-wide research publications. After utilizing the expertise of our council to analyze and translate this pre-existing data we saw a gap, and understood that this gap in information and first-hand experience would best be filled by taking this process out into community and seeking to get folks involved. In this spirit we embarked upon a county-wide interview process; conducting over 60 interviews with stakeholders working in positions which relate to food access, health, education and production.

This gave us the opportunity to understand how both city and county governments view their roles in changing the local food system and align our efforts to create a more vibrant and healthy future for the city and county. Another goal was to investigate and analyze some of the successes and challenges individuals have encountered while conducting their work. We captured visionary statements about how to improve our local food system relative to folks' daily routines, including how they take care of their families, make food choices, and interact with friends and neighbors to celebrate food.



# A Collaborative Approach for Creating Change

Starting more than 30 years ago, academic experts and food activists began to see that the food system was touching more and more parts of our lives. Environmental issues, public health, issues of social and economic justice, and other concerns were all tied up with this mammoth system, one with huge economic importance.

Food experts and activists realized that a vast food system generated many policies, and for the most part, the average citizen didn't have much of a role in shaping them. One way to address this lack of participation was by creating food policy councils, to bring together all stakeholders in a community and give them a say in constructing a system that reflected their values.

Today's food policy councils come in different sizes and sometimes address different issues. But at heart they reflect the idea of food democracy. Achieving the goal of food security means bringing the bulk of society to work together to ensure there's enough affordable, easily accessible, and nutritious food for everyone.

Our local contribution to the growing national food policy council movement is the Santa Fe City and County Advisory Council on Food Policy. Established in 2008 by a joint City/County resolution, the Council's creation acknowledges a shared commitment to and concern for improving the local food production system and the importance of a vibrant and accessible "food future" for Santa Fe.

The Council is devoted to recommending laws, rules, and regulations that create and maintain a reliable and sustainable food system that nourishes everyone in the community.

The Council is comprised of thirteen volunteer appointed members, representing a variety of view points and sectors relating to the local food system. These include farming and restaurants, city and county departments involved with health, sustainability, and land use, food assistance programs, tribal agencies, and food-related non-profit agencies.



## How the Food System Enters our Homes and Hearts

As Americans, we enjoy some of the least expensive, safest, and most abundant food in the world. The food on our plates is the result of a world-wide production, processing, and distribution supply chain.

This complex global food system has been improving for hundreds of years as scientists and farmers have worked to find ways to increase efficiency of food production and distribution to feed the growing population. This system nourishes the majority of our community and provides food security by increasing access to low cost and diverse foods that can be enjoyed year round. However, gaps in this system have altered peoples' relationships with food—food has been removed from the farm.

According to the 2007 USDA Agricultural census, in 1930, 21% of the labor force were farmers, and the average farm acreage was around 150 acres. By 1990, only 2.6% of the labor force were farmers and the average farm was 461 acres, marking the peak in large scale agricultural production. Fewer farmers were operating larger farms. This specialization contributed to fewer people having the knowledge, resources, time and skills needed to grow their own food.

According to the USDA, our food travels an average of 1500 miles from farm to plate. Most children associate their food with supermarkets and have never visited a farm. They simply do not understand the effort it takes to produce the food they eat each day.

Since 2002, nearly 300,000 new farms have been started nationwide. This new generation is about half the size of previous generations' farms and grosses about half the income. In general, they also have younger operators. They have contributed to an increased availability of locally produced foods in supermarkets and institutions, food assistance programs, and farmers markets. Additionally, they have improved food security, freshness, and educational opportunities by bringing production closer to consumption.

Our challenge is to write the next chapter in Santa Fe's food history: one which honors local food traditions and integrates local food production practices with the innovations of a modern food system.





# Strengthening the Food System for the Santa Fe Region

New Mexico has a rich agricultural heritage; the land we call home has been in production for thousands of years, supporting diverse populations throughout history. Farming has been a way of life for countless generations of New Mexicans. It represents a deep connection to the land and a respect for its bounty. It is a unique part of our culture which remains intact amidst advancing technology of this age.

Today, the potential for our regional food system is unprecedented. New Mexicans, like many Americans, get most food from supermarkets which are served by vast and complex networks of transportation and storage. Veins of food travel throughout the country and world to reach homes here in Santa Fe County, with external producers and processors currently providing up to 98% of the food we access. Yet, another system exists within the national food network. Local markets in New Mexico and all over the country are increasingly providing a diversity of products which change with the seasons and celebrate wondrous varieties of regional seed stock. These local markets range from supermarkets that highlight local food to schools and other institutions buying more from local growers to farmers' markets, where the growers sell directly to the people.

The desire for bananas in winter and tastes from local soil necessitate a balanced partnership of local and global food supplies. We have an opportunity to blend the best of these systems and to create a resilient network of food. This work is essential as we strive to provide a range of culturally appropriate, affordable, and nutritious options for all Santa Fe City and County residents. It is important to be informed about how we can strengthen our food system for three major reasons:

1. Anyone who eats has a stake in the food system. Every dollar spent has a great impact. When we buy food for our family we are essentially voting by helping to make decisions about the cost of different types of food, which companies and businesses we want to see thrive, even what is on the shelves of the grocery store next time we go to shop.
2. Informed residents can help shape government policies that control food production and the availability of food products. These policy decisions include what foods will be supported through subsidies, what taxes and regulations farmers will be required to comply with, and what foods are available at what cost and where.







3. While many of us may take our food for granted, there are at least 21,270 individuals (14.9 %) living in Santa Fe County who do not know where their next meal comes from. This is equal to two times the total population of Espanola, New Mexico.

Within the City, nearly 10% of low income families live a mile or more from the nearest grocery store. These individuals not only have difficulty accessing healthy foods, but increasingly find themselves faced with only unhealthy food choices as nearly one-third of the restaurants in the county are fast food. Such limited access also contributes to a growing rate of obesity. With almost 30,000 county residents experiencing the effects of obesity, the current generation of youth is poised to be the first generation with a lower life expectancy than that of their parents. Limited access to fresh, affordable foods is a challenge for many of us. Thus, strengthening the food system in the Santa Fe region should be considered a major goal of our community.

For many, our relationship with food is changing. Our increased dependency on convenient and low cost food options means we rely more and more on heavily processed foods. Schools, senior centers, hospitals, and even restaurants are forced to view price as the deciding factor when choosing what ends up on the menu. These factors limit our ability to make independent food choices, to retain our cultural food traditions and to live healthy, active lifestyles.

While this is our current reality, let us work together to create an alternative. Let us imagine a world in which:

- 🌶️ food is valued at its true cost, while remaining available & affordable for all
- 🌶️ farmers and ranchers can make a living stewarding our rich agricultural traditions
- 🌶️ our respect for the land is upheld by all who inhabit it
- 🌶️ healthy foods color the plates of our children, elders and families
- 🌶️ food choices are determined not by price, but by what is good for our bodies and supports our traditions
- 🌶️ regulations are common sense and policies support our vision
- 🌶️ food is simple, celebrated, and of course, local

***“We have made the food system that we have... we have made it the way it is and we can make it a different way.”***

**- Ricardo Salvador, Union of Concerned Scientists**



# Food in Santa Fe

Many small to medium size farms produce, package and distribute their vegetables and fruits within Santa Fe County.

# City & County



Programs exist which teach children about growing, preparing, and eating healthy food.



Opportunities for buying food in Santa Fe County range from supermarkets to farmers markets



Refrigerated storage for local food is an important part of safe food transport.



Seed saving is extremely important to ensure future supply of local, traditional foods.





There are services in Santa Fe County which support peoples' ability to prepare nutritional meals for themselves and/or their families.



The southern part of Santa Fe County raises livestock, grows hay, alfalfa, corn, and other commodity crops which are used at local, regional, and national levels.



There are programs that transport locally grown food to schools, restaurants and other institutions in Santa Fe County.



Policies created at city, county, and state levels shape the way food is grown and moved throughout Santa Fe County.



Work is being done right now in Santa Fe County to ensure that balanced meals are available in cafeterias.

# GETTING FOOD

Our vision for connecting the diverse communities throughout the Santa Fe region to healthy and affordable foods is rooted in building knowledge of available assistance programs and resources, as well as ensuring these foods are readily available in local stores, farmers markets, senior centers, hospitals, and schools.

**Goal 1: Improve our elders' ability to access fresh nutritious food when they attend community meals at local senior centers and when they shop for affordable foods to meet their daily needs.**

- 🌶️ Encourage City and County operated senior centers to prioritize purchasing local foods for their meal service programs.

*Potential Partners: Santa Fe County Community Services Division, City of Santa Fe Community Services, Area Agency on Aging*

- 🌶️ Coordinate with area public transportation providers to improve seniors' physical access to stores offering diverse and affordable food options that meet their dietary needs and cultural preferences.

*Potential Partners: Santa Fe Trails, North Central Regional Transit*

- 🌶️ Increase seniors' awareness of various food assistance programs that meet their unique needs.

*Potential Partners: New Mexico Income Support Division (ISD) Santa Fe County Office, non-profits, City and County Senior Centers administration and staff*

**Goal 2: Increase public awareness of the numerous food assistance programs currently available in the community to improve individual and family access to nutritious food.**

- 🌶️ Educate Supplemental Nutrition Assistance Program (SNAP) recipients to make the most of their benefits—from tips for shopping on a budget to home gardening using seeds and starts available for purchase with monthly assistance benefits.

*Potential Partners: New Mexico ISD Santa Fe County Office, Santa Fe Farmers Market Institute, Local Organic Meals on a Budget, Homegrown NM*

- 🌶️ Promote innovative programs aimed at increasing access to local food, such as the Southside Farmers Market and Santa Fe Farmers Market Double Days.


*Potential Partners: Santa Fe Farmers Market Institute, New Mexico ISD Santa Fe County Office, various non-profits*

- 🌶️ Set up programs which organize labor to collect leftover crops from local farms to expand the availability of fresh food at area food banks.

*Potential Partners: The Food Depot, Santa Fe County Corrections Department, area farms, various non-profits*





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- Develop a list-serv for urban food harvesting opportunities to connect individuals to existing food production sites, allowing them to collect crops that would otherwise go to waste.

Potential Partners: City of Santa Fe, various non-profits, community members

**Goal 3: Empower members of the community with the tools and knowledge needed for ensuring a reliable supply of good foods that support a healthy and active lifestyle.**

- Emphasize the relationship of self-reliance as a cornerstone of sustainability, particularly as we work to implement the Sustainable Santa Fe Plan.

Potential Partners: Sustainable Santa Fe Commission, City of Santa Fe Environmental Services, Santa Fe City Council, Santa Fe Board of County Commissioners

- Inspire our community to integrate emergency preparedness into our daily lives through various lifestyle shifts, from smart shopping techniques for storing food reserves to revitalizing our food preservation traditions.

Potential Partners: Santa Fe County Emergency Management, City of Santa Fe Emergency Management, various non-profits

- Ensure physical access through alignment of public transportation routes with food outlets offering a wide range of whole and fresh foods.

Potential Partners: Santa Fe Trails, North Central Regional Transit District

**Goal 4: Support Farm to School programs which connect our children with educational opportunities around food and farming, lessons which are reinforced by serving students local foods in school cafeterias.**

- Continue to support Farm to School educational activities currently taking place within our schools, such as on-site school gardens, food system and farming curriculum, fruit and vegetable tastings, culinary programs, field trips to local farms and venues, farmers in the classroom, and food system entrepreneurship programs.

Potential Partners: Santa Fe School District, Santa Fe Farm to School Coordinator, various school district administration and staff across Santa Fe County, area farmers, and various non-profits

- Work with School Food Service Directors and District Procurement offices to increase the availability of local foods in schools by setting up sustainable systems to purchase foods from local farmers, such as standing purchase orders and developing local bid processes.

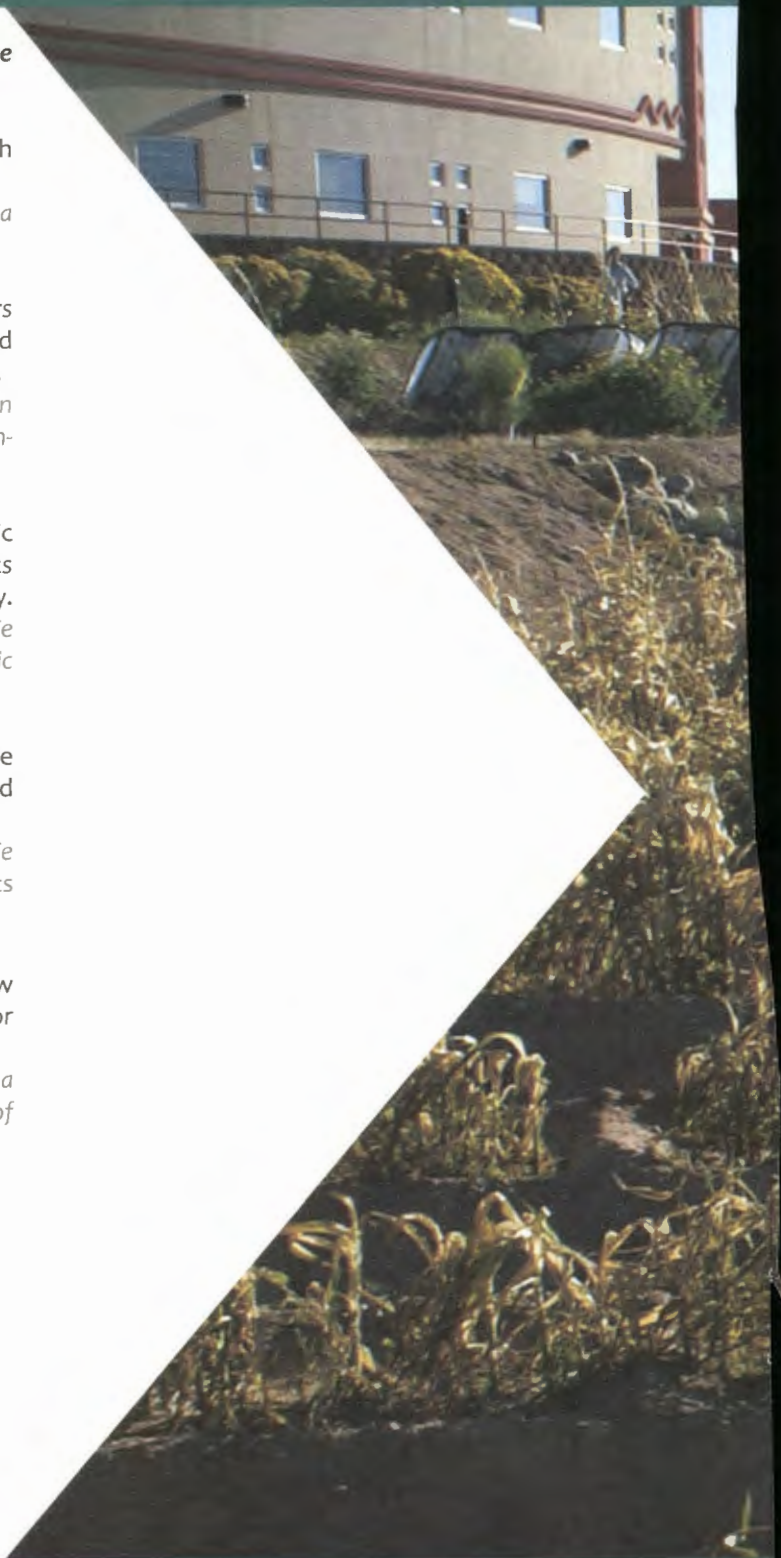
Potential Partners: Various school district Procurement Offices, School Food Service Directors, Farm to Table, Cooking with Kids

**“No one in Santa Fe should go hungry”**

- Carmichael Dominguez , Santa Fe City Council, District 3

**Goal 5: Engage community members around opportunities to celebrate local foods and support our regional food economy.**

- 🌶️ Grow the demand for local food by organizing an outreach campaign aimed at educating and inspiring residents to buy local.  
*Potential Partners: Various non-profits, community members, area farmers, Santa Fe Farmers Market Institute,*
- 🌶️ Develop a locally based approach to address concerns of consumers and producers about the potential impacts of Genetically Modified Organism (GMO) food consumption and production in the region.  
*Potential Partners: Joint City-County GMO Task Force, Homegrown NM, Santa Fe County NMSU Cooperative Extension, various non-profits and initiatives*
- 🌶️ Implement innovative strategies that support local economic development efforts such as mobile grocery stores and food carts to bring locally produced food into underserved areas of the county.  
*Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, North Central New Mexico Economic Development District, MoGro Mobile Grocery*
- 🌶️ Build and operate a Community Commercial Kitchen to capitalize on the economic potential of local value-added products and traditional foods.  
*Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, Santa Fe SCORE, Southside Merchants Association various non-profits, community members*
- 🌶️ Develop City and County Start-Up Resource Guides which help new entrepreneurs meet the requirements for starting food retail or agricultural businesses.  
*Potential Partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, Santa Fe Green Chamber of Commerce, Santa Fe Hispanic Chamber of Commerce*



**“We don’t just want to do more and more, we want to do more and better”**  
- Viola Lujan , Food Depot, Program Manager



## LEARNING ABOUT FOOD

Our vision for increasing the demand for local foods is based on equipping residents with the knowledge, skills, and passion to make healthy choices for themselves, their families, and the community.

**Goal 1: Integrate and institutionalize wellness policies across Santa Fe County which serve our school communities, city and county employees and private sector employees.**

- Ensure that schools are implementing wellness policies which align with federal requirements, set achievable goals and are culturally appropriate for the students and staff they serve.

*Potential Partners: Various School District's administration, nurses and staff*

- Support wellness policies for City of Santa Fe employees, and their families, which offer innovative and accessible solutions to maintaining good nutrition and active lifestyles.

*Potential Partners: City of Santa Fe Wellness Coordinator, Santa Fe City Council*

- Support wellness programs for Santa Fe County employees which support and educate individuals to adopt healthy lifestyle habits.

*Potential Partners: Santa Fe County Human Resources, Santa Fe Board of County Commissioners*

- Support private sector wellness initiatives to establish incentive programs and policies that contribute to the well-being of employees and their families.

*Potential Partners: Whole Foods Market, La Montanita Co-op, various businesses*

**Goal 2: Promote the development of healthy built environments which support access healthy foods, create safe neighborhoods, and increase opportunities for physical activity.**

- Work with City and County Land Use to develop Complete Street Resolutions aimed at making our neighborhoods more attractive, accessible, and safe. Complete Streets is a national program that attempts to make streets safe and functional for all drivers, pedestrians, and bicycles.

*Potential Partners: Santa Fe City Council, Santa Fe County Board of County Commissioners, City of Santa Fe Land Use, Santa Fe County Growth Management and Land Use, various neighborhood associations*



- Establish “healthy food zones” near schools and public institutions which limit the marketing and availability of unhealthy foods and promote the availability of nutritious food.

*Potential Partners: Santa Fe City Council, Santa Fe County Board of County Commissioners, City of Santa Fe Land Use, Santa Fe County Growth Management and Land Use*

- Increase opportunities for school-based events which emphasize fun physical activities for youth such as walking school buses (a form of student transport for schoolchildren who are chaperoned by two adults and who walk to school, in much the same way a school bus would drive them to school), the Bike Rodeo, and Girls on the Run

*Potential Partners: various school districts’ administration and staff, La Familia REACH working group, various non-profit organizations*

### **Goal 3: Coordinate existing food assistance programs to ensure all county residents are informed about and able to access resources.**

- Work with agencies and organizations that provide services to seniors to increase access to information and enrollment services in such places as senior centers, health care centers, and assistance program offices.

*Potential Partners: New Mexico ISD Santa Fe County Office, Santa Fe County Community Services, City of Santa Fe Community Services, various non-profits*

- Fill current gaps in food assistance programs to ensure that they are meeting specialized needs and are available during the times and days many folks can most conveniently utilize their services, such as evenings and weekends.

*Potential Partners: New Mexico ISD Santa Fe County Office, various non-profits, food pantries, and shelters*

- Collaborate with area tribal governments, agencies, and organizations to ensure their communities have equal access to information and enrollment services for a variety of different assistance programs available to residents of Santa Fe County.

*Potential Partners: Eight Northern Indian Pueblos Council (ENIPC) Commodity Foods Distribution Program, New Mexico ISD Santa Fe County Office, various non-profits*

### **Goal 4: Connect our diverse communities across Santa Fe County with nutrition education programs designed to meet folks’ unique needs around achieving good nutrition in their daily lives.**







- Align Farm to School curriculum with required district and testing standards to ensure that lessons are beneficial to students' learning processes and are reinforced across subjects.

*Potential Partners: Santa Fe School District, Santa Fe Farm to School Coordinator, various school district administration, and staff across Santa Fe County*

- Collaborate with area non-profits and agencies to conduct educational trainings that will help "myth bust" food safety requirements for using fruits and vegetables grown in our community, senior center, and school gardens in our local institutions.

*Potential Partners: New Mexico Environment Department, National Farm to School Network, Farm to Table, NMSU Cooperative Extension*

- Develop education classes for parents and children that connect Farm to School activities with at-home practices to help youth create lasting lifestyle shifts for themselves and their families.

*Potential Partners: National Farm to School Network, various school administration and staff, various non-profits*

- Encourage area non-profits to develop nutrition education and cooking programs tailored to the needs of tribal communities such as shopping on a budget, meeting special dietary needs, and learning creative ways to utilize commodity foods.

*Potential Partners: Indian Health Services, Eight Northern Indian Pueblos Council (ENIPC) Commodity Foods Distribution Program, Tewa Women United, Cooking with Kids, Local Organic Meals on a Budget and other non-profits*

- Work with local non-profits to develop culinary programs aimed at seniors that promote increased knowledge about cooking techniques, diversity of dishes and nutrition information.

*Potential Partners: Santa Fe County Community Services, City of Santa Fe Community Services, City and County Senior Center staff, Cooking with Kids, Local Organic Meals on a Budget and other non-profits*

- Work with area governmental departments, agencies, and organizations to develop prevention and management programs for diet related conditions to help transition folks' diets to meet medical needs in a way that is achievable and culturally appropriate.

*Potential Partners: Santa Fe County Community Services, City of Santa Fe Community Services and Wellness Coordinator, Christus St. Vincent Regional Medical Center, La Familia Medical Center and other medical clinics, Kitchen Angels and other non-profits*

**"We should learn to value food as we value ourselves"**

- Lynn Walters , Cooking with Kids, Executive Director



# GROWING FOOD

Our vision for food production in Santa Fe City and County is to ensure the viability of farming and ranching as a way of life, and as a local economic generator that promotes stewardship of the land and resources. It is also a vision that plans for a future of food security through the integration of sustainable agricultural practices into the built environment.

**Goal 1: Increase the impact and efficiency of area community gardens by supporting local non-profits and governmental departments to amend community garden policies.**

- Enforce existing water conservation policies for community gardens to ensure that residents are water conscious and utilize appropriate growing methods. This will help produce greater yields and minimize negative environmental impacts.

*Potential Partners: City of Santa Fe Parks Division, Community Garden Council, Homegrown NM, Santa Fe Watershed Association*

- Support greater development of community gardens designed to minimize resource consumption, create educational opportunities, and diversify what is grown.

*Potential Partners: City of Santa Fe Parks Division, Community Garden Council, Homegrown NM, Santa Fe County Open Space, Santa Fe Community College, Institute of American Indian Arts*

**Goal 2: Collaborate with the City and County to develop on-site gardens in senior centers to increase the availability of fresh and local foods for seniors.**

- Develop sustainability plans for senior center gardens to ensure they have operational plans, are economically self-sufficient, and are well integrated into the community. This will help ensure the investment is meeting project goals and the gardens have the support they need to succeed.

*Potential Partners: Santa Fe County Community Services, City of Santa Fe Community Services, City of Santa Fe Parks Division, Santa Fe County Open Space, Homegrown NM, various non-profits*

- Connect garden coordinators to resources, technical support, and educational opportunities available within Santa Fe County.

*Potential Partners: Santa Fe County Community Services, City of Santa Fe Community Services, Santa Fe Community College, Institute of American Indian Arts, Homegrown NM, various non-profits*







**Goal 3: Collaborate with area schools to increase the number of school gardens aimed at helping youth learn about food and farming and establish healthy lifestyles.**

- Develop sustainability plans for school gardens to ensure they are supported by the school community, integrated into classrooms, cafeterias, and summer programs, and are effectively utilizing available resources.

*Potential Partners: National Farm to School Network, various school district's administration and staff, various non-profits*

- Work with school administration and local governments to develop joint use agreements establishing community gardens on school grounds. This will increase opportunities for multi-generational and multi-cultural learning and help the gardens become long term resources serving the entire community.

*Potential Partners: City of Santa Fe Community Services, Santa Fe County Community Services, various school districts' administration and staff, various non-profits*

**Goal 4: Implement water conservation strategies that help Santa Fe City and County residents minimize water use through educational programs, incentives, and policies.**

- Support educational programs that highlight learning opportunities about our watershed, related policies, and water conservation tips.

*Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, New Mexico Acequia Association, various non-profits*

- Collaborate to develop strategies to offset in-home water usage by utilizing gray water and rainwater for tasks that do not require potable water.

*Potential Partners: City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department, Santa Fe Watershed Alliance, non-profits*

- Develop incentive programs that offer solutions to help industrial partners and residents save water, and receive benefits for setting up systems that have long term conservation impacts.

*Potential Partners: City of Santa Fe City Council, Santa Fe Board of County Commissioners, City of Santa Fe Water Division, Santa Fe County Water Policy Advisory Committee, City of Santa Fe Environmental Services Department*

**"The West was built on working landscapes, which are currently vulnerable to loss"**  
– Coleen Baker, Santa Fe County, Open Space Trails Program Manager



**Goal 5: Increase the viability of local farm and ranch activity by working with the City and County to ensure land use plans are supportive of agricultural use.**

-  Work with Santa Fe County to incorporate land use allowances for agricultural activity into the Sustainable Land Development Code.  
*Potential Partners: Santa Fe County Growth Management and Land Use Department, Santa Fe County Board of County Commissioners, Water and Soil Conservation Districts, local farmers, non-profits*
-  Develop a Residential Agriculture Home Occupation Permit to protect neighborhood and farm interests within the city by setting policies for uses, traffic, infrastructure, employees and visitors.  
*Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, neighborhood associations, non-profits, farmers, and community members*
-  Work with the City of Santa Fe to develop zoning and land use policies which support home-based agricultural activities such as raising chickens, small livestock, and honey bees.  
*Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, neighborhood associations, non-profits, farmers, and community members*
-  Encourage public and private land owners within the city to revitalize vacant and underutilized property by allowing lands to be used for green space and gardening opportunities.  
*Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe City Council, and community members*
-  Develop innovative land use strategies that promote density in urban areas and reserve outlying lands for increased food production.  
*Potential Partners: City of Santa Fe Land Use and Zoning Department, Santa Fe County Growth Management and Land Use Department*
-  Support land conservation strategies such as agricultural easements which provide tax incentives to land owners to protect their lands from development for all future generations.  
*Potential Partners: City of Santa Fe Land Use Department, Santa Fe County Growth Management and Land Use, Santa Fe Land Conservation, New Mexico Land Conservation, Santa Fe Farmers Market Institute*

**Goal 6: Develop production incentives to support small farmers and maximize food production in our regional foodshed.**



**“Self-reliance is a cornerstone of sustainability”**

– Martin Vigil, Santa Fe County, Emergency Management Director

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- 🌶 Collaborate with area agencies and organizations to help small and medium scale farms meet market-based and Federal food safety requirements.

*Potential partners: Santa Fe County NMSU Cooperative Extension Service, New Mexico Department of Agriculture, Farm to Table*

- 🌶 Promote and expand outreach and incentives for extended season farming techniques, supporting farmers to increase their harvest window and generate more income.

*Potential Partners: Santa Fe County NMSU Cooperative Extension Service, Natural Resource Conservation Service, Santa Fe Farmers Market Institute*

- 🌶 Establish Specialty Crop programs which support local farm and food based businesses by creating subsidies for fruits and vegetables.

*Potential partners: City of Santa Fe Economic Development, Santa Fe County Economic Development, NMDA.*

- 🌶 Design marketing programs for farmers who employ agricultural practices such as soil building and native plant re-vegetation, which benefit the long term health of the surrounding landscape.

*Potential partners: Santa Fe Farmers Market Institute, New Mexico Farmers Marketing Association, NMDA.*

**Goal 7: Use resource and land management strategies to retain the health of the environment and the fertility of land available for farming activities**

- 🌶 Encourage City planning initiatives such as urban forestry, green belts, and edible infrastructure to create continuous green space which can provide habitat for animals, food, shade, and places to play.

*Potential partners: City of Santa Fe Parks Division, City of Santa Fe Roadway and Trails Department, Southwest Area Planning Initiative*


- 🌶 Support the development of community elected “GMO Free Zones” which create buffer zones to protect farmland, crops and seeds from the unknown impacts of genetically engineered organisms.

*Potential Partners: Santa Fe County Growth Management and Land Use, Santa Fe County NMSU Cooperative Extension Services, area Tribal Governments, various non-profits*

- 🌶 Promote educational opportunities in community gardens and public space which highlight native plants and traditional uses.

*Potential partners: Homegrown New Mexico, Tesuque Agriculture Department, City of Santa Fe Parks Division, Santa Fe County Open Space and Trails Division, Southwest Area Planning Initiative*



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- Collaborate with area agencies and organizations to develop “Farmer to Farmer” outreach programs focused on innovative farming and ranching practices which build soil health over time.

Potential partners: Santa Fe Farmers Market Institute, Quivira Coalition, Natural Resource Conservation Service (NRCS), Santa Fe County NMSU Cooperative Extension

- Continue to encourage farms and ranches to use land management practices that slow erosion, protect waterways, and create habitat for beneficial insects on their properties.

Potential partners: Santa Fe Watershed Association, New Mexico Acequia Association, Quivira Coalition, Natural Resource Conservation Service (NRCS), Santa Fe County NMSU Cooperative Extension

**Goal 8: Partner with area developer and construction industry groups to integrate sustainability and agriculture into future development patterns across Santa Fe County.**

- Establish City and County approval processes which require new developments to incorporate design opportunities for food production in their master plans.

Potential Partners: City of Santa Fe Department of Housing and Community Development, Santa Fe County Building and Development Services, Santa Fe County Growth Management and Land Use, area developers

- Work with area partners to promote the planning, design and management of edible landscapes in new and existing developments.

Potential Partners: City of Santa Fe Housing and Community Development Department, City of Santa Fe Parks Division, Santa Fe County Growth Management and Land Use, area developers and property managers

- Work with developers of planned communities to encourage covenants which support creative home-based agricultural activities.

Potential Partners: City of Santa Fe Department of Housing and Community Development, Santa Fe County Growth Management and Land Use, Homegrown NM

- Incorporate native and other low-water edible plants as an option to fulfill the City’s xeric landscaping requirements.

Potential partners: City of Santa Fe Parks Division, Sangre de Cristo Water Division, Santa Fe Watershed Association

# Acknowledgments



The Santa Fe Food Policy Council would like to thank the Santa Fe City Council and Board of County Commissioners. Above all, we would like to thank the community of Santa Fe for inspiring the vision for our local food system highlighted in this plan. Ours is a vision rooted in respect for our diverse history and deep connection to the land. It is one which celebrates our passion for local foods, honors our farming community, and embraces innovation as a path to ensuring food security for future generations.

## SANTA FE CITY AND COUNTY ADVISORY COUNCIL ON FOOD POLICY CURRENT MEMBERSHIP

**Susan J. Perry**, Chair, Wellness Coordinator, City of Santa Fe

**Tony McCarty**, Vice- Chair, Executive Director, Kitchen Angels

**Pamela Roy**, Executive Director, Farm to Table

**Katherine Mortimer**, Sustainability Director, City of Santa Fe

**Lynn Walters**, Executive Director, Cooking with Kids

**Mark Winne**, Food Systems Author, Johns Hopkins University

**Steve Warshawer**, Founder, Beneficial Farms

**Emigdio Ballon**, Director of Agriculture, Tesuque Pueblo Farm

**Maria Bustamante-Bernal**, Owner, Treehouse Café and Bakery

**Patricia Boies**, Health and Human Services, Santa Fe County

**Susan Odiseos**, President, Food for Santa Fe

**Alena Paisano**, Staff, Education & Outreach Coordinator

**Erin Lloyd Ortigoza**, Staff, Santa Fe Food Policy Council Coordinator

With much appreciation to our funders:

City of Santa Fe, Santa Fe County, Santa Fe Community Foundation,  
McCune Charitable Foundation

## CONTRIBUTING STAKEHOLDERS

Santa Fe County Community Services, Santa Fe County Emergency Management, Santa Fe County Growth Management and Land Use Co, Santa Fe County Open Space and Trails, City of Santa Fe Economic Development, City of Santa Fe Emergency Management, City Councilor Carmichael Dominguez, City of Santa Fe Environmental Services: Sustainable Santa Fe, City of Santa Fe Parks Division: Chamber of Parks Advisory Commission, City of Santa Fe Wellness Department, Farm to Table New Mexico, Cooking with Kids, Kitchen Angels, Adelante, The Food Depot, Food for Santa Fe, Bienvenidos Outreach, The Community Farm, The Street Food Institute, Santa Fe Farmers Market Institute, La Montanita Co-op and Cooperative Distribution Center, Santa Fe Community Co-op, Homegrown NM, GAIA Gardens, Santa Fe Watershed Alliance, La Familia Medical Clinic, Santa Fe Public Schools, Institute for American Indian Arts, Santa Fe Community College, Area Agency on Aging, Eight Northern Pueblos Food Distribution Program on Indian Reservations (ENIPC), New Mexico Income Services Division, New Mexico Department of Health



# At a glance : our recommendations

## GETTING FOOD

Our vision for connecting our diverse communities in and around Santa Fe to healthy, affordable foods is rooted in building knowledge around available assistance programs and resources, as well as ensuring these foods are readily available in our local stores, farm markets, senior centers, hospitals, and schools.

**Goal 1: Improve our elders' ability to access fresh nutritious food when they attend community meals at local senior centers and when they shop for affordable foods to meet their daily needs.**

- Prioritize local procurement for senior service programs
- Improve public transportation accessibility for seniors
- Food assistance program education

**Goal 2: Increase public awareness of the numerous food assistance programs currently available in the community to improve individual and family access to nutritious food.**

- SNAP Education
- Promote Santa Fe Farmers Market "Double Days" and Southside Market
- Coordinate gleaning programs for locally grown products
- Develop Urban Harvesting tool for community use

**Goal 3: Empower members of the community with the tools and knowledge needed for ensuring a reliable supply of good foods that support a healthy and active lifestyle.**

- Promote self-reliance as a cornerstone of sustainability
- Integrate emergency preparedness into folks' daily lives
- Align public transportation routes with food outlets

**Goal 4: Support Farm to School programs which connect our children with educational opportunities around food and farming, lessons which are reinforced by serving students local foods in school cafeterias.**

- Support Farm to School activities in local schools
- Establish procurement systems that increase the availability of local foods in schools

**Goal 5: Engage community members around opportunities to celebrate local foods and support our regional food economy.**

- Organize campaigns to "buy locally"
- Develop a consumer and producer GMO education campaign
- Implement mobile grocery and food service carts to increase food access
- Develop a plan to build and operate a community kitchen
- Develop city and county food and agriculture business resource guides

## LEARNING ABOUT FOOD

Our vision for increasing the demand for local foods is rooted in equipping residents of Santa Fe County with the knowledge, skills, and passion to make healthy choices for themselves, their families, and our community.

**Goal 1: Integrate and institutionalize wellness policies across Santa Fe County which serve our school communities, city and county employees, and private sector employees.**

- Implement wellness policies in school communities
- Support City of Santa Fe wellness policies
- Support Santa Fe County Wellness programs
- Support private sector wellness initiatives for employees

**Goal 2: Promote the development of healthy built environments which support access healthy foods, create safe neighborhoods, and increase opportunities for physical activity.**

- Establish Healthy Food Zones near public institutions
- Create a "Complete Street" program
- Increase school-based events which focus on physical activity

**Goal 3: Coordinate existing food assistance programs to ensure all county residents are informed about and able to access resources.**

- Increase information and enrollment services for food assistance programs
- Coordinate food assistance programs to fill in service gaps
- Ensure tribal communities have equal access to various assistance programs

**Goal 4: Connect our diverse communities across Santa Fe County with nutrition education programs designed to meet folks' unique needs around achieving good nutrition in their daily lives.**

- Align Farm to School curriculum with district standards
- Conduct educational food safety trainings
- Develop Farm to School educational classes for families
- Develop nutrition education and cooking classes tailored to the needs of tribal communities
- Develop culinary education programs for seniors
- Develop prevention and management programs for diet related conditions

## GROWING FOOD

Our vision for food production in Santa Fe County is rooted in ensuring the viability of farming and ranching as a ways of life and local economic generators, stewardship for our land and resources, and planning for a future of food security by integrating agriculture into our built environments.

**Goal 1: Increase the impact and efficiency of area community gardens by supporting local non-profits and governmental departments to amend community garden polices.**

- Enforce community garden water polices
- Increase the number of community gardens in the City and County

**Goal 2: Collaborate with the City and County to develop on-site gardens in senior centers to increase the availability of fresh and local foods for seniors.**

- Develop sustainability plans for senior center gardens
- Connect garden coordinators to available resources

**Goal 3: Collaborate with area schools to increase the number of school gardens aimed at helping youth learn about food and farming and establish healthy lifestyles.**

- Develop sustainability plans for school gardens
- Develop joint use agreements to allow community supported gardens on school property

**Goal 4: Implement water conservation strategies that help Santa Fe City and County residents minimize water use through educational programs, incentives, and policies.**

- Support water education programs
- Develop strategies for the use of grey water systems
- Develop water conservation incentive programs

**Goal 5: Increase the viability of local farm and ranch activity by working with the City and County to ensure land use plans are supportive of agricultural use.**

- Incorporate land use allowances for agricultural activity into the Sustainable Land Development Code
- Develop a Residential Agriculture Home Occupation Permit
- Develop zoning and land use polices which support home-based agricultural activities
- Revitalize vacant and underutilized lands by using them for green space and gardening opportunities
- Implement land use strategies which promote density in urban areas and reserve outlying lands for food production
- Support land conservation strategies such as Agricultural Easements

**Goal 6: Develop production incentives to support small farmers and maximize food production in our regional foodshed.**

- Help small and medium scale farms meet market-based and Federal food safety requirements
- Collaborate to promote and expand incentives for season extension techniques
- Establish specialty crop programs to subsidize fruits and vegetables
- Design marketing programs for farmers who use sustainable agricultural practices

**Goal 7: Use resource and land management strategies to retain the health of the environment and the fertility of land available for farming activities.**

- Encourage City planning initiatives such as urban forestry, green belts, and edible infrastructure
- Support the development of community elected "GMO Free Zones"
- Promote education in parks and gardens that highlight native plants and traditional uses
- Develop "farmer to farmer" outreach programs to promote sustainable farming and ranching practices
- Encourage farmers and ranchers to utilize sustainable land management practices

**Goal 8: Partner with area developer and construction industry groups to integrate sustainability and agriculture into future development patterns across Santa Fe County.**

- Establish City and County approval processes which require new developments to incorporate design opportunities for food production in their master plans
- Promote the planning, design and management of edible landscapes in new and existing developments
- Encourage planned community covenants which support creative home-based agricultural activities
- Incorporate native and other low-water edible plants as an option to fulfill the City's xeric landscaping requirements



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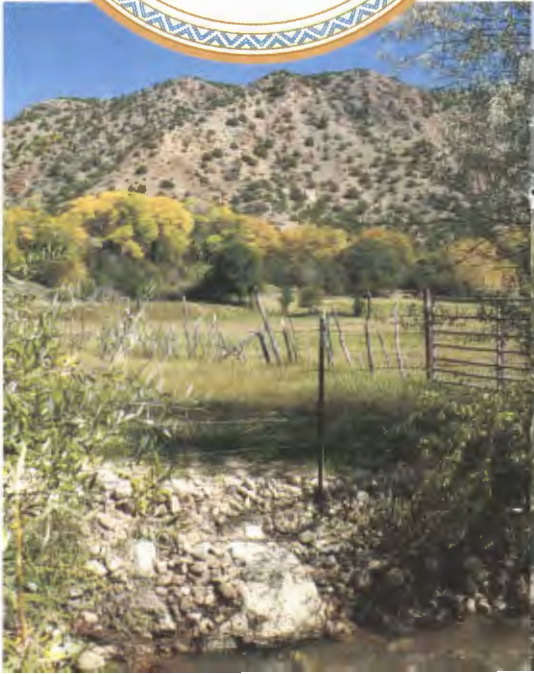
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Photo Credits: Cooking with Kids, Lynn Walters, Jennifer Davidson, Farm to Table, Food for Santa Fe



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# NMAC BOARD OF DIRECTORS' MEETING

Saturday, February 8, 2014

Hotel Santa Fe, Kiva Room A/B

Santa Fe, New Mexico

8:30 a.m.

## AGENDA

- A. Welcome, Call to Order, Roll Call, Pledge of Allegiance, and Salute to New Mexico Flag

President Wendell Bostwick

- B. Approval of Agenda

Wendell Bostwick

- C. Approval of Minutes

Wendell Bostwick

1. Board Minutes – January 21, 2014

2. Executive Committee Minutes – January 21, 2014 and January 30, 2014

### D. Action Items

1. Removal of Priorities

Tasia Young, Steve Kopelman

- Remove support, request hearing  
Remove a. \*HB 26 Affidavits on Sale of Nonresidential Property (Wooley)  
b. HB 89 Delinquent Property Tax Receipts Retained by County Treasurer (R. Martinez)  
c. (Clerks) Notice of Liens (Ivey-Soto)

2. 2014 Legislative Items for Discussion/Action

#### Agriculture/Farming/Ranching

- support  
support a. \*HB 51 Right to Farm Act Nuisance Changes (Herrell)  
b. SB 229 Right to Farm Act Nuisance Changes (Griego)

#### Appropriations

- Tabled a. HB 2 General Appropriations Act of 2014 (Saavedra)

#### County Government

- a. HJR1 CA: Authorizes Use of Local Public Funds by Private Individual or Corporation (Cote)  
oppose b. SJR 19 CA: Mandatory Minimum Qualifications for County Treasurers (Candelaria)

#### Detention & Corrections

- support a. \*HB 63 Behavioral Health Services for Certain County Jail Inmates (Madalena)

#### DWI & Alcohol

- support  
support a. \*HB 16 Liquor Excise Tax Distribution Increase (C. Trujillo)  
b. SB 263 Authorizes Revamped Local Liquor Excise Tax for All Counties (M. Sanchez)

#### Fire & EMS

- support  
support  
support a. HB287 UPS Firefighters' Survivors Supplemental Death Benefits (Kane)  
b. \*SB 94 Counties and Municipalities: Fireworks Restrictions (Griego)  
c. SB 190 Firefighters Supplemental Survivor Death Benefit Increase (Woods, Kane)

#### Health: Behavioral, Indigent, Hospitals

- support w/ conditions  
\*a. HB 350 Replacing Sole Community Providers with Qualifying Hospitals (J. Trujillo)  
b. SB 268 Replacing Sole Community Providers with Qualifying Hospitals (Rodriguez)  
c. SB 314 Replacing Sole Community Providers with Qualifying Hospitals (Smith)

NMAC Board of Directors' Meeting

February 8, 2014

- d. SB 368 Replacing Sole Community Providers with Qualifying Hospitals (Smith)

### Land Use & Zoning

- a. SB 1 State Land Office Study to Acquire BLM Land (M. Sanchez)

### Natural Resources, Energy, & Water

- a. HB 102 Transfer of Public Lands Task Force (Herrell)

### PERA & Retirement

- a. HB 27 Public Employee retirement: Revised Contribution Levels (J. Trujillo)  
b. HB 297 PERA: Chiefs of Police and Undersheriffs Return-To-Work Provisions (Herrell)  
c. HB 340 Exception for Police, Correctional Officers, and Social Workers Return-To-Work (Ezzell)  
d. HB 344 Exception for Law Enforcement Return-To-Work Restrictions (Rehm)  
e. SB 135 Public Employee Retirement: Revised Contribution Levels (Munoz)  
f. SB 317 Exception for Police, Correctional Officers, and Social Workers Return-To-Work (Kernan)

Support

### Tax: Property & Assessors

- a. HB 89 Delinquent Property Tax Receipts Retained by County Treasurer (R. Martinez)  
b. HB 178 Ends Valuation Limitation on Residential Property (Egolf)  
c. HB 301 Requirements for County Assessor to Reclassify Agricultural Property (Gonzales)  
d. SB 248 Cap on Property Tax Valuation Increase for Land Previously Classed as Agricultural (Cisneros)  
e. SB 260 Property Tax Valuation of Residential Property (Neville)

Support, hearing  
oppose  
support  
oppose

### Tax: General & TIDDS

- a. SB 140 Tax Increment Development Districts: Revision of Base Year (Ivey-Soto)

Abstain

### Tax: Gross Receipts & Compensating

- a. HB 114 Exempts Certain Municipalities from Hold Harmless Phase-Out (Lundstrom)  
b. HB 132 Adjusts the Food and Medical Hold-Harmless Distributions and Taxes (Harper)  
c. HB 155 Saves Hold-Harmless Distribution for McKinley County (Lundstrom)  
d. HB 339 Revising Tax Administration Procedures for Municipal and County Distribution Adjustments (Dodge)  
e. HB 349 Gross Receipts Taxes Imposed on Certain Acute Care Hospitals (J. Trujillo)  
f. SB 87 GRT Distribution and Local Government Hold Harmless GRT Changes  
g. SB 170 Exempts Certain Municipalities from Hold Harmless Phase-Out (Munoz)  
h. SB 171 Exempts Gallup from Hold Harmless Phase-Out (Munoz)  
i. SB 217 Saves Hold-Harmless Distribution for McKinley County (Munoz)

### Transportation & Roads

- a. HB 116 Southwest Chief Rail Service Fund (Gonzales)  
b. HB 117+SB Appropriation: Legal and Economic Analyses of Rail Service (Gonzales)  
c. HB 241<sup>148</sup> Southwest Chief Rail Service Fund (Gonzales)  
d. \*SB 209 County Road Speed Limits (Woods)  
e. SB 221 Southwest Chief Rail Service Fund (P. Campos)

\*Ratify Executive Committee Action on Bills

Support

Support

Support HB 81 & SB 143 NM & roon Fruits & Vegetables For School Meals

#### **E. New Business**

1. NACo Legislative Conference – March 1-5, 2014 Steve Kopelman
  - a. NM Delegate Reception – Monday, March 3 at Hilton Hotel in Holmead Room (Lobby Level) 5:30 p.m.-7:00 p.m.
  - b. NM Legislative Breakfast – Wednesday, March 5 at 8:00 a.m.-9:00 a.m. at the Monocle Restaurant, 107 D St. NE, Washington, DC <http://www.themonocle.com/> RSVP by Feb. 27 to Joy Esparsen, [jesparsen@nmcounties.org](mailto:jesparsen@nmcounties.org)

#### **F. Old Business**

1. March District Meetings Steve Kopelman
  - Tues. 3/18-** District V Host Brett Kasten (Grant) w/ Host Doña Ana County Board Member David Gutierrez in Las Cruces
  - Wed. 3/19-** District VI Host-James Duffey (Chaves) w/ Host Otero County Board Member Cathe Prather in Alamogordo.
  - Thurs. 3/20-** District III Host- Danny Monette (Socorro) w/ Host Valencia County Board Member Mary Andersen in Los Lunas
  - Tues. 3/25-** District II Host Van Robertson (Union) w/ Host Mora County Board Member Paula Garcia in Wagon Mound
  - Wed. 3/26-** District I Host-Liz Stefanics (Santa Fe) w/ Host Los Alamos County Board Member Sharon Stover in Los Alamos
  - Thurs. 3/27-** District IV Host-Jake Lopez (Roosevelt) w/ Host Torrance County Board Member Linda Jaramillo in Estancia

#### **G. Adjournment**

**BOD Meeting 2/8/2014 (2014 Reg)****AGRICULTURE/FARMING/RANCHING**

**Bill:** HB51  
**Sponsors:** Herrell (R51)  
**Title:** RIGHT TO FARM ACT NUISANCE CHANGES  
**Summary:** (For the Water and Natural Resources Committee) (Related to 2013 SB194, as substituted; and 2013 HB652, as substituted). Amends the Right to Farm Act to provide that no agricultural operation or facility may be deemed a nuisance unless it is operated negligently or illegally. Gone is the provision in current law that allows for an "improperly" operated facility to be declared a nuisance.  
**Related:** 2013:SB194; 2013:HB652  
 BOD Support

**Bill:** SB229  
**Sponsors:** Griego (D39)  
**Title:** RIGHT TO FARM ACT NUISANCE CHANGES  
**Summary:** (Identical to HB51) (Related to 2013 SB194, as substituted; and 2013 HB652, as substituted). Proposes to amend the Right to Farm Act to provide that no agricultural operation or facility may be deemed a nuisance unless it is operated negligently or illegally. Gone is the provision in current law that allows for an "improperly" operated facility to be declared a nuisance.  
**Related:** 2014:HB51; 2013:SB194; 2013:HB652  
 BOD Support

**APPROPRIATIONS**

**Bill:** HB2  
**Sponsors:** Saavedra (D10)  
**Title:** GENERAL APPROPRIATIONS ACT OF 2014  
**Summary:** A shell for a more comprehensive bill that will emerge later in the legislative session. Cited as the General Appropriation Act of 2014, authorizes funding to various state agencies from the General Fund, Internal Services and Transfers, Other State Funds and Federal Funds in FY 2015 as follows:  
 BOD Tabled

**COUNTY GOVERNMENT**

**Bill:** HJR1  
**Sponsors:** Cote (D53)  
**Title:** CA: AUTHORIZES USE OF LOCAL PUBLIC FUNDS BY PRIVATE INDIVIDUAL OR CORPORATION  
**Summary:** Proposes an amendment to Art. 9, Sec 14, of the Constitution to allow a county or municipality to expend funds or use public resources to benefit a private individual, an association or a private or public corporation to protect and promote the public's health, safety or welfare.

**Bill:** SJR19  
**Sponsors:** Candelaria (D26)  
**Title:** CA: MANDATORY MINIMUM QUALIFICATIONS FOR COUNTY TREASURERS  
**Summary:** Proposes a new Article 10 of the state Constitution to require professional qualifications and continuing education requirements for county treasurers. The measure would be subject to voter approval and would apply to county treasurers elected at the General Election in 2016 and to county treasurers appointed to fill a vacancy at any time after July 1, 2015.  
 BOD Oppose

## DETENTION & CORRECTIONS

**Bill:** HB63  
**Sponsors:** Madalena (D65)  
**Title:** BEHAVIORAL HEALTH SERVICES FOR CERTAIN COUNTY JAIL INMATES  
**Summary:** (For the Legislative Health and Human Services Committee) Requires the Local Government Division of DFA to enter into memoranda of understanding with Luna, Grant and Hidalgo Counties to provide behavioral health services to inmates and those released from county jails. Contains a \$563,180 General Fund appropriation to cover costs of the demonstration project.  
*BOD Support*

## DWI & ALCOHOL

**Bill:** HB16  
**Sponsors:** Trujillo, C. (D46)  
**Title:** LIQUOR EXCISE TAX DISTRIBUTION INCREASE  
**Summary:** Increases the present distribution of the state Liquor Excise Tax to the Local DWI Grant Fund of 41.55 percent over the next three fiscal years respectively as follows: FY 2016, 50.55 percent; FY 2017, 59.50 percent, and FY 2018, 68.50 percent.  
*BOD Support*

**Bill:** SB263  
**Sponsors:** Sanchez, M. (D29)  
**Title:** AUTHORIZES REVAMPED LOCAL LIQUOR EXCISE TAX FOR ALL COUNTIES  
**Summary:** (For a state agency) Allows all counties, not just McKinley County, to impose a local liquor excise tax. Changes the tax basis from a percentage of wholesale prices to a tax per unit of alcohol sold. Tax is imposed on wholesalers distributing alcoholic beverages to retailers in the county.  
*BOD Support*

## FIRE & EMS

**Bill:** HB287  
**Sponsors:** Kane (D15)  
**Title:** UPS FIREFIGHTERS' SURVIVORS SUPPLEMENTAL DEATH BENEFITS  
**Summary:** Increases the amount to be paid as supplemental death benefits to the surviving spouse or children whenever a firefighter is killed in the line of duty from \$50,000 to \$250,000. Effective July 1, 2014.  
*BOD Support*

**Bill:** SB94  
**Sponsors:** Griego (D39)  
**Title:** COUNTIES AND MUNICIPALITIES: FIREWORKS RESTRICTIONS  
**Summary:** Amends the Fireworks Licensing and Safety Act to authorize the governing body of a municipality or county to consider "exceptional" drought conditions (in addition to extreme or severe conditions under current law) when making a determination to impose fireworks restrictions.  
*BOD Support*

**Bill:** SB190  
**Sponsors:** Woods (R7); Kane (D15)  
**Title:** FIREFIGHTERS SUPPLEMENTAL SURVIVOR DEATH BENEFIT INCREASE  
**Summary:** Increases from \$50,000 to \$250,000 the supplemental benefits paid to the surviving spouse, children or parents from the New Mexico Firefighters' Survivors Fund whenever a firefighter is killed in the line of duty.  
*BOD Support*

## HEALTH: BEHAVIORAL, INDIGENT, HOSPITAL

**Bill:** HB350  
**Sponsors:** Trujillo, J. (D45)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** (Conflicts with SB268) In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for. Declares an emergency  
**Related:** 2014:SB268

**Bill:** SB268  
**Sponsors:** Rodriguez (D24)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for.  
**Related:** 2014:SB314; 2014:HB350

*BOD support concept of original bullets w/ conditions: local autonomy, equity, flexibility up to 1/8, reporting accountability, include Sandoval County amendment, & putting back DWI + jail funds.*

**Bill:** SB324  
**Sponsors:** Smith (D35)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** (Nearly identical to 2014 SB268 and related to 2014 SM50) In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for.  
**Related:** 2014:SB268; 2014:SM50

**Bill:** SB368  
**Sponsors:** Smith (D35)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** (Duplicate of HB-350; conflicts with SB268) SFC Substitute for SB368 replaces a dummy bill. In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid.  
**Related:** 2014:HB30; 2014:SB268

## LAND USE & ZONING

**Bill:** SB1  
**Sponsors:** Sanchez, M. (D29)  
**Title:** STATE LAND OFFICE STUDY TO ACQUIRE BLM LAND  
**Summary:** Appropriates \$250,000 (GF) to the State Land Office to fund a feasibility assessment pertaining to the acquisition of lands from the U.S. Bureau of Land Management that could generate revenue.

## NATURAL RESOURCES, ENERGY & WATER

**Bill:** HB102  
**Sponsors:** Herrell (R51)  
**Title:** TRANSFER OF PUBLIC LANDS TASK FORCE  
**Summary:** (Related to 2013 HB 292) Creates the Transfer of Public Lands Task Force, to last for three years and to consist of four members of the Legislature, appointed by the majority and minority leaders of each chamber; the Commissioner of Public Land or a designee; the Secretary of Indian Affairs or a designee; and three members appointed by the Governor. The task force shall be staffed by the Legislative Council Service and the State Land Office.  
**Related:** 2013:HB292



## PERA & RETIREMENT

**Bill:** HB27  
**Sponsors:** Trujillo, J. (D45)  
**Title:** PUBLIC EMPLOYEE RETIREMENT: REVISED CONTRIBUTION LEVELS  
**Summary:** Proposes to amend the Retiree Health Care Act by increasing the employer and employee contribution rates paid to the Retiree Health Care Fund.

**Bill:** HB297  
**Sponsors:** Herrell (R51)  
**Title:** PERA: CHIEFS OF POLICE AND UNDERSHERIFFS RETURN-TO-WORK PROVISIONS  
**Summary:** (Executive Message 92) Specifies that a retired member under the Public Employee Retirement Act, who is appointed chief of police or undersheriff of an affiliated public employer, shall not pay member contributions—nor shall the employer shall not pay employer contributions—under the applicable coverage plan during the period of subsequent employment.  
*BOD support (Sheriff Assoc.)*

**Bill:** HB340  
**Sponsors:** Ezzell (R58)  
**Title:** EXCEPTION FOR POLICE, CORRECTIONAL OFFICERS, AND SOCIAL WORKERS RETURN-TO-WORK RESTRICTIONS  
**Summary:** (Related to 2013 SB168) (For the Investments and Pensions Oversight Committee) Adds an exception for state police members, adult correctional members, municipal police members, and licensed social workers to the return-to work restrictions in the Public Employees Retirement Act and establishes conditions by which those members may return to work while continuing to receive retirement benefits.  
**Related:** 2014:SB317; 2014:SB168

**Bill:** HB344  
**Sponsors:** Rehm (R31)  
**Title:** EXCEPTION FOR LAW ENFORCEMENT RETURN-TO-WORK RESTRICTIONS  
**Summary:** (Related to HB194) Adds an exception for retired law enforcement officers to the return-to work restrictions in the Public Employees Retirement Act and establishes conditions by which those members may return to work while continuing to receive retirement benefits.  
**Related:** 2014:HB194

**Bill:** SB135  
**Sponsors:** Munoz (D4)  
**Title:** PUBLIC EMPLOYEE RETIREMENT: REVISED CONTRIBUTION LEVELS  
**Summary:** (Identical to HB27) Proposes to amend the Retiree Health Care Act by increasing the employer and employee contribution rates paid to the Retiree Health Care Fund.  
**Related:** 2014:HB27

**Bill:** SB317  
**Sponsors:** Kernan (R42)  
**Title:** EXCEPTION FOR POLICE, CORRECTIONAL OFFICERS, AND SOCIAL WORKERS RETURN-TO-WORK RESTRICTIONS  
**Summary:** (Identical to HB340) (For the Investments and Pensions Oversight Committee) Adds an exception for state police members, adult correctional members, municipal police members, and licensed social workers to the return-to work restrictions in the Public Employees Retirement Act and establishes conditions by which those members may return to work while continuing to receive retirement benefits.  
**Related:** 2014:HB340

## TAX: PROPERTY & ASSESSORS

- Bill:** HB89  
**Sponsors:** Martinez, Rudolpho (D39)  
**Title:** DELINQUENT PROPERTY TAX RECEIPTS RETAINED BY COUNTY TREASURER  
**Summary:** (For the Revenue Stabilization and Tax Policy Committee) Clarifies lines of authority between the Taxation and Revenue Department and county treasurers over the collection and deposit of monies derived from the payment of delinquent property taxes.  
*BOD Support & request hearing*
- Bill:** HB178  
**Sponsors:** Egolf (D47)  
**Title:** ENDS VALUATION LIMITATION ON RESIDENTIAL PROPERTY  
**Summary:** (For the Revenue Stabilization and Tax Policy Review Committee) For residential properties that change hands on or after January 1, 2015, the three percent limit on year-to-year increases in assessed valuation will no longer apply. The cap would remain in place, however, for properties that do not change ownership.  
*BOD Oppose*
- Bill:** HB301  
**Sponsors:** Gonzales (D42)  
**Title:** REQUIREMENTS FOR COUNTY ASSESSOR TO RECLASSIFY AGRICULTURAL PROPERTY  
**Summary:** Specifies procedures for a county assessor's determination that land valued as agricultural property is no longer being used for that purpose. Upon this determination, the land shall continue to be valued as agricultural for the taxable year in which the determination is made. The land shall not be valued as agricultural for a subsequent taxable years unless use of the land primarily for agricultural purposes resumes. The assessor is directed to notify the property owner within one month of the determination. If the use of the land primarily for agricultural purposes resumes, the owner may make application for resumption of the agricultural valuation.  
*BOD Support*
- Bill:** SB248  
**Sponsors:** Cisneros (D6); Gonzales (D42)  
**Title:** CAP ON PROPERTY TAX VALUATION INCREASE FOR LAND PREVIOUSLY CLASSED AS AGRICULTURAL  
**Summary:** Adds a new section to the Property Tax Code to protect certain owners of agricultural land from large increases in valuation for property tax purposes when the land ceases to be valued as agricultural land. Applicable to the 2014 and subsequent property tax years.  
*BOD Oppose*
- Bill:** SB260  
**Sponsors:** Neville (R2)  
**Title:** PROPERTY TAX VALUATION OF RESIDENTIAL PROPERTY  
**Summary:** (For Revenue Stabilization and Tax Policy Committee) (2014 - HB178; 2013 - HB521 and SB 284; 2012 - SB145; 2011 - SCORC/SB108) Attempts to fix the "tax lightning" problem with the valuation and taxation of residential property. Transitions valuations to a percentage of the "current and correct" standard set in the Property Tax Code.

## TAX: GENERAL & TIDDs

- Bill:** SB140  
**Sponsors:** Ivey-Soto (D15)  
**Title:** TAX INCREMENT DEVELOPMENT DISTRICTS: REVISION OF BASE YEAR  
**Summary:** Outlines procedures by which a tax increment development district may change the base year used to determine its gross receipts tax increment and the state Board of Finance may approve the change.  
*BOD - Abstain*

## **TAX: GROSS RECEIPTS & COMPENSATING**

**Bill:** HB114  
**Sponsors:** Lundstrom (D9)  
**Title:** EXEMPTS CERTAIN MUNICIPALITIES FROM HOLD HARMLESS PHASE-OUT  
**Summary:** Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large municipalities and allows certain large municipalities to retain the distribution.

**Bill:** HB132  
**Sponsors:** Harper (R57)  
**Title:** ADJUSTS THE FOOD AND MEDICAL HOLD-HARMLESS DISTRIBUTIONS AND TAXES  
**Summary:** Makes detailed adjustment of local option hold harmless gross receipts taxes and the hold harmless distribution amounts distributed to municipalities and counties during the 15-year phase-out of those distributions.

**Bill:** HB155  
**Sponsors:** Lundstrom (D9)  
**Title:** SAVES HOLD-HARMLESS DISTRIBUTION FOR MCKINLEY COUNTY  
**Summary:** (Duplicates Section 2 of SB171; similar to HB114, HB132, SB87, SB170) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large counties; allows McKinley County to retain the distribution.  
**Related:** 2014:HB114; 2014:HB132; 2014:SB87; 2014:SB170; 2014:SB171

**Bill:** HB339  
**Sponsors:** Dodge (D63)  
**Title:** REVISING TAX ADMINISTRATION PROCEDURES FOR MUNICIPAL AND COUNTY DISTRIBUTION ADJUSTMENTS  
**Summary:** (Similar to 2013's HB561 and SB518) Revises the present correction process regarding revenue distributions and transfers to local governments and makes some related tax administration changes.  
**Related:** 2013:HB561; 2013:SB518

**Bill:** HB349  
**Sponsors:** Trujillo, J. (D45)  
**Title:** GROSS RECEIPTS TAXES IMPOSED ON CERTAIN ACUTE CARE HOSPITALS  
**Summary:** Imposes, for the one-year period July 1, 2014 through June 30, 2015, a hospital gross receipts tax of 75 ten-thousandths percent (0.0075 percent) on investor-owned or investor-operated acute care general hospital licensed by the Department of Health. Imposes a hospital governmental gross receipts tax at the same rate on every Institution, instrumentality or political subdivision that is an acute care general hospital licensed by the Department of Health. Neither tax applies to UNM Hospital.

**Bill:** SB87  
**Sponsors:** Neville (R2)  
**Title:** GRT DISTRIBUTION AND LOCAL GOVERNMENT HOLD HARMLESS GRT CHANGES  
**Summary:** Swaps a new distribution of the gross receipts tax to municipalities and counties for the existing food and medical hold-harmless distributions; reduces the amount of municipal or county hold harmless gross receipts tax that may be imposed and provides conditions for when the tax may be imposed.

**Bill:** SB170  
**Sponsors:** Munoz (D4)  
**Title:** EXEMPTS CERTAIN MUNICIPALITIES FROM HOLD HARMLESS PHASE-OUT  
**Summary:** (Duplicates HB114; related to HB132, SB87, SB171) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large municipalities and allows certain large municipalities to retain the distribution.  
**Related:** 2014:HB114; 2014:HB32; 2014:SB87; 2014:SB171

**Bill:** SB171  
**Sponsors:** Munoz (D4)  
**Title:** EXEMPTS GALLUP FROM HOLD HARMLESS PHASE-OUT  
**Summary:** (Similar to HB114 and SB170; also related to HB132 and SB87) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large municipalities and counties; allows Gallup to retain the distribution.

**Bill:** SB217  
**Sponsors:** Munoz (D4)  
**Title:** SAVES HOLD-HARMLESS DISTRIBUTION FOR MCKINLEY COUNTY  
**Summary:** (Duplicates HB155 and Section 2 of SB171; similar to HB114, HB132, SB87, SB170) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large counties; allows McKinley County to retain the distribution.  
**Related:** 2014:HB155; 2014:SB171; 2014:HB114; 2014:HB132; 2014:SB87; 2014:SB170

## TRANSPORTATION & ROADS

**Bill:** HB116  
**Sponsors:** Gonzales (D42)  
**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND  
**Summary:** Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.

**Bill:** HB117 + SB168  
**Sponsors:** Gonzales (D42)  
**Title:** APPROPRIATION: LEGAL AND ECONOMIC ANALYSES OF RAIL SERVICE  
**Summary:** Appropriates \$150,000 (GF) for expenditure in FY 2014 and FY 2015 as follows:  
**Related:** 2014:SB168  
BOD support

**Bill:** HB241  
**Sponsors:** Gonzales (D42)  
**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND  
**Summary:** (Identical to SB221) (Similar to HB116) Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.  
**Related:** 2014:SB221; 2014:HB116

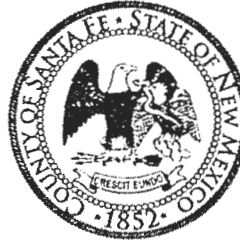
**Bill:** SB209  
**Sponsors:** Woods (R7)  
**Title:** COUNTY ROAD SPEED LIMITS  
**Summary:** Amends current law to limit speeds on unmarked county roads to 55 MPH, and changes "Highway and Transportation Department" to "Department of Transportation" throughout section.  
BOD support

**Bill:** SB221  
**Sponsors:** Campos, P. (D8)  
**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND  
**Summary:** (Similar to HB116) Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.  
**Related:** 2014:HB116

**Daniel "Danny" Mayfield**  
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:** February 11, 2014  
**To:** Board of County Commissioners  
**From:** Penny Ellis-Green, Growth Management Director *PEG*  
**Via:** Katherine Miller, Santa Fe County Manager  
**Subject:** Sustainable Land Development Code  
Proposed Implementation Schedule

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#### Background and Summary

Santa Fe Board of County Commissioners unanimously approved an Ordinance to adopt the Sustainable Land Development Code (SLDC) at the December 10, 2013 Board meeting. The Sustainable Land Development Code will not become effective until after the County Zoning Map is adopted.

The County Zoning Map adoption process will include legal notice and a public process and staff is proposing the following Implementation Schedule:

March 1-28, 2014	Prepare Public Notice Letters
March 21, 2014	Zoning Map Adoption Draft Released
March 31, 2014	Public Notice Letters Mailed
April 7 – 18, 2014	Public Review Period
April 29, 2014	BCC Regular Meeting, Request to Publish Title and General Summary of Technical Changes to the SLDC and release Technical Changes to the SLDC
May 6, 2014	Special Board of County Commission Meeting: 1st Public Hearing for Zoning Map 1 <sup>st</sup> Public Hearing on Technical Changes to the SLDC
May 7-23, 2014	Draft Changes to Zoning Map and release Final Draft of Zoning Map
June 3, 2014	Special Board of County Commission Meeting: 2nd Public Hearing for Adoption of the Zoning Map 2nd Public Hearing for Adoption of Technical Changes to the SLDC
November 25, 2014	Board of County Commission 6 month Review



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SUNDAYREVIEW | EDITORIAL

# The Case for a Higher Minimum Wage

By THE EDITORIAL BOARD FEB. 8, 2014

ANSWER  
9 90 2014

The political posturing over raising the minimum wage sometimes obscures the huge and growing number of low-wage workers it would affect. An estimated 27.8 million people would earn more money under the Democratic proposal to lift the hourly minimum from \$7.25 today to \$10.10 by 2016. And most of them do not fit the low-wage stereotype of a teenager with a summer job. Their average age is 35; most work full time; more than one-fourth are parents; and, on average, they earn half of their families' total income.

None of that, however, has softened the hearts of opponents, including congressional Republicans and low-wage employers, notably restaurant owners and executives.

This is not a new debate. The minimum wage is a battlefield in a larger political fight between Democrats and Republicans — dating back to the New Deal legislation that instituted the first minimum wage in 1938 — over government's role in the economy, over raw versus regulated capitalism, over corporate power versus public needs.

But the results of the wage debate are clear. Decades of research, facts and evidence show that increasing the minimum wage is vital to the economic security of tens of millions of Americans, and would be good for the weak economy. As Congress begins its own debate, here are answers to some basic questions about the need for an increase.

**WHAT'S THE POINT OF THE MINIMUM WAGE?** Most people think of the minimum wage as the lowest legal hourly pay. That's true, but it is really much more than that. As defined in the name of the law that established it — the

Fair Labor Standards Act of 1938 — the minimum wage is a fundamental labor standard designed to protect workers, just as child labor laws and overtime pay rules do. Labor standards, like environmental standards and investor protections, are essential to a functional economy. Properly set and enforced, these standards check exploitation, pollution and speculation. In the process, they promote broad and rising prosperity, as well as public confidence.

The minimum wage is specifically intended to take aim at the inherent imbalance in power between employers and low-wage workers that can push wages down to poverty levels. An appropriate wage floor set by Congress effectively substitutes for the bargaining power that low-wage workers lack. When low-end wages rise, poverty and inequality are reduced. But that doesn't mean the minimum wage is a government program to provide welfare, as critics sometimes imply in an attempt to link it to unpopular policies. An hourly minimum of \$10.10, for example, as Democrats have proposed, would reduce the number of people living in poverty by 4.6 million, according to widely accepted research, without requiring the government to tax, borrow or spend.

**IS THERE AN ALTERNATIVE?** No. Other programs, including food stamps, Medicaid and the earned-income tax credit, also increase the meager resources of low-wage workers, but they do not provide bargaining power to claim a better wage. In fact, they can drive wages down, because employers who pay poorly factor the government assistance into their wage scales. This is especially true of the earned-income tax credit, a taxpayer-provided wage subsidy that helps lift the income of working families above the poverty line.

Conservatives often call for increases to the E.I.T.C. instead of a higher minimum wage, saying that a higher minimum acts as an unfair and unwise tax on low-wage employers. That's a stretch, especially in light of rising corporate profits even as pay has dwindled. It also ignores how the tax credit increases the supply of low-wage labor by encouraging more people to work, holding down the cost of labor for employers. By one estimate, increasing the tax credit by 10 percent reduces the wages of high-school educated workers by 2 percent.

There are good reasons to expand the tax credit for childless workers, as President Obama recently proposed. It is a successful antipoverty program and a

capstone in the conservative agenda to emphasize work over welfare. But an expanded E.I.T.C. is no reason to stint on raising the minimum wage — just the opposite. A higher minimum wage could help offset the wage-depressing effect of a bolstered E.I.T.C., and would ensure that both taxpayers and employers do their part to make work pay.

**HOW HIGH SHOULD IT BE?** There's no perfect way to set the minimum wage, but the most important benchmarks — purchasing power, wage growth and productivity growth — demonstrate that the current \$7.25 an hour is far too low. They also show that the proposed increase to \$10.10 by 2016 is too modest.

The peak year for the minimum wage was 1968, when its purchasing power was nearly \$9.40 in 2013 dollars, as shown in the accompanying chart. Since then, the erosion caused by inflation has obviously overwhelmed the increases by Congress. Even a boost to \$10.10 an hour by 2016 (also adjusted to 2013 dollars) would lift the minimum to just above its real value in 1968. So while it is better than no increase, it is hardly a raise.

The situation is worse when the minimum wage is compared with the average wages of typical American workers, the ones with production and nonsupervisory jobs in the private sector. From the mid-1960s to the early 1980s, when one full-time, full-year minimum wage job could keep a family of two above the poverty line, the minimum equaled about half of the average wage. Today, it has fallen to one-third; to restore it to half would require nearly \$11 an hour, a better goal than \$10.10.

The problem is that the average wage, recently \$20.39 an hour, has also stagnated over the past several decades, despite higher overall education levels for typical workers and despite big increases in labor productivity. People are working harder and churning out more goods and services, but there's no sign of that in their paychecks. If the average wage had kept pace with those productivity gains, it would be about \$36 an hour today, and the minimum wage, at half the average, would be about \$18.

That is not to suggest that the hourly minimum wage could be catapulted from \$7.25 to \$18. A minimum of \$18 would be untenable with the average



hovering in the low \$20s. But it does confirm that impersonal market forces are not the only, or even the primary, reason for widespread wage stagnation. Flawed policies and changing corporate norms are also to blame, because they have allowed the benefits of productivity gains to flow increasingly to profits, shareholder returns and executive pay, instead of workers' wages.

**DOES IT KILL JOBS?** The minimum wage is one of the most thoroughly researched issues in economics. Studies in the last 20 years have been especially informative, as economists have been able to compare states that raised the wage above the federal level with those that did not.

The weight of the evidence shows that increases in the minimum wage have lifted pay without hurting employment, a point that was driven home in a recent letter to Mr. Obama and congressional leaders, signed by more than 600 economists, among them Nobel laureates and past presidents of the American Economic Association.

That economic conclusion dovetails with a recent comprehensive study, which found that minimum wage increases resulted in “strong earnings effects” — that is, higher pay — “and no employment effects” — that is, zero job loss.

Evidence, however, does not stop conservatives from making the argument that by raising the cost of labor, a higher minimum wage will hurt businesses, leading them to cut jobs and harming the low-wage workers it is intended to help. Alternatively, they argue it will hurt consumers by pushing up prices precipitously. Those arguments are simplistic. Research and experience show that employers do not automatically cope with a higher minimum wage by laying off workers or not hiring new ones. Instead, they pay up out of savings from reduced labor turnover, by slower wage increases higher up the scale, modest price increases or other adjustments.

Which brings the debate over raising the minimum wage full circle. The real argument against it is political, not economic. Republican opposition will likely keep any future increase in the minimum wage below a level that would constitute a firm wage floor, though an increase to \$10.10 an hour would help tens of millions of workers. It also would help the economy by supporting consumer spending that in turn supports job growth. It is not a cure-all; it is not

**bold or innovative. But it is on the legislative agenda, and it deserves to pass.**

Meet The New York Times's Editorial Board »

A version of this editorial appears in print on February 9, 2014, on page SR10 of the New York edition with the headline: The Case for a Higher Minimum Wage.

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E. Businesses required by Santa Fe County Ordinance to have a business license from Santa Fe County shall pay the living wage established by this Ordinance.

F. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed by or providing work to an employer identified in subsections A through E above, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the state or any political subdivision of the state other than Santa Fe County;

(2) An individual engaged in the activities of an educational; charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of New Mexico Apprenticeship and Training Committee or the Federal Bureau of Apprenticeship and Training as well as apprentices participating in apprenticeship programs providing significant instructional and practical experience in lieu of the living wage and offered by a 501C(3)-. Apprentices are those bound to serve another for a specified time in order to learn some art, trade, profession, or business ~~and must qualify as an apprentice under a federal or state approved apprenticeship program;~~

(4) G.I. bill trainees while under training;

(5) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board is provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the director of the labor relations division of the workforce solutions department of the State of New Mexico pertaining to exemption of seasonal employees;

(6) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(7) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university;

(8) Persons working for a business in connection with a court-ordered community service program; and



# Legislative Report

# 2014

## Regular Session

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February 11, 2014 Board of County Commissioners Meeting

BCC REPORT 2/11/14

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SANTA FE COUNTY LEGISLATIVE RESOLUTIONS LISTED	Pages 42 - 44
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## TRACKED LEGISLATION:

HB 2, HB 12, HB 13, HB 15, HB 16, HB 26, HB 27, HB 28, HB 29, HB 31, HB 34, HB 38, HB 40, HB 55, HB 57, HB 71, HB 77, HB 80, HB 81, HB 89, HB 90, HB 102, HB 114, HB 116, HB 117, HB 127, HB 131, HB 132, HB 141, HB 146, HB 153, HB 155, HB 165, HB 177, HB 178, HB 185, HB 1888, HB 189, HB 192, HB 194, HB 195, HB 210, HB 211, HB 213, HB 216, HB 220, HB 221, HB 222, HB 230, HB 231, HB 241, HB 257, HB 291, HB 297, HB 299, HB 301, HB 303, HB 311, HB 315, HB 339, HB 340, HB 341, HB 344, HB 349, HB 350, HB 356, HJM 11, HJR 1, HJR 3, HJR 9, HB 15, HB 32, HB 33, HB 66, HB 68, HB 75, SB 11, SB 20, SB 53, SB 87, SB 135, SB 143, SB 162, SB 164, SB 170, SB 187, SB 198, SB 201, SB 205, SB 209, SB 217, SB 220, SB 221, SB 223, SB 232, SB 237, SB 248, SB 256, SB 260, SB 263, SB 268, SB 271, SB 285, SB 299, SB 308, SB 310, SB 313, SB 314, SB 322, SB 368, SJR 19, SM 50

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## HOUSE BILLS

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**Bill:** HB2  
**Sponsors:** Saavedra (D10)  
**Title:** GENERAL APPROPRIATIONS ACT OF 2014  
**Summary:** A shell for a more comprehensive bill that will emerge later in the legislative session. Cited as the General Appropriation Act of 2014, authorizes funding to various state agencies from the General Fund, Internal Services and Transfers, Other State Funds and Federal Funds in FY 2015 as follows:  
**Subjects:** State Affairs and State Agencies; Appropriations  
**Progress:** 1st House: Reported from Committees  
**Status:** 02/07/2014 – Failed in the House  
**History:** 01/21/2014 – H Introduced and referred to House Appropriations & Finance.  
02/06/2014 – H Reported Do Not Pass but Do Pass as substituted by House Appropriations & Finance (Substitute for HB2 and HB3, HB4, HB5 and HB6).  
02/07/2014 – H Opened for floor debate.  
02/07/2014 – H Floor amendments failed (Amendment 1) (Rep. Donald Bratton) Roll Call 34-34.  
02/07/2014 – H Failed to pass 34-34.  
**Scheduled:** 02/11/2014 – House Calendar, 11:00 a.m., House Chamber  
Related: Concerns regarding the \$3.3 million in funding for the County Detention Reimbursement Fund and the \$2.7 million for local DWI Grant programs that may be at stake in order for the State of New Mexico to cover the state safety net pool.

**Bill: HB12****Sponsors:** Lundstrom (D9)**Title:** PUBLIC PROJECT LOAN AUTHORIZATIONS**Summary:** (For the New Mexico Finance Authority Oversight Committee) Authorizes the New Mexico Finance Authority to make the following 125 public project loans:**Subjects:** Appropriations; Transportation; Water; Land, Housing and Real Estate; Courts and Civil Matters; Municipalities/City Government; Schools and Teachers**Progress:** 1st House: Passed**Status:** 02/10/2014 - Passed in the House

**History:** 01/22/2014 - H Introduced and referred to House Health, Government & Indian Affairs.  
 01/22/2014 - H Also referred to House Appropriations & Finance.  
 01/30/2014 - H Reported Do Pass by House Health, Government & Indian Affairs.  
 02/06/2014 - H Reported Do Pass as amended by House Appropriations & Finance.  
 02/10/2014 - H Opened for floor debate.  
 02/10/2014 - H Passed 59-0.

**Scheduled:** 02/10/2014 - House Calendar, 11:00 a.m., House Chamber**Bill: HB13****Sponsors:** Stapleton (D19)**Title:** PUBLIC SCHOOL FINANCE: LOCAL REVENUE DEFINITION CHANGE**Summary:** (For the New Mexico Finance Authority Oversight Committee) Changes the definition of what constitutes "school district local revenue" to include the amount of a tax imposed by a municipality, county or the school district that is used to fund the district for any operational purpose.**Subjects:** Schools and Teachers; Appropriations; Taxation and Fees**Progress:** 1st House: Reported from Committees**Status:** 02/10/2014 - House Calendar

**History:** 01/22/2014 - H Introduced and referred to House Rules.  
 01/23/2014 - H Committee referrals changed.  
 01/23/2014 - H Referral withdrawn from House Rules.  
 01/23/2014 - H Referred to House Education.  
 01/23/2014 - H Referred to House Taxation & Revenue.  
 01/31/2014 - H Reported without recommendation as amended by House Education.  
 02/10/2014 - H Reported Do Pass by House Education.



**Bill: HB15**

**Sponsors:** Bandy (R3)

**Title:** TOBACCO PRODUCTS AND E-CIGARETTE ACT

**Summary:** (For the Tobacco Settlement Revenue Oversight Committee) Expands and renames the existing Tobacco Products Act to include e-cigarettes within the Tobacco Products and E-Cigarette Act. Prohibits the sale of e-cigarettes to minors in person or via the internet; specifies ID requirements and penalties.

**Subjects:** Criminal Code; Family and Juveniles; Health and Medical Practice; Alcohol, Firearms and Tobacco Products; County Affairs; Municipalities/City Government

**Progress:** 1st House: Reported from Committees

**Status:** 02/03/2014 – House Judiciary Committee

**History:** 01/22/2014 – H Introduced and referred to House Rules.

01/27/2014 – H Committee referrals changed.

01/27/2014 – H Referral withdrawn from House Rules.

01/27/2014 – H Referred to House Health, Government & Indian Affairs.

01/27/2014 – H Referred to House Judiciary.

02/03/2014 – H Reported Do Pass as amended by House Health, Government & Indian Affairs.

**Scheduled:** 02/10/2014 – House Judiciary Committee, 1:30 p.m. or 1/2 hour after Floor Session, Room 309

Related: Resolution 2013-140

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**Bill: HB16**

**Sponsors:** Trujillo, C. (D46)

**Title:** LIQUOR EXCISE TAX DISTRIBUTION INCREASE

**Summary:** Increases the present distribution of the state Liquor Excise Tax to the Local DWI Grant Fund of 41.55 percent over the next three fiscal years respectively as follows: FY 2016, 50.55 percent; FY 2017, 59.50 percent, and FY 2018, 68.50 percent.

**Subjects:** Alcohol, Firearms and Tobacco Products; Taxation and Fees; County Affairs; Municipalities/City Government

**Progress:** 1st House: Reported from Committees

**Status:** 02/05/2014 – House Appropriations and Finance Committee

**History:** 01/22/2014 – H Introduced and referred to House Taxation & Revenue.

01/22/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported Do Not Pass but Do Pass as substituted by House Taxation & Revenue.

Related: Santa Fe County DWI program

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**Bill: HB26**

**Sponsors:** Wooley (R66)

**Title:** AFFIDAVITS ON SALE OF NONRESIDENTIAL PROPERTY

**Summary:** (Related to 2013 SB117) Expands the requirement for filing of affidavits with the county assessor to include the sale of nonresidential property. The affidavit is to contain the names of all transferors and transferees and their addresses, the legal description of the property, the full consideration and the value and description of any personal property included in the sale price. The sale of land used primarily for agricultural purposes is excluded from the requirement.

**Subjects:** County Affairs; Land, Housing and Real Estate; Taxation and Fees

**Related:** 2013:SB117

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**Progress:** Introduced  
**Status:** 01/22/2014 – House Rules Committee  
**History:** 01/22/2014 – H Introduced and referred to House Rules.

**Bill: HB27**

**Sponsors:** Trujillo, J. (D45)  
**Title:** PUBLIC EMPLOYEE RETIREMENT: REVISED CONTRIBUTION LEVELS  
**Summary:** Proposes to amend the Retiree Health Care Act by increasing the employer and employee contribution rates paid to the Retiree Health Care Fund.  
**Subjects:** Public Employees/Retirement  
**Progress:** Introduced  
**Status:** 01/22/2014 – House Rules Committee  
**History:** 01/22/2014 – H Introduced and referred to House Rules.

**Bill: HB28**

**Sponsors:** Gonzales (D42)  
**Title:** GF: REGIONAL HOUSING AUTHORITIES OVERSIGHT APPROPRIATION  
**Summary:** (Same as prefiled SB11) Appropriates \$250,000 (GF FY2015) to DFA for funding oversight of the Regional Housing Authorities by the Mortgage Finance Authority.  
**Subjects:** Appropriations; Land, Housing and Real Estate; State Affairs and State Agencies  
**Progress:** 1st House: Reported from Committees  
**Status:** 01/30/2014 – House Appropriations and Finance Committee  
**History:** 01/22/2014 – H Introduced and referred to House Health, Government & Indian Affairs.  
 01/22/2014 – H Also referred to House Appropriations & Finance.  
 01/30/2014 – H Reported Do Pass by House Health, Government & Indian Affairs.

**Bill: HB29**

**Sponsors:** Gonzales (D42)  
**Title:** REGIONAL HOUSING AUTHORITIES OVERSIGHT CHANGED TO DFA  
**Summary:** Transfers from the Mortgage Finance Authority to Department of Finance and Administration (DFA) all matters pertaining to the oversight of Regional Housing Authorities.  
**Subjects:** Construction and Materials; Land, Housing and Real Estate; Human Services; State Affairs and State Agencies  
**Progress:** Introduced  
**Status:** 01/22/2014 – House Rules Committee  
**History:** 01/22/2014 – H Introduced and referred to House Rules.

**Bill: HB31**

**Sponsors:** Gonzales (D42); Cotter (R36)

**Title:** REDUCES RESTRICTIONS ON SALE OF AFFORDABLE HOUSING

**Summary:** (Endorsed by the Mortgage Finance Authority Act Oversight Committee) (Identical in substance to 2013 HB74) Proposes to amend the Affordable Housing Act to permit and provide terms for the sale of foreclosed affordable housing projects without retaining the long-term affordability restrictions. Requires MFA to adopt rules. Gives Attorney General "civil investigative demand" powers.

**Subjects:** Land, Housing and Real Estate; Banks, Securities and Loans; Human Services

**Related:** 2013:HB74

**Progress:** 2nd House: Referred to Committee

**Status:** 02/04/2014 - Senate Public Affairs Committee

**History:** 01/22/2014 - H Introduced and referred to House Rules.

01/27/2014 - H Committee referrals changed.

01/27/2014 - H Referral withdrawn from House Rules.

01/27/2014 - H Referred to House Judiciary.

01/30/2014 - H Reported Do Pass as amended by House Judiciary.

02/03/2014 - H Opened for floor debate.

02/03/2014 - H Passed 61-0.

02/04/2014 - S Received in the Senate and referred to Senate Public Affairs.

02/04/2014 - S Also referred to Senate Judiciary.

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**Bill: HB34**

**Sponsors:** Hall, J. C. (R28); Keller (D17)

**Title:** NMSU AGRICULTURE AND EXTENSION SERVICE FUNDS

**Summary:** Appropriates \$1.008 million (GF) to NMSU for FY2015 expenditures of which \$674,000 is for the operation of the cooperative extension service and \$334,000 is for support of the agricultural experiment station.

**Subjects:** Higher Education; Agriculture and Ranching; Appropriations

**Progress:** 1st House: Reported from Committees

**Status:** 01/29/2014 - House Appropriations and Finance Committee

**History:** 01/22/2014 - H Introduced and referred to House Agriculture & Water Resources.

01/22/2014 - H Also referred to House Appropriations & Finance.

01/29/2014 - H Reported Do Pass by House Agriculture & Water Resources.

01/29/2014 - H Reported Do Pass by House Agriculture & Water Resources.

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**Bill: HB38**

**Sponsors:** Cote (D53)

**Title:** EXCEPTION TO PROPERTY TAX PAYMENT PRIOR TO FILING PLAT

**Summary:** Amends the Property Tax Code to grant an exception to paying property taxes prior to filing a plat in cases where the property owner has entered into a written agreement to transfer the real property to the state or any of its political subdivisions.

**Subjects:** Land, Housing and Real Estate; Taxation and Fees; Business, Manufacturing and Economic Development

**Progress:** Introduced

**Status:** 01/22/2014 – House Taxation and Revenue Committee

**History:** 01/22/2014 – H Introduced and referred to House Taxation & Revenue.

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**Bill: HB40**

**Sponsors:** Cote (D53)

**Title:** AFFORDABLE HOUSING TAX CREDIT CURTAILED FOR LOCAL GOVERNMENT

**Summary:** Proposes to amend the Affordable Housing Tax Credit Act by removing counties and municipalities from the definition of "person," and thereby disallowing the tax credit to be claimed by counties and municipalities.

**Subjects:** Taxation and Fees; Land, Housing and Real Estate; Human Services; County Affairs; Municipalities/City Government

**Progress:** 1st House: Passed

**Status:** 02/10/2014 – Passed in the House

**History:** 01/22/2014 – H Introduced and referred to House Consumer & Public Affairs.

01/22/2014 – H Also referred to House Taxation & Revenue.

01/29/2014 – H Reported Do Pass by House Consumer & Public Affairs.

02/05/2014 – H Reported Do Pass by House Taxation & Revenue.

02/10/2014 – H Opened for floor debate.

02/10/2014 – H Passed 62-0.

**Scheduled:** 02/10/2014 – House Calendar, 11:00 a.m., House Chamber

**Bill: HB55**

**Sponsors:** Trujillo, J. (D45)

**Title:** 2014 WORK NEW MEXICO ACT

**Summary:** Cited as the 2014 Work New Mexico Act, authorizes the issuance of severance tax bonds and appropriates bond proceeds together with other funds and balances for a multitude of capital projects. Imposes time deadlines for the use of appropriations; otherwise, proceeds revert to the funding source within specified time periods, i.e., Severance Tax Bonding Fund, General Fund, and Other State Funds . Except for appropriations to the Capital Program Fund, the use of funds for indirect project costs is prohibited.

**Subjects:** Labor; Appropriations; Business, Manufacturing and Economic Development; Construction and Materials; Aging; Water; Indians; Public Safety and Corrections; Transportation; Veterans and Military Affairs; State Affairs and State Agencies; Information Technology; Human Services; Energy Resources and Chemicals; Schools and Teachers

**Progress:** Introduced

**Status:** 01/23/2014 – House Taxation and Revenue Committee

**History:** 01/23/2014 – H Introduced and referred to House Taxation & Revenue.

01/23/2014 – H Also referred to House Appropriations & Finance.

Related: Severance tax bond; Also is looking for an appropriation of \$4.5million from the Enhanced 911 fund to the department of information technology for expenditure in fiscal years 2014 through 2018, therefore affecting our Regional Emergency Communications Center (RECC funding)

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**Bill: HB57**

**Sponsors:** Trujillo, J. (D45); Sanchez, M. (D29)

**Title:** TAX REFUND DESIGNATION TO EXPAND SENIOR SERVICES

**Summary:** Creates a method to provide supplemental funding for services to the elderly. By amending the Income Tax Act, taxpayers would have the option to designate a portion of their tax refund for senior services. Revenue would be paid to the North Central New Mexico Economic Development District—a State Planning District and Council of Governments that serves as the Non-Metro Area Agency on Aging—to provide supplemental senior services throughout the state.

**Subjects:** Taxation and Fees; Aging; Appropriations; State Affairs and State Agencies; Human Services

**Progress:** 2nd House: Referred to Committee

**Status:** 02/04/2014 – Senate Public Affairs Committee

**History:** 01/23/2014 – H Introduced and referred to House Taxation & Revenue.

01/30/2014 – H Reported Do Pass by House Taxation & Revenue.

02/03/2014 – H Opened for floor debate.

02/03/2014 – H Passed 62-0.

02/04/2014 – S Received in the Senate and referred to Senate Public Affairs.

02/04/2014 – S Also referred to Senate Finance.

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**Bill: HB71**

**Sponsors:** Gonzales (D42)

**Title:** TRADITIONAL HISTORIC COMMUNITY QUALIFICATIONS

**Summary:** Amends the qualifications for becoming a "traditional historic community" to include the existing Agua Fria community in Santa Fe County and a community in Taos County seeking that designation.

**Subjects:** County Affairs; Land, Housing and Real Estate; Cultural Affairs

**Progress:** Introduced

**Status:** 01/27/2014 – House Rules Committee

**History:** 01/27/2014 – H Introduced and referred to House Rules.

**Bill: HB77**

**Sponsors:** Trujillo, J. (D45)

**Title:** ABOLISHES DUPLICATE RECORDING OF INSTRUMENTS WITH COUNTY CLERK

**Summary:** Relates to the recording of duplicate instruments with the office of the county clerk. Gone is the provision in existing law which authorizes that a duplicate of an instrument of writing duly acknowledged (notarized) may be filed and recorded to the same extent as the original.

**Subjects:** County Affairs; Banks, Securities and Loans; State Affairs and State Agencies; Land, Housing and Real Estate

**Progress:** 1st House: Referred to Committee

**Status:** 01/31/2014 – House Judiciary Committee

**History:** 01/27/2014 – H Introduced and referred to House Rules.

01/31/2014 – H Committee referrals changed.

01/31/2014 – H Referral withdrawn from House Rules.

01/31/2014 – H Referred to House Judiciary.

**Bill: HB80**

**Sponsors:** Tripp (R49)

**Title:** DOH FUNDS, HEALTH NEEDS ASSESSMENTS BY COUNTY AND TRIBAL HEALTH COUNCILS

**Summary:** (For the Legislative Health and Human Services Committee) Provides a \$900,000 (GF) appropriation to the Department of Health to fund community health needs assessments performed by county and tribal health councils.

**Subjects:** Appropriations; Health and Medical Practice; County Affairs; Indians

**Progress:** 1st House: Reported from Committees

**Status:** 02/05/2014 – House Appropriations and Finance Committee

**History:** 01/27/2014 – H Introduced and referred to House Health, Government & Indian Affairs.

01/27/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported Do Pass by House Health, Government & Indian Affairs.

**Bill: HB81**

**Sponsors:** Tripp (R49); Keller (D17)

**Title:** APPROPRIATION: LOCAL PRODUCE IN SCHOOLS

**Summary:** (For the Water and Natural Resources Committee) Provides a \$1,440,000 (GF, nonreverting) appropriation to the Public Education Department for expenditure in FY 2015 and subsequent fiscal years to distribute to school districts and charter schools for the purchase of New Mexico-grown fresh fruits and vegetables for use in school meal programs.

**Subjects:** Appropriations; Family and Juveniles; Health and Medical Practice; Schools and Teachers; Agriculture and Ranching; Human Services

**Progress:** 1st House: Reported from Committees

**Status:** 01/29/2014 – House Appropriations and Finance Committee

**History:** 01/27/2014 – H Introduced and referred to House Agriculture & Water Resources.

01/27/2014 – H Also referred to House Appropriations & Finance.

01/29/2014 – H Reported Do Pass by House Agriculture & Water Resources.

Related: Resolution 2013- 121 A Resolution In Support of a Healthy Kid, Healthy Economy Program

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**Bill: HB89**

**Sponsors:** Martinez, Rudolpho (D39)

**Title:** DELINQUENT PROPERTY TAX RECEIPTS RETAINED BY COUNTY TREASURER

**Summary:** (For the Revenue Stabilization and Tax Policy Committee) Clarifies lines of authority between the Taxation and Revenue Department and county treasurers over the collection and deposit of monies derived from the payment of delinquent property taxes.

**Subjects:** Taxation and Fees; County Affairs; Land, Housing and Real Estate

**Progress:** 1st House: Referred to Committee

**Status:** 01/29/2014 – House Taxation and Revenue Committee

**History:** 01/27/2014 – H Introduced and referred to House Rules.

01/29/2014 – H Reported germane by House Rules.

01/29/2014 – H Committee referrals changed.

01/29/2014 – H Referral withdrawn from House Rules.

01/29/2014 – H Referred to House Taxation & Revenue.

01/29/2014 – H Referred to House Appropriations & Finance.

Related: Resolution 2013-89 Resolution Supporting Delinquent Property Tax Payments

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**Bill: HB90**

**Sponsors:** Salazar, N. (D40)

**Title:** SENIOR SERVICES FUNDING

**Summary:** Provides a \$5,330,250 (GF) appropriation to the Aging and Long-Term Services Department to fund the following services:

**Subjects:** Aging; Appropriations; Transportation; Human Services; Health and Medical Practice; Family and Juveniles

**Progress:** Introduced

**Status:** 01/27/2014 – House Appropriations and Finance Committee

**History:** 01/27/2014 – H Introduced and referred to House Appropriations & Finance.

**Scheduled:** 02/10/2014 – House Appropriations and Finance Committee, 1:30 p.m., Room 307

Related: Senior Service Funding

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**Bill: HB102****Sponsors:** Herrell (R51)**Title:** TRANSFER OF PUBLIC LANDS TASK FORCE**Summary:** (Related to 2013 HB 292) Creates the Transfer of Public Lands Task Force, to last for three years and to consist of four members of the Legislature, appointed by the majority and minority leaders of each chamber; the Commissioner of Public Land or a designee; the Secretary of Indian Affairs or a designee; and three members appointed by the Governor. The task force shall be staffed by the Legislative Council Service and the State Land Office.**Subjects:** Land, Housing and Real Estate; State Affairs and State Agencies; Energy Resources and Chemicals; County Affairs; Cultural Affairs; Municipalities/City Government; Natural Resources (Parks and Wildlife); Water**Related:** 2013:HB292**Progress:** Introduced**Status:** 01/28/2014 – House Health, Government and Indian Affairs Committee**History:** 01/28/2014 – H Introduced and referred to House Health, Government & Indian Affairs.  
01/28/2014 – H Also referred to House Judiciary.**Bill: HB114****Sponsors:** Lundstrom (D9)**Title:** EXEMPTS CERTAIN MUNICIPALITIES FROM HOLD HARMLESS PHASE-OUT**Summary:** Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large municipalities and allows certain large municipalities to retain the distribution.**Subjects:** Taxation and Fees; Municipalities/City Government**Progress:** Introduced**Status:** 01/28/2014 – House Taxation and Revenue Committee**History:** 01/28/2014 – H Introduced and referred to House Taxation & Revenue.  
01/28/2014 – H Also referred to House Appropriations & Finance.

Related: Resolution 2013-134 Resolution on Preemption of Local Authority

**Bill: HB116****Sponsors:** Gonzales (D42)**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND**Summary:** Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.**Subjects:** Appropriations; Transportation**Progress:** Introduced**Status:** 01/28/2014 – House Transportation and Public Works Committee**History:** 01/28/2014 – H Introduced and referred to House Transportation & Public Works.  
01/28/2014 – H Also referred to House Appropriations & Finance.

Related: Resolution 2012-60

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**Bill: HB117**

**Sponsors:** Gonzales (D42)

**Title:** APPROPRIATION: LEGAL AND ECONOMIC ANALYSES OF RAIL SERVICE

**Summary:** Appropriates \$150,000 (GF) for expenditure in FY 2014 and FY 2015 as follows:

**Subjects:** Appropriations; Transportation

**Related:** 2014:SB168

**Progress:** 1st House: Reported from Committees

**Status:** 02/04/2014 – House Appropriations and Finance Committee

**History:** 01/28/2014 – H Introduced and referred to House Transportation & Public Works.

01/28/2014 – H Also referred to House Appropriations & Finance.

02/04/2014 – H Reported Do Pass by House Transportation & Public Works.

Related: Resolution 2012-60

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**Bill: HB127**

**Sponsors:** Pacheco (R23)

**Title:** TWO-TIERED SYSTEM OF DRIVER'S LICENSES

**Summary:** (Identical to 2013 SB521) Specifies a two-tiered system of driving privileges and a restricted temporary license for certain foreign nationals; requires a social security number for certain driver's licenses.

**Subjects:** Transportation; State Affairs and State Agencies; Criminal Code; Family and Juveniles; Public Safety and Corrections

**Related:** 2013:SB521

**Progress:** Introduced

**Status:** 01/28/2014 – House Labor and Human Resources Committee

**History:** 01/28/2014 – H Introduced and referred to House Labor & Human Resources.

01/28/2014 – H Also referred to House Judiciary.

01/28/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HB131**

**Sponsors:** Harper (R57); Keller (D17)

**Title:** SUNSETS CERTAIN GROSS RECEIPTS TAX DEDUCTIONS AND EXEMPTIONS; REQUIRES ITEMIZATION FOR OTHERS

**Summary:** (For Revenue Stabilization and Tax Policy Committee) Sunsets numerous gross receipts tax exemptions and deductions as of July 1, 2015. Provides a \$50,000 (GF) appropriation to TRD for use in FYs 2015 and 2016 to purchase equipment and contract for services to create and process an expanded reporting form for the taxpayer to report deductions and exemptions. The funds are also to be used for public taxpayer outreach.

**Subjects:** Taxation and Fees; Business, Manufacturing and Economic Development; Insurance; Health and Medical Practice; County Affairs; Municipalities/City Government; Transportation; Utilities; Energy Resources and Chemicals; Land, Housing and Real Estate; Construction and Materials; Banks, Securities and Loans; Agriculture and Ranching; Environment and Pollution; Telecommunications

**Progress:** 1st House: Reported from Committees

**Status:** 02/03/2014 – House Appropriations and Finance Committee

**History:** 01/28/2014 – H Introduced and referred to House Taxation & Revenue.

01/28/2014 – H Also referred to House Appropriations & Finance.

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02/03/2014 – H Reported without recommendation by House Taxation & Revenue.

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**Bill: HB132**

**Sponsors:** Harper (R57)

**Title:** ADJUSTS THE FOOD AND MEDICAL HOLD-HARMLESS DISTRIBUTIONS AND TAXES

**Summary:** Makes detailed adjustment of local option hold harmless gross receipts taxes and the hold harmless distribution amounts distributed to municipalities and counties during the 15-year phase-out of those distributions.

**Subjects:** County Affairs; Municipalities/City Government; Appropriations; Taxation and Fees

**Progress:** 1st House: Reported from Committees

**Status:** 02/05/2014 – House Appropriations and Finance Committee

**History:** 01/28/2014 – H Introduced and referred to House Taxation & Revenue.

01/28/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported Do Pass as amended by House Taxation & Revenue.

Related: Resolution 2013-134 Resolution on Local Authority

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**Bill: HB141**

**Sponsors:** Saavedra (D10)

**Title:** ADDITIONAL JUDGEShips AND MAGISTRATE

**Summary:** Creates one new judgeship in each of the First, Second, Fifth and Thirteenth Judicial Districts and one new magistrate in the Dona Ana District. Appropriates a total of \$1,487,269 for expenses in connection with the new judgeships and magistrate.

**Subjects:** Courts and Civil Matters; Appropriations

**Progress:** 1st House: Reported from Committees

**Status:** 02/10/2014 – House Calendar

**History:** 01/28/2014 – H Introduced and referred to House Judiciary.

01/28/2014 – H Also referred to House Appropriations & Finance.

02/03/2014 – H Reported Do Pass by House Judiciary.

02/10/2014 – H Reported Do Pass as amended by House Appropriations & Finance.

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**Bill: HB146**

**Sponsors:** Harper (R57); Cisneros (D6)

**Title:** UPS TRANSFERS TO SEVERANCE TAX PERMANENT FUND; RECOMPUTES AND REALLOCATES SEVERANCE TAX BONDING CAPACITY; REDUCES DEDICATION FOR WATER PROJECTS

**Summary:** Requires the Board of Finance Division of the Department of Finance and Administration to determine by December 15 each year whether the deposits (over an unspecified period) into the Severance Tax Bonding Fund exceed by 15 percent or more the average deposits received in the preceding five fiscal years. After assuring that amounts pledged for repayment of bonds are available, any remaining excess shall be transferred to the Severance Tax Permanent Fund.

**Subjects:** Appropriations; Capital Outlay Requests; Water; Indians

**Progress:** 1st House: Referred to Committee

**Status:** 02/06/2014 – House Taxation and Revenue Committee

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**History:** 01/28/2014 – H Introduced and referred to House Health, Government & Indian Affairs.  
01/28/2014 – H Also referred to House Taxation & Revenue.  
01/28/2014 – H Also referred to House Appropriations & Finance.  
02/06/2014 – H Reported Do Pass by House Health, Government & Indian Affairs.

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**Bill:** HB153  
**Sponsors:** McMillan (R37)  
**Title:** OPTION TO HOLD MUNICIPAL ELECTIONS CONCURRENTLY WITH GENERAL ELECTIONS  
**Summary:** Provides municipal governing bodies with discretionary authority to call for municipal elections to be held concurrently with the general election, or on the first Tuesday in March of each even-numbered year as is presently being done.  
**Subjects:** Elections; Municipalities/City Government  
**Progress:** Introduced  
**Status:** 01/29/2014 – House Rules Committee  
**History:** 01/29/2014 – H Introduced and referred to House Rules.

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**Bill:** HB155  
**Sponsors:** Lundstrom (D9)  
**Title:** SAVES HOLD-HARMLESS DISTRIBUTION FOR MCKINLEY COUNTY  
**Summary:** (Duplicates Section 2 of SB171; similar to HB114, HB132, SB87, SB170) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large counties; allows McKinley County to retain the distribution.  
**Subjects:** County Affairs; Municipalities/City Government; State Affairs and State Agencies; Appropriations; Taxation and Fees  
**Related:** 2014:HB114; 2014:HB132; 2014:SB87; 2014:SB170; 2014:SB171  
**Progress:** Introduced  
**Status:** 01/29/2014 – House Taxation and Revenue Committee  
**History:** 01/29/2014 – H Introduced and referred to House Taxation & Revenue.  
01/29/2014 – H Also referred to House Appropriations & Finance.  
Related: Resolution 2013-134 Resolution on Preemption of Local Authority

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**Bill:** HB165  
**Sponsors:** McMillan (R37)  
**Title:** GOVERNMENT LIABILITY FOR PUBLICLY USED CONSERVANCY DISTRICT ROADWAYS  
**Summary:** (Duplicate of SB100) Proposes to amend a section of the Tort Claims Act to provide for an exclusion from the waiver of immunity for any irrigation and conservancy district that authorizes all or part of its property for use as a roadway by the general public by a state agency or local public body.  
**Subjects:** Insurance; Courts and Civil Matters; State Affairs and State Agencies; Transportation; Municipalities/City Government  
**Related:** 2014:SB100  
**Progress:** 1st House: Reported from Committees  
**Status:** 02/05/2014 – House Judiciary Committee  
**History:** 01/29/2014 – H Introduced and referred to House Rules.

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01/31/2014 – H Committee referrals changed.

01/31/2014 – H Referral withdrawn from House Rules.

01/31/2014 – H Referred to House Agriculture & Water Resources.

01/31/2014 – H Referred to House Judiciary.

02/05/2014 – H Reported Do Not Pass but Do Pass as substituted by House Agriculture & Water Resources.

**Scheduled:** 02/10/2014 – House Judiciary Committee, 1:30 p.m. or 1/2 hour after Floor Session, Room 309

**Bill: HB177**

**Sponsors:** Varela (D48)

**Title:** APPROPRIATION: OVERSIGHT OF AFFORDABLE HOUSING ACT

**Summary:** Appropriates \$200,000 (GF) to the Department of Finance and Administration for expenditure in FY 2015 and FY 2016 for the purpose of funding the oversight of the Affordable Housing Act.

**Subjects:** Appropriations; Land, Housing and Real Estate

**Progress:** Introduced

**Status:** 01/29/2014 – House Consumer and Public Affairs Committee

**History:** 01/29/2014 – H Introduced and referred to House Consumer & Public Affairs.

01/29/2014 – H Also referred to House Appropriations & Finance.

**Bill: HB178**

**Sponsors:** Egolf (D47)

**Title:** ENDS VALUATION LIMITATION ON RESIDENTIAL PROPERTY

**Summary:** (For the Revenue Stabilization and Tax Policy Review Committee) For residential properties that change hands on or after January 1, 2015, the three percent limit on year-to-year increases in assessed valuation will no longer apply. The cap would remain in place, however, for properties that do not change ownership.

**Subjects:** Schools and Teachers; County Affairs; Municipalities/City Government; Family and Juveniles; Taxation and Fees

**Progress:** 1st House: Reported from Committees

**Status:** 02/10/2014 – House Calendar

**History:** 01/29/2014 – H Introduced and referred to House Taxation & Revenue.

02/10/2014 – H Reported Do Pass by House Taxation & Revenue.

Related: Tax Lightening; Resolution 2013-98 A Resolution Supporting Property Tax Equity

**Bill: HB185**

**Sponsors:** Maestas (D16)

**Title:** COMMERCIAL REAL ESTATE BROKER LIEN ACT

**Summary:** (Similar to 2013 HB365) Proposes the Commercial Real Estate Broker Lien Act, which creates a broker's lien for compensation for services and sets forth procedural requirements for such liens.

**Subjects:** Land, Housing and Real Estate; Courts and Civil Matters; Business, Manufacturing and Economic Development

**Related:** 2013:HB365

**Progress:** 1st House: Referred to Committee

**Status:** 02/03/2014 – House Business and Industry Committee  
**History:** 01/29/2014 – H Introduced and referred to House Rules.  
02/03/2014 – H Committee referrals changed.  
02/03/2014 – H Referral withdrawn from House Rules.  
02/03/2014 – H Referred to House Business & Industry.  
02/03/2014 – H Referred to House Judiciary.

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**Bill: HB188**  
**Sponsors:** Rehm (R31)  
**Title:** CUTS AUTHORIZED PROPERTY TAX RATE FOR UNM HOSPITAL  
**Summary:** (Similar to 2011's HB25, HB335; 2012's HB26; 2013's HB357) Lowers the maximum property tax rate (Section 4-48B-12) for UNM Hospital (the county hospital for Bernalillo County) from \$6.50 per \$1,000 of net taxable value to one dollar per \$1,000 net taxable value for the 2015 and subsequent tax years. Internal sub-limits on certain uses are reduced proportionately.  
**Subjects:** Health and Medical Practice; Business, Manufacturing and Economic Development; Family and Juveniles; Taxation and Fees  
**Related:** 2011:HB25; 2012:HB335; 2013:HB26; 2013:HB357  
**Progress:** Introduced  
**Status:** 01/29/2014 – House Taxation and Revenue Committee  
**History:** 01/29/2014 – H Introduced and referred to House Taxation & Revenue.  
01/29/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HB189**  
**Sponsors:** Rehm (R31)  
**Title:** UNM HOSPITAL INCLUDED IN INDIGENT HOSPITAL AND COUNTY HEALTH CARE ACT  
**Summary:** Expands the definition of "county" as used in the Indigent Hospital and County Health Care Act to include UNM Hospital and Bernalillo County, which is currently excluded from the qualifying definition.  
**Subjects:** Health and Medical Practice; County Affairs  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/10/2014 – House Health, Government and Indian Affairs Committee  
**History:** 01/29/2014 – H Introduced and referred to House Rules.  
02/10/2014 – H Committee referrals changed.  
02/10/2014 – H Referral withdrawn from House Rules.  
02/10/2014 – H Referred to House Health, Government & Indian Affairs.  
Related: Sole Community Provider

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**Bill: HB192****Sponsors:** Rehm (R31)**Title:** FOREIGN NATIONAL DRIVER'S LICENSE ISSUANCE, CANCELLATION, PENALTIES**Summary:** Limits the issuance of driver's licenses and ID cards to include foreign nationals only if they have lawful status; reduces the validity period of licenses and ID cards; provides for cancellation of licenses of persons lacking a social security number; and provides penalties.**Subjects:** Appropriations; Land, Housing and Real Estate**Progress:** Introduced**Status:** 01/29/2014 – House Rules Committee**History:** 01/29/2014 – H Introduced and referred to House Rules.**Bill: HB194****Sponsors:** Rehm (R31)**Title:** AMENDS PUBLIC RETIREMENT PROVISIONS FOR PUBLIC SAFETY EMPLOYEES**Summary:** Amends retirement provisions with respect to public safety employees.**Subjects:** Courts and Civil Matters; Public Employees/Retirement**Related:** 2014:HB344**Progress:** Introduced**Status:** 01/29/2014 – House Rules Committee**History:** 01/29/2014 – H Introduced and referred to House Rules.**Bill: HB195****Sponsors:** Rehm (R31)**Title:** AMENDS MAGISTRATE AND JUDICIAL RETIREMENT PROVISIONS**Summary:** (Executive Message 57) (Shares some elements of SB160 and HB216) Amends statutory provisions governing pension payments to survivor beneficiaries pursuant to the Judicial Retirement Act and the Magistrate Retirement Act to provide that they are the same as those applicable under the Public Employees Retirement Act.**Subjects:** Courts and Civil Matters; Public Employees/Retirement**Related:** 2014:SB160; 2014:HB216**Progress:** 1st House: Reported from Committees**Status:** 02/05/2014 – House Judiciary Committee**History:** 01/29/2014 – H Introduced and referred to House Labor & Human Resources.

01/29/2014 – H Also referred to House Judiciary.

01/29/2014 – H Also referred to House Appropriations &amp; Finance.

02/05/2014 – H Reported Do Not Pass but Do Pass as substituted without recommendation by House Labor &amp; Human Resources.

**Scheduled:** 02/10/2014 – House Judiciary Committee, 1:30 p.m. or 1/2 hour after Floor Session, Room 309

**Bill: HB210**

**Sponsors:** Strickler (R2)

**Title:** SLASH CORPORATE INCOME TAX TOP BRACKET RATE

**Summary:** Lowers the rate for the corporate income tax's top bracket (taxable income over \$500,000) from 6.2 percent to 5.4 percent for taxable years beginning in 2017 and from 5.9 percent to 4.9 percent for taxable years beginning on or after January 1, 2018.

**Subjects:** Business, Manufacturing and Economic Development; Taxation and Fees

**Progress:** Introduced

**Status:** 01/29/2014 – House Consumer and Public Affairs Committee

**History:** 01/29/2014 – H Introduced and referred to House Consumer & Public Affairs.

01/29/2014 – H Also referred to House Taxation & Revenue.

01/29/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HB211**

**Sponsors:** Pacheco (R23)

**Title:** LINE OF DUTY INJURY ACT

**Summary:** (Executive Message 71) Proposes the Line of Duty Injury Act to provide a process by which a public safety employee injured in the line of duty may be granted duty injury leave and continue to accrue service credit.

**Subjects:** Public Employees/Retirement

**Progress:** 1st House: Passed

**Status:** 02/10/2014 – Passed in the House

**History:** 01/29/2014 – H Introduced and referred to House Labor & Human Resources.

01/29/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported Do Pass as amended by House Labor & Human Resources.

02/06/2014 – H Committee referrals changed.

02/06/2014 – H Referral withdrawn from House Appropriations & Finance.

02/06/2014 – H Not referred to committee, placed on House Calendar.

02/10/2014 – H Opened for floor debate.

02/10/2014 – H Passed 56-4.

**Scheduled:** 02/10/2014 – House Calendar, 11:00 a.m., House Chamber

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**Bill: HB213**

**Sponsors:** Varela (D48)

**Title:** MINIMUM WAGE HOURLY RATE INCREASE

**Summary:** Raises the state minimum hourly wage for an employee from \$7.50 to \$10.10. Beginning January 1, 2015, the minimum wage rate will be adjusted upward annually on January 1 by an amount that is equivalent to the previous year's increase, if any, in the Consumer Price Index for all urban consumers published by the U.S. Department of Labor.

**Subjects:** Labor; Family and Juveniles; Business, Manufacturing and Economic Development

**Progress:** Introduced

**Status:** 01/29/2014 – House Rules Committee

**History:** 01/29/2014 – H Introduced and referred to House Rules.

**Bill: HB216**

**Sponsors:** Trujillo, J. (D45)

**Title:** AMENDS MAGISTRATE RETIREMENT PROVISIONS

**Summary:** (For the Investments and Pensions Oversight Committee) (Shares some elements of SB160) Amends Magistrate Retirement Act provisions applicable to certain members by changing age and service requirements; changing the pension multiplier for service credit earned after June 30, 2014; temporarily suspending, and decreasing and delaying, the cost-of-living adjustment; increasing the maximum pension benefit; increasing contribution rates; requiring members and non-members to pay applicable contributions; and changing the pension form of payment. Appropriates \$5,000,000 to improve the funded ratio of the Magistrate Retirement Fund.

**Subjects:** Courts and Civil Matters; Public Employees/Retirement

**Related:** 2014:SB160

**Progress:** 1st House: Reported from Committees

**Status:** 02/05/2014 – House Judiciary Committee

**History:** 01/29/2014 – H Introduced and referred to House Labor & Human Resources.

01/29/2014 – H Also referred to House Judiciary.

01/29/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported without recommendation by House Labor & Human Resources.

**Scheduled:** 02/10/2014 – House Judiciary Committee, 1:30 p.m. or 1/2 hour after Floor Session, Room 309

**Bill: HB220**

**Sponsors:** Garcia, Mary Helen (D34)

**Title:** NMSU: LOCALLY GROWN FRESH FRUITS AND VEGETABLES FOR SCHOOL LUNCHES

**Summary:** Appropriates \$100,000 (GF, nonreverting) to NMSU's board of regents for the New Mexico Department of Agriculture to purchase locally grown New Mexico fresh fruits and vegetables and to administer a program to provide such for public school lunch programs in the Gadsden, Las Cruces and Deming school districts.

**Subjects:** Appropriations; Agriculture and Ranching; Health and Medical Practice; Schools and Teachers; Business, Manufacturing and Economic Development; Higher Education; State Affairs and State Agencies

**Progress:** 1st House: Reported from Committees

**Status:** 01/31/2014 – House Appropriations and Finance Committee

**History:** 01/29/2014 – H Introduced and referred to House Agriculture & Water Resources.

01/29/2014 – H Also referred to House Appropriations & Finance.

01/31/2014 – H Reported Do Pass by House Agriculture & Water Resources.

Related: Resolution 2013-121 A Resolution in Support of a Healthy Kid, Healthy Economy Program

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**Bill: HB221**

**Sponsors:** Stapleton (D19)

**Title:** PROPERTY TAX EXEMPTION FOR HOMES OF LOW-INCOME, LONG-TERM RESIDENTS

**Summary:** Starting with 2014 property tax year, exempts from property tax up to 100 percent of the value of a primary residence of a New Mexico resident who has owned the property for at least 15 consecutive years, is 70 or older and whose modified gross income is \$40,000 or less.

**Subjects:** Land, Housing and Real Estate; Family and Juveniles; Taxation and Fees

**Progress:** Introduced

**Status:** 01/29/2014 – House Taxation and Revenue Committee

**History:** 01/29/2014 – H Introduced and referred to House Taxation & Revenue.

01/29/2014 – H Also referred to House Appropriations & Finance.

**Scheduled:** 02/10/2014 – House Taxation and Revenue Committee, 1:30 p.m., Room 317

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**Bill: HB222**

**Sponsors:** Gonzales (D42)

**Title:** PUEBLO LEASE OF ADJUDICATED WATER RIGHTS

**Summary:** (Duplicate of SB164) Provides for pueblo lease of adjudicated water rights for a term authorized by federal statute approving a settlement agreement.

**Subjects:** Water; Indians

**Related:** 2014:SB164

**Progress:** 1st House: Referred to Committee

**Status:** 01/31/2014 – House Agriculture and Water Resources Committee

**History:** 01/29/2014 – H Introduced and referred to House Rules.

01/31/2014 – H Committee referrals changed.

01/31/2014 – H Referral withdrawn from House Rules.

01/31/2014 – H Referred to House Agriculture & Water Resources.

01/31/2014 – H Referred to House Judiciary.

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**Bill: HB230**

**Sponsors:** Chavez, Ernest (D12)

**Title:** AFFORDABLE HOUSING ACT OVERSIGHT

**Summary:** Appropriates \$200,000 (GF, nonreverting) to DFA for expenditure by the New Mexico Mortgage Finance Authority to fund oversight duties related to the Affordable Housing Act.

**Subjects:** Appropriations; Land, Housing and Real Estate; Banks, Securities and Loans; State Affairs and State Agencies; Family and Juveniles

**Progress:** Introduced

**Status:** 01/29/2014 – House Appropriations and Finance Committee

**History:** 01/29/2014 – H Introduced and referred to House Appropriations & Finance.

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**Bill: HB231**

**Sponsors:** Chavez, Ernest (D12)

**Title:** TRANSFERS OVERSIGHT OF AFFORDABLE HOUSING ACT

**Summary:** (Related to HB29 and SB32)(Endorsed by the Mortgage Finance Act Oversight Committee) Transfers duties and responsibilities relating to Oversight of the Affordable Housing Act from the Mortgage Finance Authority to DFA.

**Subjects:** Construction and Materials; Land, Housing and Real Estate; State Affairs and State Agencies; Banks, Securities and Loans

**Related:** 2014:HB29; 2014:SB32

**Progress:** 1st House: Referred to Committee

**Status:** 02/05/2014 – House Business and Industry Committee

**History:** 01/29/2014 – H Introduced and referred to House Rules.

02/05/2014 – H Committee referrals changed.

02/05/2014 – H Referral withdrawn from House Rules.

02/05/2014 – H Referred to House Business & Industry.

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**Bill: HB241**

**Sponsors:** Gonzales (D42)

**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND

**Summary:** (Identical to SB221) (Similar to HB116) Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.

**Subjects:** Appropriation; Transportation

**Related:** 2014:SB221; 2014:HB116

**Progress:** 1st House: Referred to Committee

**Status:** 02/06/2014 – House Taxation and Revenue Committee

**History:** 01/30/2014 – H Introduced and referred to House Transportation & Public Works.

01/30/2014 – H Also referred to House Appropriations & Finance.

02/05/2014 – H Reported Do Pass as amended by House Transportation & Public Works.

02/06/2014 – H Committee referrals changed.

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02/06/2014 – H Referral withdrawn from House Appropriations & Finance.  
02/06/2014 – H Referred to House Taxation & Revenue.  
Related: Resolution 2012-60

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**Bill:** HB257  
**Sponsors:** Gonzales (D42)  
**Title:** ACEQUIA AND COMMUNITY DITCH FUND ACT  
**Summary:** (Duplicates SB224) Appropriates \$150,000 (GF, nonreverting) to the Acequia and Community Ditch Fund to carry out the purposes of the Acequia and Community Ditch Fund Act.  
**Subjects:** Appropriations; Water; Agriculture and Ranching  
**Related:** 2014:SB224  
**Progress:** Introduced  
**Status:** 01/30/2014 – House Appropriations and Finance Committee  
**History:** 01/30/2014 – H Introduced and referred to House Appropriations & Finance.

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**Bill:** HB291  
**Sponsors:** Larranaga (R27)  
**Title:** DEFERRED RETIREMENT OPTION PLAN ACT  
**Summary:** Creates the Deferred Retirement Option Plan Act, whose stated purpose is to provide an incentive for skilled police officers eligible for retirement to continue police officer employment, make the applicable contributions for that employment and earn interest on their pension benefits before retirement.  
**Subjects:** Public Employees/Retirement; Public Safety and Corrections  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/10/2014 – House Labor and Human Resources Committee  
**History:** 01/31/2014 – H Introduced and referred to House Rules.  
02/10/2014 – H Committee referrals changed.  
02/10/2014 – H Referral withdrawn from House Rules.  
02/10/2014 – H Referred to House Labor & Human Resources.  
02/10/2014 – H Referred to House Appropriations & Finance.

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**Bill:** HB297  
**Sponsors:** Herrell (R51)  
**Title:** PERA: CHIEFS OF POLICE AND UNDERSHERIFFS RETURN-TO-WORK PROVISIONS  
**Summary:** (Executive Message 92) Specifies that a retired member under the Public Employee Retirement Act, who is appointed chief of police or undersheriff of an affiliated public employer, shall not pay member contributions—nor shall the employer shall not pay employer contributions—under the applicable coverage plan during the period of subsequent employment.  
**Subjects:** Public Employees/Retirement  
**Progress:** 1st House: Reported from Committees  
**Status:** 02/10/2014 – House Appropriations and Finance Committee  
**History:** 01/31/2014 – H Introduced and referred to House Labor & Human Resources.

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01/31/2014 – H Also referred to House Appropriations & Finance.

02/10/2014 – H Reported without recommendation by House Labor & Human Resources.

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**Bill: HB299**

**Sponsors:** Trujillo, C. (D46)

**Title:** DEDICATED FUNDING FOR RURAL WATER ASSOCIATIONS

**Summary:** Amends the Water Project Finance Act to require that at least 10 percent of the total amount of annual funding from the Water Project Fund for water projects shall directly benefit water supply associations subject to the Sanitary Projects Act and acequia associations.

**Subjects:** Water; Agriculture and Ranching

**Progress:** 1st House: Referred to Committee

**Status:** 02/10/2014 – House Agriculture and Water Resources Committee

**History:** 01/31/2014 – H Introduced and referred to House Rules.

02/10/2014 – H Reported germane by House Rules.

02/10/2014 – H Committee referrals changed.

02/10/2014 – H Referral withdrawn from House Rules.

02/10/2014 – H Referred to House Agriculture & Water Resources.

02/10/2014 – H Referred to House Appropriations & Finance.

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**Bill: HB301**

**Sponsors:** Gonzales (D42)

**Title:** REQUIREMENTS FOR COUNTY ASSESSOR TO RECLASSIFY AGRICULTURAL PROPERTY

**Summary:** Specifies procedures for a county assessor's determination that land valued as agricultural property is no longer being used for that purpose. Upon this determination, the land shall continue to be valued as agricultural for the taxable year in which the determination is made. The land shall not be valued as agricultural for a subsequent taxable years unless use of the land primarily for agricultural purposes resumes. The assessor is directed to notify the property owner within one month of the determination. If the use of the land primarily for agricultural purposes resumes, the owner may make application for resumption of the agricultural valuation.

**Subjects:** Land, Housing and Real Estate; Taxation and Fees; County Affairs

**Progress:** Introduced

**Status:** 01/31/2014 – House Agriculture and Water Resources Committee

**History:** 01/31/2014 – H Introduced and referred to House Agriculture & Water Resources.

01/31/2014 – H Also referred to House Taxation & Revenue.

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**Bill: HB303**

**Sponsors:** Garcia Richard (D43)

**Title:** NORTH CENTRAL NM ECONOMIC DEVELOPMENT DISTRICT

**Summary:** Appropriates \$200,000 (GF) to DFA's Local Government Division for the North Central New Mexico Economic Development District Council of Governments for economic development programs.

**Subjects:** Appropriations; Business, Manufacturing and Economic Development

**Progress:** Introduced



**Status:** 02/03/2014 – House Appropriations and Finance Committee

**History:** 02/03/2014 – H Introduced and referred to House Appropriations & Finance.

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**Bill: HB311**

**Sponsors:** Roybal-Caballero (D13); Morales (D28)

**Title:** BUILDING RELATIONSHIPS BETWEEN THE STATE, LOCALS, AND NONPROFITS

**Summary:** Recognizes the contributions of nonprofit organizations to the state's economy, as well as delivering important services to the state's underserved populations in the areas of health, human services, arts and culture, and the environment. Proposes creation of an interim Nonprofit Organizations Work Group to study how state and local governments can work most effectively and efficiently with nonprofits. Contains a \$150,000 appropriation for per diem and mileage and other work-group expenses.

**Subjects:** Appropriations; Human Services; Business, Manufacturing and Economic Development; Health and Medical Practice; Cultural Affairs; Environment and Pollution; Interim Studies and Interim Committees; State Affairs and State Agencies

**Progress:** Introduced

**Status:** 02/03/2014 – House Consumer and Public Affairs Committee

**History:** 02/03/2014 – H Introduced and referred to House Consumer & Public Affairs.

02/03/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HB315**

**Sponsors:** Brown (R55)

**Title:** DIVERTS MOTOR VEHICLE EXCISE TAX TO OIL AND GAS ROADS

**Summary:** Creates a "highway district project fund." From July 1, 2014 through June 30, 2019, money from the fund may be expended only in State Transportation Commission Districts 2 and 5 (southeastern and northwestern parts of New Mexico) for projects on roads frequently used by vehicles involved in production of oil and gas and for cooperative agreements with local governments in those districts.

**Subjects:** Transportation; Appropriations; Capital Outlay Requests; Banks, Securities and Loans; State Affairs and State Agencies

**Progress:** Introduced

**Status:** 02/03/2014 – House Transportation and Public Works Committee

**History:** 02/03/2014 – H Introduced and referred to House Transportation & Public Works.

02/03/2014 – H Also referred to House Taxation & Revenue.

02/03/2014 – H Also referred to House Appropriations & Finance.

**Scheduled:** 02/11/2014 – House Transportation and Public Works Committee, 8:30 a.m., Room 315

**Bill: HB339****Sponsors:** Dodge (D63)**Title:** REVISING TAX ADMINISTRATION PROCEDURES FOR MUNICIPAL AND COUNTY DISTRIBUTION ADJUSTMENTS**Summary:** (Similar to 2013's HB561 and SB518) Revises the present correction process regarding revenue distributions and transfers to local governments and makes some related tax administration changes.**Subjects:** County Affairs; Municipalities/City Government; State Affairs and State Agencies; Courts and Civil Matters; Appropriations**Related:** 2013:HB561; 2013:SB518**Progress:** 1st House: Referred to Committee**Status:** 02/05/2014 - House Taxation and Revenue Committee**History:** 02/05/2014 - H Introduced and referred to House Taxation & Revenue.

02/05/2014 - H Also referred to House Appropriations &amp; Finance.

**Bill: HB340****Sponsors:** Ezzell (R58)**Title:** EXCEPTION FOR POLICE, CORRECTIONAL OFFICERS, AND SOCIAL WORKERS RETURN-TO-WORK RESTRICTIONS**Summary:** (Related to 2013 SB168) (For the Investments and Pensions Oversight Committee) Adds an exception for state police members, adult correctional members, municipal police members, and licensed social workers to the return-to work restrictions in the Public Employees Retirement Act and establishes conditions by which those members may return to work while continuing to receive retirement benefits.**Subjects:** Public Employees/Retirement**Related:** 2014:SB317; 2014:SB168**Progress:** Introduced**Status:** 02/05/2014 - House Labor and Human Resources Committee**History:** 02/05/2014 - H Introduced and referred to House Labor & Human Resources.**Scheduled:** 02/11/2014 - House Labor and Human Resources Committee, 1:30 p.m., Room 305**Bill: HB341****Sponsors:** Stewart (D21)**Title:** CHANGES RELATING TO OPEN PROCUREMENT PROCESS AND PRIVATIZATION**Summary:** (Identical to SB201) Amends the Sunshine Portal Transparency Act; requires the application of the Inspection of Public Records Act and the Open Meetings Act to certain contracts; provides requirements for outsourcing contracts.**Subjects:** Business, Manufacturing and Economic Development; Public Employees/Retirement; State Affairs and State Agencies**Related:** 2014:SB201**Progress:** Introduced**Status:** 02/05/2014 - House Rules Committee**History:** 02/05/2014 - H Introduced and referred to House Rules.

**Bill: HB344**

**Sponsors:** Rehm (R31)

**Title:** EXCEPTION FOR LAW ENFORCEMENT RETURN-TO-WORK RESTRICTIONS

**Summary:** (Related to HB194) Adds an exception for retired law enforcement officers to the return-to work restrictions in the Public Employees Retirement Act and establishes conditions by which those members may return to work while continuing to receive retirement benefits.

**Subjects:** Public Employees/Retirement; Public Safety and Corrections

**Related:** 2014:HB194

**Progress:** Introduced

**Status:** 02/05/2014 – House Rules Committee

**History:** 02/05/2014 – H Introduced and referred to House Rules.

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**Bill: HB349**

**Sponsors:** Trujillo, J. (D45)

**Title:** GROSS RECEIPTS TAXES IMPOSED ON CERTAIN ACUTE CARE HOSPITALS

**Summary:** Imposes, for the one-year period July 1, 2014 through June 30, 2015, a hospital gross receipts tax of 75 ten-thousandths percent (0.0075 percent) on investor-owned or investor-operated acute care general hospital licensed by the Department of Health. Imposes a hospital governmental gross receipts tax at the same rate on every institution, instrumentality or political subdivision that is an acute care general hospital licensed by the Department of Health. Neither tax applies to UNM Hospital.

**Subjects:** Health and Medical Practice; Taxation and Fees

**Progress:** Introduced

**Status:** 02/05/2014 – House Taxation and Revenue Committee

**History:** 02/05/2014 – H Introduced and referred to House Taxation & Revenue.  
02/05/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HB350**

**Sponsors:** Trujillo, J. (D45)

**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS

**Summary:** (Conflicts with SB268) In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for. Declares an emergency

**Subjects:** Health and Medical Practice; County Affairs; State Affairs and State Agencies; Taxation and Fees

**Related:** 2014:SB268

**Progress:** 1st House: Referred to Committee

**Status:** 02/05/2014 – House Taxation and Revenue Committee

**History:** 02/05/2014 – H Introduced and referred to House Rules.  
02/05/2014 – H Committee referrals changed.  
02/05/2014 – H Referral withdrawn from House Rules.  
02/05/2014 – H Referred to House Taxation & Revenue.  
02/05/2014 – H Referred to House Appropriations & Finance.  
Related: Resolutions 2013-134 and 2013-135. Takes 1/8<sup>th</sup>.

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**Bill: HB356****Sponsors:** Trujillo, C. (D46)**Title:** LIMITS RURAL ELECTRIC COOPERATIVE ACCESS FEES**Summary:** Amends Rural Electric Cooperative Act to establish that rural electric cooperatives shall not pay an access fee to any government entity (including Indian nations, tribes and pueblos) if that fee is above prevailing market value for comparable easements. Also, the cooperatives cannot provide service to any customer in the jurisdiction of any government entity if providing service would put the cooperative in violation of the laws of that entity.**Subjects:** State Affairs and State Agencies; Taxation and Fees; Utilities**Progress:** Introduced**Status:** 02/05/2014 – House Health, Government and Indian Affairs Committee**History:** 02/05/2014 – H Introduced and referred to House Health, Government & Indian Affairs.

02/05/2014 – H Also referred to House Business &amp; Industry.

**Bill: HJM11****Sponsors:** Garcia Richard (D43)**Title:** TRAINING FOR GOVERNMENT CONTRACT PROPOSALS**Summary:** Recognizes obstacles to fair competition for New Mexico resident businesses and contractors. Requests that the Secretary of General Services develop guidelines and secure training for employees of state agencies and local public bodies on specifications and contractual terms for bids and requests for proposals that will enable fair competition by New Mexico resident businesses and contractors. Requests that the SGC identify New Mexico resident businesses and contractors who are vendors on a statewide price agreement.**Subjects:** Municipalities/City Government; Business, Manufacturing and Economic Development; Public Employees/Retirement; State Affairs and State Agencies**Progress:** 1st House: Reported from Committees**Status:** 02/05/2014 – House Calendar**History:** 01/28/2014 – H Introduced and referred to House Business & Industry.

02/05/2014 – H Reported Do Not Pass but Do Pass as substituted by House Business &amp; Industry.

**Scheduled:** 02/10/2014 – House Calendar, 11:00 a.m., House Chamber**Bill: HJR1****Sponsors:** Cote (D53)**Title:** CA: AUTHORIZES USE OF LOCAL PUBLIC FUNDS BY PRIVATE INDIVIDUAL OR CORPORATION**Summary:** Proposes an amendment to Art. 9, Sec 14, of the Constitution to allow a county or municipality to expend funds or use public resources to benefit a private individual, an association or a private or public corporation to protect and promote the public's health, safety or welfare.**Subjects:** Constitutional Amendments; County Affairs; Municipalities/City Government; State Affairs and State Agencies; Elections; Banks, Securities and Loans**Progress:** Introduced**Status:** 01/28/2014 – House Voters and Elections Committee**History:** 01/28/2014 – H Introduced and referred to House Voters & Elections.

01/28/2014 – H Also referred to House Education.

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**Bill: HJR3**

**Sponsors:** Trujillo, C. (D25)

**Title:** CA: LAND GRANT PERMANENT FUND PERMANENT DISTRIBUTION EXTENSION

**Summary:** (Same as 2013's HJR10 as amended by HVEC) Proposes an amendment to Article 12, Section 7, of the Constitution that would provide an additional annual distribution from the Land Grant Permanent Fund equal to one-half percent of the value of the fund. It would be used to implement and maintain educational reforms. This portion of the total distribution will not be made in a fiscal year if the average of the year-end market value of the fund for the immediately preceding five years is less than \$10 billion dollars.

**Subjects:** Constitutional Amendments; Land, Housing and Real Estate; Elections

**Progress:** Introduced

**Status:** 01/28/2014 – House Voters and Elections Committee

**History:** 01/28/2014 – H Introduced and referred to House Voters & Elections.

01/28/2014 – H Also referred to House Appropriations & Finance.

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**Bill: HJR9**

**Sponsors:** Garcia, Miguel (D14)

**Title:** CA: STATE MINIMUM WAGE

**Summary:** (Identical to SJR13) Proposes to amend Art. 20 of the Constitution to establish a state minimum wage that will increase annually at the rate of inflation.

**Subjects:** Constitutional Amendments; Business, Manufacturing and Economic Development; Labor; Family and Juveniles

**Related:** 2014:SJR13; 2014:SB319

**Progress:** Introduced

**Status:** 02/03/2014 – House Voters and Elections Committee

**History:** 02/03/2014 – H Introduced and referred to House Voters & Elections.

02/03/2014 – H Also referred to House Judiciary.

**Scheduled:** 02/11/2014 – House Voters and Elections Committee, 9:00 a.m., Room 317

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**Bill: HM15**

**Sponsors:** Chasey (D18)

**Title:** TASK FORCE TO STUDY HOME FORECLOSURE PROCESS

**Summary:** (Identical to SM 11) Requests the United South Broadway Corporation's Fair Lending Center, a nonprofit community development corporation that provides housing and foreclosure legal defense statewide, to convene a task force to study the foreclosure process and make recommendations to protect neighborhood and community stability, prevent unnecessary or improper foreclosures, and preserve the rights of families.

**Subjects:** Land, Housing and Real Estate; Business, Manufacturing and Economic Development; Banks, Securities and Loans; Interim Studies and Interim Committees; Family and Juveniles

**Related:** 2014:SM11

**Progress:** 1st House: Referred to Committee

**Status:** 02/06/2014 – House Judiciary Committee

**History:** 01/27/2014 – H Introduced and placed on Speaker's Table.

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02/06/2014 – H Committee referrals changed.  
 02/06/2014 – H Removed from Speaker's table.  
 02/06/2014 – H Referred to House Judiciary.

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**Bill: HM32****Sponsors:** McCamley (D33)**Title:** REQUESTS WATER POLICY OPTIONS**Summary:** Requests the New Mexico Water Resources Research Institute to present water policy options, including efficiency, watershed restoration and desalination, to the interim committee responsible for water and natural resources by December 2014.**Subjects:** Water; Natural Resources (Parks and Wildlife)**Progress:** 1st House: Reported from Committees**Status:** 02/05/2014 – House Calendar**History:** 01/28/2014 – H Introduced and referred to House Agriculture & Water Resources.

02/05/2014 – H Reported Do Pass by House Agriculture &amp; Water Resources.

**Scheduled:** 02/10/2014 – House Calendar, 11:00 a.m., House Chamber

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**Bill: HM33****Sponsors:** Brown (R55)**Title:** REQUESTS MODEL ORDINANCE TO CAP ABANDONED WATER WELLS**Summary:** Requests the New Mexico Municipal League to draft a model ordinance for municipalities to address capping abandoned water wells on private property and distribute the model ordinance to all municipalities for their consideration. Further requests the Municipal League to make a presentation to the appropriate interim legislative committee regarding the status of the model ordinance by November 1, 2014.**Subjects:** Water**Progress:** Introduced**Status:** 01/28/2014 – House Consumer and Public Affairs Committee**History:** 01/28/2014 – H Introduced and referred to House Consumer & Public Affairs.

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**Bill: HM66****Sponsors:** Madalena (D65)**Title:** REPORT ON HEALTH CARE COVERAGE DATA**Summary:** Requests HSD and the New Mexico Health Insurance Exchange to publish a monthly report that includes extensive data on health care coverage enrollment.**Subjects:** Health and Medical Practice; Insurance; State Affairs and State Agencies**Progress:** Introduced**Status:** 02/03/2014 – House Health, Government and Indian Affairs Committee**History:** 02/03/2014 – H Introduced and referred to House Health, Government & Indian Affairs.

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**Bill: HM68**

**Sponsors:** Trujillo, C. (D46)

**Title:** LOCAL WATER MANAGEMENT SUPPORT; ACEQUIA ASSOCIATION 25TH YEAR

**Summary:** Congratulates acequias and community ditches for their unique contributions to the culture, history, hydrology, ecology and agricultural economy of the state and congratulates the New Mexico Acequia Association on its 25th Anniversary for its ongoing work to strengthen local acequias and protect their water rights.

**Subjects:** Water; Miscellaneous

**Progress:** Introduced

**Status:** 02/03/2014 – Speaker's Table

**History:** 02/03/2014 – H Introduced and placed on Speaker's Table.

**Scheduled:** 02/10/2014 – House Calendar, 11:00 a.m., House Chamber

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**Bill: HM75**

**Sponsors:** Kane (D15)

**Title:** ANTI-DWI RECIDIVISM PROGRAM STUDY

**Summary:** (Similar to HM 47) Requests that the Administrative Office of the Courts convene a task force to study the effectiveness of new and innovative programs that prevent DWI recidivism, such as the 24/7 sobriety and drug monitoring program in South Dakota.

**Subjects:** Alcohol, Firearms and Tobacco Products; Transportation; Interim Studies and Interim Committees; Public Safety and Corrections; Courts and Civil Matters; Criminal Code; Health and Medical Practice

**Progress:** Introduced

**Status:** 02/06/2014 – House Judiciary Committee

**History:** 02/06/2014 – H Introduced and referred to House Judiciary.

SENATE BILLS

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**Bill: SB11****Sponsors:** Papen (D38)**Title:** REGIONAL HOUSING AUTHORITIES OVERSIGHT GF APPROPRIATION**Summary:** (Endorsed by the Mortgage Finance Authority Act Oversight Committee) Appropriates nonreverting \$250,000 (GF) to DFA for FY2015 oversight of regional housing authorities by the Mortgage Finance Authority.**Subjects:** Appropriations; Construction and Materials; Human Services**Progress:** 1st House: Referred to Committee**Status:** 01/29/2014 – Senate Finance Committee**History:** 01/22/2014 – S Introduced and referred to Senate Committee on Committees.  
01/22/2014 – S Also referred to Senate Public Affairs.  
01/22/2014 – S Also referred to Senate Finance.  
01/23/2014 – S Reported germane by Senate Committee on Committees.  
01/29/2014 – S Reported Do Pass by Senate Public Affairs.

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**Bill: SB20****Sponsors:** Campos, P. (D8)**Title:** CAPITAL OUTLAY REVIEW AND MONITORING PROCESS**Summary:** (Nearly identical to 2013 SRC substitute for SB507) Overhauls the capital outlay review and monitoring processes in state government.**Subjects:** Elections; State Affairs and State Agencies; Unknown Subject**Related:** 2013:SB507**Progress:** 1st House: Referred to Committee**Status:** 02/03/2014 – Senate Rules Committee**History:** 01/23/2014 – S Introduced and referred to Senate Committee on Committees.  
01/23/2014 – S Also referred to Senate Rules.  
01/23/2014 – S Also referred to Senate Finance.  
02/03/2014 – S Reported germane by Senate Committee on Committees.

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**Bill: SB53****Sponsors:** Cisneros (D6)**Title:** 2014 GENERAL OBLIGATION BOND CAPITAL PROJECTS**Summary:** Authorizes the issuance and sale of 10-year general obligation bonds to cover capital expenses for senior citizen facility improvements and acquisitions, for library acquisitions, and for improvements and acquisitions at institutions of higher education, state special schools and tribal schools. Imposes an ad valorem property tax levy for the payment of principal, interest and costs related to the bonds. Requires voter approval at the 2014 General Election.**Subjects:** Appropriations; Capital Outlay Requests; Aging; Schools and Teachers; Higher Education; Indians; Taxation and Fees; Cultural Affairs**Progress:** 1st House: Referred to Committee**Status:** 01/27/2014 – Senate Finance Committee**History:** 01/23/2014 – S Introduced and referred to Senate Committee on Committees.

01/23/2014 – S Also referred to Senate Finance.  
01/27/2014 – S Reported germane by Senate Committee on Committees.  
Related: Agency on Aging Budget to fund Senior Services for the State

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**Bill: SB87**  
**Sponsors:** Neville (R2)  
**Title:** GRT DISTRIBUTION AND LOCAL GOVERNMENT HOLD HARMLESS GRT CHANGES  
**Summary:** Swaps a new distribution of the gross receipts tax to municipalities and counties for the existing food and medical hold-harmless distributions; reduces the amount of municipal or county hold harmless gross receipts tax that may be imposed and provides conditions for when the tax may be imposed.  
**Subjects:** Taxation and Fees; County Affairs; Municipalities/City Government; State Affairs and State Agencies  
**Progress:** 1st House: Referred to Committee  
**Status:** 01/27/2014 – Senate Corporations and Transportation Committee  
**History:** 01/23/2014 – S Introduced and referred to Senate Committee on Committees.  
01/23/2014 – S Also referred to Senate Corporations & Transportation.  
01/23/2014 – S Also referred to Senate Finance.  
01/27/2014 – S Reported germane by Senate Committee on Committees.  
Related: Resolution 2013-134 Resolution on Preemption of Local Authority

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**Bill: SB135**  
**Sponsors:** Munoz (D4)  
**Title:** PUBLIC EMPLOYEE RETIREMENT: REVISED CONTRIBUTION LEVELS  
**Summary:** (Identical to HB27) Proposes to amend the Retiree Health Care Act by increasing the employer and employee contribution rates paid to the Retiree Health Care Fund.  
**Subjects:** Public Employees/Retirement  
**Related:** 2014:HB27  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/05/2014 – Senate Finance Committee  
**History:** 01/27/2014 – S Introduced and referred to Senate Committee on Committees.  
01/27/2014 – S Also referred to Senate Public Affairs.  
01/27/2014 – S Also referred to Senate Finance.  
01/28/2014 – S Reported germane by Senate Committee on Committees.  
02/05/2014 – S Reported Do Pass by Senate Public Affairs.

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**Bill: SB143**  
**Sponsors:** Campos, P. (D8)  
**Title:** FRESH FRUITS AND VEGETABLES FOR SCHOOL MEAL PROGRAMS  
**Summary:** Appropriates \$1,440,000 (GF nonreverting) to the Public Education Department for use in fiscal year 2015 and subsequent fiscal years to distribute to school districts and charter schools to buy New Mexico grown fresh fruits and vegetables for school meal programs.  
**Subjects:** Schools and Teachers; Health and Medical Practice; Family and Juveniles  
**Progress:** 1st House: Reported from Committees

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**Status:** 02/07/2014 – Senate Finance Committee  
**History:** 01/27/2014 – S Introduced and referred to Senate Committee on Committees.  
 01/27/2014 – S Also referred to Senate Education.  
 01/27/2014 – S Also referred to Senate Finance.  
 01/28/2014 – S Reported germane by Senate Committee on Committees.  
 02/07/2014 – S Reported Do Pass by Senate Education.  
 Related: Resolution 2013-121 A Resolution in Support of a Healthy Kid, Healthy Economy Program

**Bill:** SB162  
**Sponsors:** Cisneros (D6)  
**Title:** CAPITAL OUTLAY PLANNING AND MONITORING ACT  
**Summary:** Proposes the Capital Outlay Planning and Monitoring Act to increase scrutiny of capital outlay expenditures; require comprehensive five-year plans; create the Capital Outlay Planning and Monitoring Division in the Department of Finance and Administration as well as the Capital Outlay Planning Council, and make an appropriation.  
**Subjects:** State Affairs and State Agencies  
**Progress:** 1st House: Referred to Committee  
**Status:** 01/28/2014 – Senate Committee on Committees  
**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.  
 01/28/2014 – S Also referred to Senate Rules.  
 01/28/2014 – S Also referred to Senate Finance.

**Bill:** SB164  
**Sponsors:** Cisneros (D6)  
**Title:** PUEBLO LEASE OF ADJUDICATED WATER RIGHTS  
**Summary:** Provides for pueblo lease of adjudicated water rights for a term authorized by federal statute approving a settlement agreement.  
**Subjects:** Water; Indians  
**Progress:** 1st House: Referred to Committee  
**Status:** 01/28/2014 – Senate Committee on Committees  
**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.  
 01/28/2014 – S Also referred to Senate Conservation.  
 01/28/2014 – S Also referred to Senate Judiciary.

**Bill:** SB170  
**Sponsors:** Munoz (D4)  
**Title:** EXEMPTS CERTAIN MUNICIPALITIES FROM HOLD HARMLESS PHASE-OUT  
**Summary:** (Duplicates HB114; related to HB132, SB87, SB171) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large municipalities and allows certain large municipalities to retain the distribution.  
**Subjects:** County Affairs; Municipalities/City Government; Appropriations; Taxation and Fees  
**Related:** 2014:HB114; 2014:HB32; 2014:SB87; 2014:SB171  
**Progress:** 1st House: Referred to Committee



**Status:** 01/29/2014 – Senate Corporations and Transportation Committee  
**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.  
01/28/2014 – S Also referred to Senate Corporations & Transportation.  
01/28/2014 – S Also referred to Senate Finance.  
01/29/2014 – S Reported germane by Senate Committee on Committees.  
Related: Resolution 2013-134 Resolution on Local Authority

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**Bill: SB187**

**Sponsors:** Rodriguez (D24)  
**Title:** TEMPORARY CARE FOR ANIMALS OF DOMESTIC VIOLENCE VICTIMS  
**Summary:** Appropriates \$100,000 (GF) to CYFD to enhance the system of temporary care and housing for animals of domestic violence victims.  
**Subjects:** Appropriations; State Affairs and State Agencies; Family and Juveniles; Health and Medical Practice  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/03/2014 – Senate Finance Committee  
**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.  
01/28/2014 – S Also referred to Senate Public Affairs.  
01/28/2014 – S Also referred to Senate Finance.  
01/29/2014 – S Reported germane by Senate Committee on Committees.  
02/03/2014 – S Reported Do Pass by Senate Public Affairs.

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**Bill: SB198**

**Sponsors:** Sanchez, M. (D29)  
**Title:** CHANGES WATER PROJECT FUNDING PROCESS  
**Summary:** Changes the process by which water projects are funded, for the stated purpose of providing for a rational, cogent statewide process for priority ranking of water project applications. Appropriates \$750,000 to establish the Water Trust Office.  
**Subjects:** Water  
**Progress:** 1st House: Referred to Committee  
**Status:** 01/29/2014 – Senate Rules Committee  
**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.  
01/28/2014 – S Also referred to Senate Rules.  
01/28/2014 – S Also referred to Senate Conservation.  
01/28/2014 – S Also referred to Senate Finance.  
01/29/2014 – S Reported germane by Senate Committee on Committees.  
**Scheduled:** 02/10/2014 – Senate Rules Committee, 8:30 a.m., Room 321

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**Bill: SB201**

**Sponsors:** McSorley (D16)  
**Title:** CHANGES RELATING TO OPEN PROCUREMENT PROCESS AND PRIVATIZATION  
**Summary:** Proposes to amend the Sunshine Portal Transparency Act; requires the application of the Inspection of Public Records Act and the Open Meetings Act to certain contracts; provides requirements for outsourcing contracts.

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**Subjects:** State Affairs and State Agencies

**Related:** 2014:HB341

**Progress:** 1st House: Referred to Committee

**Status:** 01/28/2014 – Senate Committee on Committees

**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.

01/28/2014 – S Also referred to Senate Public Affairs.

01/28/2014 – S Also referred to Senate Judiciary.

**Bill:** SB205

**Sponsors:** Martinez, Richard (D5)

**Title:** RIO ARRIBA COUNTY WATER RIGHTS

**Summary:** Appropriates \$500,000 (GF, nonreverting) to acquire surface and groundwater rights for Rio Arriba County to maintain operations at 38 mutual domestic water consumer associations; support the water requirement to sustain infrastructure, including agriculture, fire, clinics, senior centers and recreation; support the needs of economic enhancement; and provide in-kind support to 173 acequia associations to meet New Mexico filing and auditing requirements and protect water rights, if needed.

**Subjects:** Appropriations; County Affairs; Health and Medical Practice; Agriculture and Ranching; Business, Manufacturing and Economic Development

**Progress:** 1st House: Referred to Committee

**Status:** 01/29/2014 – Senate Judiciary Committee

**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.

01/28/2014 – S Also referred to Senate Judiciary.

01/28/2014 – S Also referred to Senate Finance.

01/29/2014 – S Reported germane by Senate Committee on Committees.

**Bill:** SB209

**Sponsors:** Woods (R7)

**Title:** COUNTY ROAD SPEED LIMITS

**Summary:** Amends current law to limit speeds on unmarked county roads to 55 MPH, and changes "Highway and Transportation Department" to "Department of Transportation" throughout section.

**Subjects:** County Affairs; Transportation; Public Safety and Corrections

**Progress:** 1st House: Referred to Committee

**Status:** 02/07/2014 – Senate Judiciary Committee

**History:** 01/28/2014 – S Introduced and referred to Senate Committee on Committees.

01/28/2014 – S Also referred to Senate Corporations & Transportation.

01/28/2014 – S Also referred to Senate Judiciary.

02/03/2014 – S Reported germane by Senate Committee on Committees.

02/07/2014 – S Reported Do Pass by Senate Corporations & Transportation.

**Bill:** SB217

**Sponsors:** Munoz (D4)

**Title:** SAVES HOLD-HARMLESS DISTRIBUTION FOR MCKINLEY COUNTY

**Summary:** (Duplicates HB155 and Section 2 of SB171; similar to HB114, HB132, SB87, SB170) Simplifies the structure of last year's phase-out of the food and medical gross receipts tax hold harmless distributions for large counties; allows McKinley County to retain the distribution.

**Subjects:** County Affairs; State Affairs and State Agencies; Appropriations

**Related:** 2014:HB155; 2014:SB171; 2014:HB114; 2014:HB132; 2014:SB87; 2014:SB170

**Progress:** 1st House: Referred to Committee

**Status:** 01/30/2014 – Senate Corporations and Transportation Committee

**History:** 01/29/2014 – S Introduced and referred to Senate Committee on Committees.

01/29/2014 – S Also referred to Senate Corporations & Transportation.

01/29/2014 – S Also referred to Senate Finance.

01/30/2014 – S Reported germane by Senate Committee on Committees.

Related: Resolution 2013-134 Resolution on Local Authority

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**Bill: SB220**

**Sponsors:** Lopez (D11)

**Title:** SENIOR CITIZEN PROGRAMS IN NEW MEXICO

**Summary:** (Identical to HB 90) Provides a \$5,330,250 (GF) appropriation to the Aging and Long-Term Services Department to fund the following services:

**Subjects:** Appropriations; Aging; Transportation; Human Services; Health and Medical Practice; Family and Juveniles

**Related:** 2014:HB90

**Progress:** 1st House: Referred to Committee

**Status:** 02/07/2014 – Senate Finance Committee

**History:** 01/29/2014 – S Introduced and referred to Senate Committee on Committees.

01/29/2014 – S Also referred to Senate Public Affairs.

01/29/2014 – S Also referred to Senate Finance.

01/30/2014 – S Reported germane by Senate Committee on Committees.

02/07/2014 – S Reported Do Pass by Senate Public Affairs.

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**Bill: SB221**

**Sponsors:** Campos, P. (D8)

**Title:** SOUTHWEST CHIEF RAIL SERVICE FUND

**Summary:** (Similar to HB116) Appropriates \$4,000,000 (GF) to the newly created Southwest Chief Rail Service Fund for expenditure in FY 2015 and thereafter for acquisition of rights of way or planning, design, engineering, construction or improvement of the railroad track and infrastructure within New Mexico used by the Amtrak Southwest Chief train.

**Subjects:** Appropriations; Transportation

**Related:** 2014:HB116

**Progress:** 1st House: Referred to Committee

**Status:** 01/30/2014 – Senate Corporations and Transportation Committee

**History:** 01/29/2014 – S Introduced and referred to Senate Committee on Committees.

01/29/2014 – S Also referred to Senate Corporations & Transportation.

01/29/2014 – S Also referred to Senate Finance.

01/30/2014 – S Reported germane by Senate Committee on Committees.

Related: Resolution 2012-60

**Bill: SB223**

**Sponsors:** Cisneros (D6)

**Title:** UNM SCHOOL OF LAW: UTTON TRANSBOUNDARY RESOURCES CENTER

**Summary:** Appropriates \$590,000 (GF) to UNM's board of regents for programs at the Utton Transboundary Resources Center at the University of New Mexico School of Law.

**Subjects:** Appropriations; Higher Education

**Progress:** 1st House: Referred to Committee

**Status:** 02/05/2014 – Senate Finance Committee

**History:** 01/29/2014 – S Introduced and referred to Senate Committee on Committees.

01/29/2014 – S Also referred to Senate Conservation.

01/29/2014 – S Also referred to Senate Finance.

01/30/2014 – S Reported germane by Senate Committee on Committees.

02/05/2014 – S Reported Do Not Pass but Do Pass as substituted by Senate Conservation.

**Bill: SB232**

**Sponsors:** Ryan (R10)

**Title:** BANS USE BY MINORS OF CERTAIN ALTERNATIVE NICOTINE PRODUCTS OR VAPOR DEVICES

**Summary:** Bans Use by Minors of Certain Alternative Nicotine Products or Vapor Devices

**Subjects:** Alcohol, Firearms and Tobacco Products; Health and Medical Practice; State Affairs and State Agencies; Courts and Civil Matters

**Progress:** 1st House: Referred to Committee

**Status:** 02/07/2014 – Senate Judiciary Committee

**History:** 01/30/2014 – S Introduced and referred to Senate Committee on Committees.

01/30/2014 – S Also referred to Senate Public Affairs.

01/30/2014 – S Also referred to Senate Judiciary.

01/31/2014 – S Reported germane by Senate Committee on Committees.

02/07/2014 – S Reported Do Pass as amended by Senate Public Affairs.

Related: Related to Resolution 2013-140

**Bill: SB237**

**Sponsors:** Rodriguez (D24)

**Title:** WOMEN'S HEALTH SERVICES IN SANTA FE

**Summary:** Appropriates \$200,000 (GF) to the Department of Health to provide operating funds for a women's health services program in Santa Fe.

**Subjects:** Appropriations; Health and Medical Practice; State Affairs and State Agencies; Insurance

**Progress:** 1st House: Referred to Committee

**Status:** 02/05/2014 – Senate Finance Committee

**History:** 01/30/2014 – S Introduced and referred to Senate Committee on Committees.

01/30/2014 - S Also referred to Senate Public Affairs.  
01/30/2014 - S Also referred to Senate Finance.  
01/31/2014 - S Reported germane by Senate Committee on Committees.  
02/05/2014 - S Reported Do Pass by Senate Public Affairs.

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**Bill: SB248**

**Sponsors:** Cisneros (D6); Gonzales (D42)

**Title:** CAP ON PROPERTY TAX VALUATION INCREASE FOR LAND PREVIOUSLY CLASSED AS AGRICULTURAL

**Summary:** Adds a new section to the Property Tax Code to protect certain owners of agricultural land from large increases in valuation for property tax purposes when the land ceases to be valued as agricultural land. Applicable to the 2014 and subsequent property tax years.

**Subjects:** County Affairs; Land, Housing and Real Estate; Agriculture and Ranching; Taxation and Fees

**Progress:** 1st House: Referred to Committee

**Status:** 01/30/2014 - Senate Committee on Committees

**History:** 01/30/2014 - S Introduced and referred to Senate Committee on Committees.

01/30/2014 - S Also referred to Senate Corporations & Transportation.

01/30/2014 - S Also referred to Senate Finance.

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**Bill: SB256**

**Sponsors:** Griggs (R34)

**Title:** APPROPRIATION: COST-BENEFIT ANALYSIS OF TRANSFERRING FEDERAL LANDS

**Summary:** Appropriates \$75,000 (GF) for expenditure in FY 2014 and 2015 for analyses of the costs and benefits of transferring federal lands to the state. \$50,000 is appropriated to the State Land Office, and \$25,000 is appropriated to the Energy, Mineral and Natural Resources Department, for each to study and report on the costs and benefits of assuming title to, and responsibility for, federally owned resource production lands.

**Subjects:** Land, Housing and Real Estate; Natural Resources (Parks and Wildlife); State Affairs and State Agencies

**Progress:** 1st House: Referred to Committee

**Status:** 02/03/2014 - Senate Conservation Committee

**History:** 01/31/2014 - S Introduced and referred to Senate Committee on Committees.

01/31/2014 - S Also referred to Senate Conservation.

01/31/2014 - S Also referred to Senate Finance.

02/03/2014 - S Reported germane by Senate Committee on Committees.

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**Bill: SB260**

**Sponsors:** Neville (R2)

**Title:** PROPERTY TAX VALUATION OF RESIDENTIAL PROPERTY

**Summary:** (For Revenue Stabilization and Tax Policy Committee) (2014 - HB178; 2013 - HB521 and SB 284; 2012 - SB145; 2011 - SCORC/SB108) Attempts to fix the "tax lightning" problem with the valuation and taxation of residential property. Transitions valuations to a percentage of the "current and correct" standard set in the Property Tax Code.

**Subjects:** County Affairs; Municipalities/City Government; State Affairs and State Agencies; Land, Housing and Real Estate; Family and Juveniles; Taxation and Fees



**Progress:** 1st House: Referred to Committee

**Status:** 02/03/2014 – Senate Corporations and Transportation Committee

**History:** 01/31/2014 – S Introduced and referred to Senate Committee on Committees.

01/31/2014 – S Also referred to Senate Corporations & Transportation.

01/31/2014 – S Also referred to Senate Finance.

02/03/2014 – S Reported germane by Senate Committee on Committees.

Related: Tax Lightening; Resolution 2013-98 A Resolution Supporting Property Tax Equity

**Bill: SB263**

**Sponsors:** Sanchez, M. (D29)

**Title:** AUTHORIZES REVAMPED LOCAL LIQUOR EXCISE TAX FOR ALL COUNTIES

**Summary:** (For a state agency) Allows all counties, not just McKinley County, to impose a local liquor excise tax. Changes the tax basis from a percentage of wholesale prices to a tax per unit of alcohol sold. Tax is imposed on wholesalers distributing alcoholic beverages to retailers in the county.

**Subjects:** Alcohol, Firearms and Tobacco Products; Health and Medical Practice; County Affairs; Taxation and Fees

**Progress:** 1st House: Referred to Committee

**Status:** 02/07/2014 – Senate Finance Committee

**History:** 01/31/2014 – S Introduced and referred to Senate Committee on Committees.

01/31/2014 – S Also referred to Senate Public Affairs.

01/31/2014 – S Also referred to Senate Finance.

02/03/2014 – S Reported germane by Senate Committee on Committees.

02/07/2014 – S Reported Do Pass by Senate Public Affairs.

Related: Santa Fe County DWI Program

**Bill: SB268**

**Sponsors:** Rodriguez (D24)

**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS

**Summary:** In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for.

**Subjects:** Health and Medical Practice; County Affairs; State Affairs and State Agencies; Taxation and Fees

**Related:** 2014:SB314; 2014:HB350

**Progress:** 1st House: Referred to Committee

**Status:** 02/04/2014 – Senate Public Affairs Committee

**History:** 01/31/2014 – S Introduced and referred to Senate Committee on Committees.

01/31/2014 – S Also referred to Senate Public Affairs.

01/31/2014 – S Also referred to Senate Finance.

02/04/2014 – S Reported germane by Senate Committee on Committees.

Related: Resolutions 2013-134 and 2013-135. This takes into consideration the 1/16<sup>th</sup>.

SB 268 has a one year expiration.

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**Bill: SB271**

**Sponsors:** Cervantes (D31)

**Title:** LIMITS THE AUTHORITY OF THE STATE ENGINEER

**Summary:** (Identical to 2013 HB558 and SB529) Restricts the State Engineer's authority to administer water that is either the subject of permits and licenses issued by the State Engineer or adjudicated by a court in a manner consistent with the doctrine of "prior appropriation" under the state Constitution.

**Subjects:** Water; Agriculture and Ranching; State Affairs and State Agencies; Courts and Civil Matters

**Related:** 2013:HB558; 2013:SB529

**Progress:** 1st House: Referred to Committee

**Status:** 02/03/2014 – Senate Committee on Committees

**History:** 02/03/2014 – S Introduced and referred to Senate Committee on Committees.

02/03/2014 – S Also referred to Senate Conservation.

02/03/2014 – S Also referred to Senate Judiciary.

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**Bill: SB285**

**Sponsors:** Sanchez, C. (D30)

**Title:** RAISES THE MINIMUM WAGE

**Summary:** Raises the minimum wage rate to \$8.00 per hour, with two exceptions: employers with 10 or fewer employees or fewer are required to pay a minimum of \$7.50 per hour; and employers with trainee employees are required to pay at least \$7.50 per hour during the period of training, not to exceed six months.

**Subjects:** Business, Manufacturing and Economic Development; Labor; Family and Juveniles

**Related:** 2014:SB319

**Progress:** 1st House: Referred to Committee

**Status:** 02/04/2014 – Senate Public Affairs Committee

**History:** 02/03/2014 – S Introduced and referred to Senate Committee on Committees.

02/03/2014 – S Also referred to Senate Public Affairs.

02/03/2014 – S Also referred to Senate Corporations & Transportation.

02/04/2014 – S Reported germane by Senate Committee on Committees.

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**Bill: SB299**

**Sponsors:** Campos, P. (D8)

**Title:** TEN MILLION FOR LOCAL ECONOMIC DEVELOPMENT PROJECTS

**Summary:** Provides a \$10,000,000 (GF nonreverting) appropriation to the Economic Development Department for use in FY2015 and subsequent years to support local economic development projects.

**Subjects:** Appropriations; Business, Manufacturing and Economic Development; Courts and Civil Matters; Municipalities/City Government

**Progress:** 1st House: Referred to Committee

**Status:** 02/05/2014 – Senate Corporations and Transportation Committee

**History:** 02/04/2014 – S Introduced and referred to Senate Committee on Committees.

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02/04/2014 – S Also referred to Senate Corporations & Transportation.  
 02/04/2014 – S Also referred to Senate Finance.  
 02/05/2014 – S Reported germane by Senate Committee on Committees.

**Bill: SB308****Sponsors:** Griggs (R34)**Title:** DESIGNATES FUNDING ALLOCATIONS FOR CAPITAL OUTLAY**Summary:** Changes how funding for capital outlay is allocated for FY 2016 through FY 2019. Does not apply to supplemental severance tax bonds for public school capital outlay.**Subjects:** Legislature; Cultural Affairs; Indians; Transportation**Progress:** 1st House: Referred to Committee**Status:** 02/05/2014 – Senate Committee on Committees**History:** 02/05/2014 – S Introduced and referred to Senate Committee on Committees.

02/05/2014 – S Also referred to Senate Rules.

02/05/2014 – S Also referred to Senate Finance.

**Bill: SB310****Sponsors:** Candelaria (D26)**Title:** EXPANDS DEFINITION OF "LOCAL REVENUE" FOR STATE EQUALIZATION GUARANTEE DISTRIBUTION**Summary:** Expands the definition of "Local Revenue" used for calculation of a school district's State Equalization Guarantee Distribution.**Subjects:** Health and Medical Practice; County Affairs; Municipalities/City Government; Energy Resources and Chemicals**Progress:** 1st House: Referred to Committee**Status:** 02/06/2014 – Senate Education Committee**History:** 02/05/2014 – S Introduced and referred to Senate Committee on Committees.

02/05/2014 – S Also referred to Senate Education.

02/05/2014 – S Also referred to Senate Finance.

02/06/2014 – S Reported germane by Senate Committee on Committees.

**Bill: SB313****Sponsors:** Smith (D35)**Title:** GENERAL APPROPRIATION ACT OF 2014**Summary:** (Identical to HB7) The Legislative Finance Committee's version of the state budget for fiscal year 2015, for which a more comprehensive bill will emerge later in the legislative session, most likely as House Bill 2. Cited as the General Appropriation Act of 2014, it contains the LFC's recommendation for the 2014-2015 fiscal year and authorizes \$6.15 billion from the state's General Fund, \$253.5 million more than the LFC expects to be spent in FY14.**Subjects:** State Affairs and State Agencies; Appropriations**Related:** 2014:HB7**Progress:** 1st House: Referred to Committee**Status:** 02/06/2014 – Senate Finance Committee

**History:** 02/05/2014 – S Introduced and referred to Senate Committee on Committees.  
02/05/2014 – S Also referred to Senate Finance.  
02/06/2014 – S Reported germane by Senate Committee on Committees.

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**Bill: SB314**  
**Sponsors:** Smith (D35)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** (Nearly identical to 2014 SB268 and related to 2014 SM50) In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid for.  
**Subjects:** Health and Medical Practice; County Affairs; State Affairs and State Agencies; Elections; Taxation and Fees  
**Related:** 2014:SB268; 2014:SM50  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/06/2014 – Senate Public Affairs Committee  
**History:** 02/05/2014 – S Introduced and referred to Senate Committee on Committees.  
02/05/2014 – S Also referred to Senate Public Affairs.  
02/05/2014 – S Also referred to Senate Finance.  
02/06/2014 – S Reported germane by Senate Committee on Committees.  
Related: Resolutions 2013-134 and 2013-135. Takes 1/16<sup>th</sup>.

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**Bill: SB322**  
**Sponsors:** Campos, P. (D8)  
**Title:** RAISES MINIMUM WAGE FOR STATE AND HIGHER EDUCATION EMPLOYEES  
**Summary:** (Related to HB275) Raises the minimum wage to \$10.10 per hour for all state employees and everyone employed at a state educational institution (except student employees as defined by the Higher Education Department).  
**Subjects:** Higher Education; Public Employees/Retirement  
**Related:** 2014:HB275  
**Progress:** 1st House: Referred to Committee  
**Status:** 02/06/2014 – Senate Public Affairs Committee  
**History:** 02/05/2014 – S Introduced and referred to Senate Committee on Committees.  
02/05/2014 – S Also referred to Senate Public Affairs.  
02/05/2014 – S Also referred to Senate Finance.  
02/06/2014 – S Reported germane by Senate Committee on Committees.

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**Bill: SB368**  
**Sponsors:** Munoz (D4)  
**Title:** REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS  
**Summary:** (Duplicate of HB-350; conflicts with SB268) SFC Substitute for SB368 replaces a dummy bill. In the wake of changed federal regulations regarding sole community provider hospitals, revamps the system for caring for indigents under the Indigent Hospital and County Health Care Act and how indigent care is paid.

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**Subjects:** Health and Medical Practice; County Affairs; State Affairs and State Agencies; Taxation and Fees

**Related:** 2014:HB30; 2014:SB268

**Progress:** 1st House: Referred to Committee

**Status:** 02/07/2014 – Senate Public Affairs Committee

**History:** 02/05/2014 – S Introduced and referred to Senate Finance.

02/06/2014 – S Reported Do Not Pass but Do Pass as substituted without recommendation by Senate Finance.

02/06/2014 – S Also referred to Senate Public Affairs.

02/06/2014 – S Also referred to Senate Finance.

02/07/2014 – S Reported germane by Senate Committee on Committees.

RELATED: Sole Community Provider

**Bill:** SJR19

**Sponsors:** Candelaria (D26)

**Title:** CA: MANDATORY MINIMUM QUALIFICATIONS FOR COUNTY TREASURERS

**Summary:** Proposes a new Article 10 of the state Constitution to require professional qualifications and continuing education requirements for county treasurers. The measure would be subject to voter approval and would apply to county treasurers elected at the General Election in 2016 and to county treasurers appointed to fill a vacancy at any time after July 1, 2015.

**Subjects:** Constitutional Amendments; Public Employees/Retirement; Elections; County Affairs

**Progress:** Introduced

**Status:** 01/31/2014 – Senate Rules Committee

**History:** 01/31/2014 – S Introduced and referred to Senate Rules.

01/31/2014 – S Also referred to Senate Judiciary.

**Bill:** SM50

**Sponsors:** Papen (D38)

**Title:** IMPROVING NEEDY FAMILIES' ACCESS TO PUBLIC-BENEFIT PROGRAMS

**Summary:** Requests HSD to track and report on New Mexico safety net data on programs providing temporary financial assistance to needy families and address food insecurity; apply for any federal waivers that increase access to public benefits; conduct outreach to inform eligible New Mexicans of existing programs; and engage community leaders and stakeholders of barriers to enrollment in public-benefit programs.

**Subjects:** Human Services; Family and Juveniles; Interim Studies and Interim Committees; State Affairs and State Agencies; County Affairs

**Related:** 2014:SB314

**Progress:** Introduced

**Status:** 01/31/2014 – Senate Rules Committee

**History:** 01/31/2014 – S Introduced and referred to Senate Rules.

01/31/2014 – S Also referred to Senate Public Affairs.



## Resolutions and Action Taken by County Commissioners on Specific Legislation

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### **Resolution: 2013-87**

#### **Resolution Supporting Notice of Liens**

This resolution supports legislation that requires an owner of a property to be informed when a lien is recorded

This initiative is that of the County Clerk's affiliate of the NMAC for the past several years. It was taken on as an initiative of the Clerk's affiliated to provide greater protections to property owners affected by liens. (NMAC)

### **Resolution: 2013-88**

#### **Resolution Supporting Suspension Of Medicaid Benefits In Lieu Of Termination Upon Incarceration**

This resolution supports legislation that would require the suspension of Medicaid in lieu of termination upon incarceration in county detention centers for youth and adults.

The Santa Fe County Board of Commissioners supports legislation that would require the suspension of Medicaid in lieu of termination upon incarceration in county detention centers for youth and adults such that: (1) inmates would still have their Medicaid medical benefits upon discharge if they had Medicaid upon admission or (2) be able to apply for Medicaid benefits at any time during their incarceration and if still incarcerated when they receive their benefits have their Medicaid benefits suspended until discharge when they would automatically become active. (NMAC)

### **Resolution: 2013-89**

#### **Resolution Supporting Delinquent Property Tax Payments**

This resolution supports legislation that would amend State Statute 7-38-62, providing authorization of County Treasurers to receive all payments of property taxes including for those properties that have been turned over to the Property Tax Division

The proposed legislation would amend State Statute 7-38-62 to authorize County Treasurers to receive all payments of property taxes, including for those properties that have been turned over to the Property Tax Division for collection and been placed on installment agreements. (NMAC)

### **Resolution: 2013-90**

#### **Resolution Supporting Delinquent Property Tax List Definition**

This resolution supports legislation that would clarify the responsibility of County Treasurers and the State Property Tax Division, so that if a delinquent property does not appear on the most recent delinquent property tax list, that property reverts back to the County Treasurer for collection, and the penalty and interest collected is distributed to the county. (NMAC)

**Resolution: 2013-98**

**A Resolution Supporting Property Tax Equity**

This resolution supports legislation that will provide for the proposed changes to 7-36-21.2 NMSA allowing for a more equitable property valuation process (Or Tax Lightning Legislation)

Striving for equalization of property values, consideration must be given to the long term residents of New Mexico. The proposed consideration for Tax Equity includes the creation of a valuation limitation for the long term resident, providing a deduction of 1 0% of the taxable value, of the residential property owned and occupied by a New Mexico resident for 10 or more years and a 20% deduction of the taxable value, of the residential property owned and occupied by a New Mexico resident, 65 years of age or older, for 20 or more years. (NMAC)

**Resolution: 2013-99**

**A Resolution Supporting Non-Residential Real Property Sales Disclosure**

This resolution supports legislation that will provide for the disclosure of sales data for all real property except as specifically excluded New Mexico State Statute 7-38-12.1 NMSA 1978 requires transferors or transferees of "residential property" to file an affidavit with the County Assessor disclosing sale price and other related information (NMAC)

**Resolution: 2013-100**

**A Resolution Supporting County Correctional Facility Gross Receipts Tax**

This resolution supports legislation that would increase the County Correctional Facility Gross Receipts Tax from two to four increments of one-sixteenth of one percent resulting in a maximum tax of one fourth of one percent

County detention facilities have seen a significant increase in detention facility populations since the County Correctional Facilities GRT was expanded in 2004. The resulting cost to county government is, in many counties, the most significant part of the county budget. Twenty five counties in New Mexico have voted to enact the two one sixteenth increments of County Correctional Facility Gross Receipts Tax authorized by state law. County detention facilities use the proceeds of this local option tax to operate and maintain local detention facilities, and for many other purposes authorized by state law (NMAC)

**Resolution: 2013-91**

**A Resolution Supporting The 2014 Legislative Priorities Of The New Mexico Association of Counties**

In August 2013 the Board of Directors of the New Mexico Association of Counties approved seven legislative priorities for consideration by the New Mexico Legislature at its 2014 regular legislative session (NMAC)

The Seven Legislative Priorities include:

- Delinquent Property Tax Payments
- Delinquent Property Tax List
- Notice of Liens
- Medicaid Benefits Suspension
- County Correctional Facility Gross Receipts Tax
- Property Tax Equity
- Real Property Sales Disclosure

**Resolution: 2013-134**

**Resolution On Preemption Of Local Authority**

Pursuant to NMSA 1978 Section 7-20E-9(2008) New Mexico counties are authorized to impose a local option gross receipts tax increment of one-eighth of one percent without referendum the revenues from which must be dedicated to the support of indigent patients who are residents of that county; the board of county commissioners of Santa Fe County opposes any proposal or legislation that would preempt local government authority; by taking from New Mexico counties the authority to utilize revenues generated by local taxes in the best interests of their citizens

Santa Fe County joins the New Mexico Association of Counties and other Counties across the state to oppose any proposal or legislation that would preempt local government authority, by taking from counties the authority to utilize revenues generated by local taxes in the best interests of their citizens. (NMAC)

**Resolution: 2013-135****Resolution On Preemption Of Local Tax Authority In Santa Fe County**

Pursuant to NMSA 1978, Section 7-20E-9(2008) New Mexico counties are authorized to impose a local option gross receipts tax increment of one-eighth of one percent without referendum the revenues from which must be dedicated to the support of indigent patients who are residents of that county the Santa Fe County Board of County Commissioners opposes any proposal or legislation that would preempt local government authority by taking from Santa Fe County the authority to utilize revenues generated by local taxes in the best interest of its citizens Santa Fe County revenue for the one-eighth increment is approximately 4.3million dollars annually. Approximately one half of the \$4.3 million is budgeted to assist community hospitals and the other half pays for indigent claims to other community primary care health providers, mental health providers, ambulance services, substance abuse treatment providers, indigent burials and cremations and county health staff. (Anaya)

**Resolution: 2013-121****A Resolution In Support Of A Healthy Kid, Healthy Economy Program**

This resolution is in support of the purchase of locally grown fruits and vegetables for school lunches and requests the New Mexico State Legislature appropriate \$1.44million toward this program. The healthy kid, healthy economy concept promotes the purchase of New Mexico fruits and vegetables for school lunch programs in order to enhance the diet of school children and help school meal programs comply with new Federal rules that require additional servings of fruits and vegetables in school lunches (Commissioner Holian)

**Resolution: 2013-140****A Resolution Supporting Legislation Prohibiting The Sale of E-Cigarettes to Minors**

This resolution requests and urges that the New Mexico State Legislature enact legislation that prohibits sales of e-cigarettes to minors. Electronic nicotine delivery systems or, e-cigarettes, are battery-powered heating elements that are designed to deliver nicotine in the form of a vapor. E-cigarette cartridges are available in a variety of flavors such as bubblegum, chocolate and mint that appeal to youth. They are seen as gateway products to tobacco abuse and nicotine addiction. Minors under 18 years of age are already prohibited from buying cigarettes and other tobacco products. (Commissioner Stefanics and Commissioner Anaya)

## NMAC Board Positions as of 2/10/2014

The New Mexico Association of Counties (NMAC) Board of Directors met on Saturday, February 8, 2014 and considered a number of issues, including legislation related to the state safety net pool that will replace the sole community provider program.

The Board voted unanimously to reaffirm its support for Senator Rodriguez's Senate Bill 268 (with an amendment to treat Sandoval County the same as Bernalillo County), and to continue to advocate for legislation that is supportive of: 1) local government autonomy; 2) equity of return to counties for revenues sent to the State; and 3) accountability in reporting by hospitals on spending of county revenues.

NMAC will remain flexible in its consideration of legislation particularly on the issue of whether counties contribute 1/16 or 1/8<sup>th</sup> of a cent gross receipts tax increments (or their equivalents), but urges that the Legislature to reinstate the \$3.3 million in funding for the County Detention Reimbursement Fund and the \$2.7 million for local DWI Grant programs, that were stricken from House Bill 2, as approved by the House Appropriations and Finance Committee.