


COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 133

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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

February 25, 2014

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

February 25, 2014

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:05 p.m. by Chair Danny Mayfield, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance and State Pledge led by Mike Feulner and James Hetler, roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner, Kathy Holian, Chair
Commissioner Danny Mayfield, Vice Chair
Commissioner Robert Anaya
Commissioner Miguel Chavez
Commissioner Liz Stefanics

Members Excused:

[None]

I. E. MOMENT OF REFLECTION

The Moment of Reflection was given by Walter Dasheno from the Fire Department.

I. F. APPROVAL OF THE AGENDA

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 Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Mr. Chair, there are no changes to the agenda from when it was published last Tuesday. I will note however that one of the items that's being handed out to you is some technical changes on the item in Consent, item II. C. 3. [Exhibit 1] They were minor changes relative to the lease agreement about us maintaining the easement as we go forward. Although it is not a change to the agenda it is a change to your item in the packet.

CHAIR MAYFIELD: Thank you, Manager Miller. Commissioners, any questions?

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

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: Thank you. We have a motion and a second.

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

I. G. APPROVAL OF MINUTES
1. January 28, 2014 BCC Meeting Minutes

CHAIR MAYFIELD: Commissioners, are there any changes or amendments?

COMMISSIONER HOLIAN: Mr. Chair, I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Motion and a second.

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

I. H. Introduction of New Employees

MS. MILLER: Mr. Chair, in your packet there's a list of quite a few new employees. I will not name all of them because it's an entire sheet of new employees. However, there are about six of them that I believe are here today. I'll read off their name and if they are here if they would just stand up to be recognized by the Commission. Chanelle Delgado from Community Services Department is our Teen Court Coordinator. And actually, I'll go back to the Clerk's; maybe she would like to introduce them. Roberta Martinez, a Clerical Specialist from our Housing Department. If she's not here she was at our Housing meeting earlier today. James Hetler from our Public Safety Department is an Accounting Tech Senior and previously a Galisteo volunteer. I guess he still is a Galisteo volunteer firefighter, but he's now our Accounting Tech Senior at Public Safety Department.

And the also Daniel Quintana is an Emergency Comm Specialist Trainee in our Public Safety Department. I don't know if he made it. And then I would give the Clerk the honor of her three employees.

GERALDINE SALAZAR (County Clerk): Rico Lovato, Estrella Martinez – is she here? She left earlier today. Manuel Olivas and Ali. Thank you.

CHAIR MAYFIELD: Thank you and welcome to all of you. We know you'll do a find job for Santa Fe County and working for all of our constituencies and citizens of Santa Fe County. Manager Miller, on that note, how many employees do we have working for Santa Fe County?

MS. MILLER: Mr. Chair, we probably have close to 1,000 FTE but I would say we're at any given time between 850 and 900 of those positions are filled. Some of the 1,000 are seasonal employees for during fire season and some of the other ones that aren't filled all the time but I'd say right about now we run about 850 to 900 that are filled at any given time.

CHAIR MAYFIELD: Thank you. And welcome again.

II. CONSENT CALENDAR

A. Budget Resolutions

- 1. Resolution No. 2014-22, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the New Mexico Department of Transportation for Highway Safety Projects/\$62,000 (Sheriff's/Ron Madrid)**
- 2. Resolution No. 2014-23, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget the 2014 YCC Grant/\$149,730 (Public Safety/Fire/Pablo Sedillo)**
- 3. Resolution No. 2014-24, a Resolution Requesting a Budget Decrease to the Fire Operations Fund (244)/ Chimayo Fire District to Realign the FY2014 Budget with the Actual Grant Award From the New Mexico Fire Protection Grant Council/- \$25,000 (Public Safety/Fire/Pablo Sedillo)**
- 4. Resolution No. 2014-25, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget State Grants Awarded to the Pojoaque, Tesuque and Galisteo Fire Districts/\$59,836 (Public Safety/Fire/Pablo Sedillo)**

B. Other Resolutions

- 1. Resolution No. 2014-26, a Resolution Authorizing the County Manager to Submit a Grant and Distribution Funding Application and Related Documents for DWI Prevention in Santa Fe County for Fiscal Year 2015 to the New Mexico Department of Finance and Administration (Community Services Department/Lupe Sanchez)**
- 2. Resolution No. 2014-27, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County (Public Works/Adam Leigland)**

C. Purchasing Items

- 1. Request Approval of Amendment No. 3 to SFC Agreement No. 2012-0055-UT/MS Lamy Junction Waterline Extension Project with Molzen Corbin & Associates, Inc. in the Amount of \$34,230.78, Exclusive of GRT and Issue the Purchase Order for the Amended Design Services (Procurement/Bill Taylor)**
- 2. Request Approval of Lease Agreement Between Santa Fe County and Arthur Trujillo for Property Located at 685B NM 472 in Stanley, NM in Exchange for in Kind Caretaker Services (Public Works/Adam Leigland/Agnes Leyba-Cruz)**
- 3. Approval of Easement Agreement Between the Pojoaque Valley School District and Santa Fe County for Approximately .736 Acres Adjacent to the Nambe Community Center for the Purpose of**

Constructing and Maintaining a Driveway, Parking Lot and Drainage
Improvements (Procurement/Bill Taylor) **ISOLATED FOR LATER
DISCUSSION**

CHAIR MAYFIELD: Commissioners, we're on to our Consent Calendar and that is item II. Commissioners, is there anything anybody would like to pull off for a brief discussion? Commissioner Holian, please.

COMMISSIONER HOLIAN: Mr. Chair, I don't have anything that I would like to pull from the Consent Calendar but I would like to make a comment on item II. A. 2.

CHAIR MAYFIELD: Any others, Commissioners?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya, please.

COMMISSIONER ANAYA: I'd like to request for just a brief comment that II. A. 1, Commissioner Holian is going to talk about II. A. 2, I might make a comment after that, and II. A. 4.

CHAIR MAYFIELD: So, Commissioners, with that, Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, there was also new information distributed on item II. C. 3, [Exhibit 1] but I don't know if we need to mention that for the record or not, but you may want to have some discussion on that item as well.

CHAIR MAYFIELD: II. C. 3?

COMMISSIONER CHAVEZ: Yes. It has to do with the easement for the Pojoaque Valley School District.

CHAIR MAYFIELD: So we can pull that one off or do you want that under brief discussion?

COMMISSIONER CHAVEZ: I think that can just be brief discussion and we can just include the memorandum that was distributed earlier.

CHAIR MAYFIELD: Thank you, Commissioners. So Commissioners, let's go to brief discussion really quick. If we see that it's going over five minutes I'll just ask Mr. Aaboe to let me know and we'll just move that further down for our other process. So, Commissioners, I'm just going to go in order as they were asked to be pulled.

II. A. 1. Resolution No. 2014-22, Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the New Mexico Department of Transportation for Highway Safety Projects/\$62,000 (Sheriff's/Ron Madrid)

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Just a comment. We have new monies coming into the county, which is a good thing. Those are dollars that are going to be used by the Sheriff's Department. I know we have Captain Mendoza here as well today. But if he could just provide just a snapshot of what these monies are going to do and there are new monies into the county. In fact, Captain, you can speak as well, if you'd like.

CAROLE JARAMILLO (Finance Department): Mr. Chair, Commissioners, this is a grant for \$62,000 that is being granted to Santa Fe County from the Department of Transportation for highway safety projects. It is going to fund a full-time clerical position who is going to assist with our vehicle forfeiture program.

COMMISSIONER ANAYA: Mr. Chair, Captain, would you like to add any remarks?

ADAN MENDOZA: Mr. Chair, Commission, this grant money is going to be used for a clerical position, which is going to be used for creating databases and supplementing our DWI forfeiture program, which has been pretty successful over the years in reference to forfeiting vehicles for repeat DWI offenders. So this position is greatly needed because of the amount of vehicles that we've had forfeited over the years and the amount of clerical work that goes into that program.

COMMISSIONER ANAYA: Mr. Chair, if I could – Captain, appreciate the efforts of yourself and the Sheriff and the staff at the Department and also Finance in working to apply for a grant and get these grant dollars in to augment our program and do what we can to keep it going and improve upon it as we need to. So thank you for those efforts. I'd move for approval. I know Commissioner Chavez has comments but I'd move for approval.

CHAIR MAYFIELD: I'd second that also, Commissioner. Commissioner Chavez.

COMMISSIONER CHAVEZ: So just to expand on some of the comments Commissioner Anaya made because I think when we have money coming in like this it's good. I know there's a lot of effort in securing these grant monies. So I'm reading here that the total award amount is \$75,000. Is that accurate?

MS. JARAMILLO: Mr. Chair, Commissioner Chavez, that's correct. I'm sorry I misspoke earlier. \$62,000 is going to be the amount that will be budgeted in FY 14 and the balance will be budgeted next year to continue that position.

COMMISSIONER CHAVEZ: Okay, so that kind of leads into my next question because we're talking about recurring expenses for a full-time position. How do we plan on budgeting that for the future? How will this position be funded in the future? Will we depend on grants or will we roll that into general fund or how will that be handled?

CAPT. MENDOZA: Right now we're in the process of putting together a sustainability plan to further grant the position for further use, but right now we are just funded until September 30th of 2014. But we're working on the sustainability with the plan with the state to provide monies for the position for future years.

COMMISSIONER CHAVEZ: Good. Because I know you know better than I do that the workload is not going to go away. The program is working. We want to keep it in place and I guess that's part of why I wanted to ask some of these questions like what is the next step, and you're thinking about that, so that's encouraging. Thank you.

CHAIR MAYFIELD: Thank you, Commissioners. We're going to go to 2 and then we'll approve our other Consent items as well.

- II. A. 2. Resolution No. 2014-__, Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget the 2014 YCC Grant/\$149,730 (Public Safety/Fire/Pablo Sedillo)**

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to take this opportunity to commend our Fire Department for their persistence in apply for grants for help with remediating our vulnerability to catastrophic wildfires. What's great about this funding is number one, it's being used in the wildland-urban interface area where people and homes are at the highest risk and number two, it employs and trains young people through a partnership with the Youth Conservation Corps. These kinds of jobs are just going to become more and more important. We're going into a climate that is drier and warmer, and I have to say that in Santa Fe County there is a significant number of people who live in the forest and who are at risk.

So again, thank you to our Fire Department for your farsightedness and for your hard work.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Chief Sperling, if you could come forward I'd appreciate it. I echo the comments of Commissioner Holian and compliment the Fire Department on their efforts and the program in particular relative to wildland-urban interface as well. Chief, I have a question relative to the chipping aspect that we have. I know we've had discussions over the last several meetings and that was one of the aspects that the Youth Corps had helped us in the past and staff. Where are we with the chipping aspect? I know we have some of our partners in the San Pedro area that we were working in partnership with to help us achieve our goals. They asked me a question about it just a couple days ago as to what our plans are coming into the spring and working in those wildland-urban interface areas to do some of that. So can you kind of just for my understanding and for the public's edification give a brief snapshot of what's going to happen in the next few months?

DAVE SPERLING (Fire Chief): Thank you, Commissioner, Chair Mayfield, Commissioner Anaya. So as far as chipping goes, we employ two wildland-urban interface specialists. They are grant funded through a collaborative forest restoration project grant and they work on projects related to those grants year-round, and part of the work that they do, including at the San Pedro site is chipping after thinning work, and the firewood is distributed in a number of different ways to the community. The licensee also does chipping. They do project work and then chip as a result of that project work on grant-specific parcels. They're not at our disposal to utilize countywide. They are truly tied specifically to the grant and to the projects that are funded through that grant, the YCC grant and the CFRP. But chipping is an important aspect of fuel mitigation work and we actually do have two chippers in the Fire Department so if one is under maintenance we're utilizing the other one and they utilize them on a regular basis.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I don't have any more questions.

CHAIR MAYFIELD: Thank you. Chief Sperling, I'll just be real brief. I know with our Public Works Department, Mr. Taylor had a recommendation to dispose of to auction two chippers that we have. I believe they needed some repair. If we can just see what we're going to do with those, if you all could purpose those or not purpose those and make

what recommendations between you two divisions to Manager Miller. That might be a benefit for your use.

CHIEF SPERLING: Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Chief Sperling.

II. A. 4. Resolution No. 2014-__, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget State Grants Awarded to the Pojoaque, Tesuque and Galisteo Fire Districts/\$59,836 (Public Safety/Fire/Pablo Sedillo)

COMMISSIONER ANAYA: Mr. Chair, I once again want to commend staff for their efforts to retain these grants and the work involved therein. Chief, if you could speak, or Carole, both of you, to the use of the grant dollars and this happens regularly. We have different stations that get different grants, but if you could just speak to the use of the grant dollars.

CHIEF SPERLING: Mr. Chair, Commissioner Anaya, this is part of an annual grant appropriation from New Mexico Fire Protection Grant Council. All 14 of our fire districts this year applied for access to this grant funding. Three of our districts were awarded funds. This is a very competitive grant program. It's administered statewide. The Pojoaque Fire District this year was granted an amount of \$14,000 to purchase personal protective equipment for wildland, two flotation pumps for wildland firefighting, and funding to produce a video to educate the community, particularly in the north about our open burning program and how to reduce fires specific to that program.

The Tesuque Fire District's grant was in the amount of \$15,196 for the purchase of two thermal imaging cameras. Thermal imaging cameras are used in structural firefighting to identify the scene of a fire and to look for any fire victims in a fire structure. And then the Galisteo Fire District was awarded \$30,640 to purchase two thermal imaging cameras, four multi-gas meters and personal protective equipment to include five sets of bunker gear, personal protective equipment. The gas meters identify hazardous gases in fire structures and are very necessary to protect both life and limb for firefighters and potential victims.

So this is a great grant program. The total amount we were awarded was nearly \$60,000 and there was a small match we will meet with fire protection funds from those districts and be making the purchases within a matter of weeks.

COMMISSIONER ANAYA: Thank you, Mr. Chair and thank you, chief, and just convey to those watching or listening that all of our fire districts, they all compete for dollars but we all work together to try and have the most comprehensive set of supplies and gear needed and that you work in collaboration with all the departments to assure they have the essential equipment that they need on a daily basis.

CHIEF SPERLING: Mr. Chair, Commissioner Anaya, that's very correct and true. We've been extremely fortunate over the last three years in working together as fire administration and fire districts to try to reap as much benefit from this grant program as possible. In the last three years we've received personal protective gear for a great number of our districts totaling over \$400,000 and two years ago we received self-contained breathing apparatus, also exceeding over \$400,000 worth of grant award distributed amongst the 14 fire

districts. So we've been very fortunate over the last several years and I know that this year they felt it important to look around the state at the other fire departments and districts in great need and I still think that we did very well through this program, and I'm thankful to the state and the Fire Grant Council for making this a reality for us.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Thank you, Chief. Good work.

CHAIR MAYFIELD: Commissioner, thank you. Thank you, Chief. And thank your staff for all the hard work they do to put in for these applications and to request a grant. Also to our State Fire Marshal's Office. They have a great deal of involvement in working with our local fire departments and also to the grant council. Thank you.

II. C. 3. Approval of Easement Agreement Between the Pojoaque Valley School District and Santa Fe County for Approximately .736 Acres Adjacent to the Nambe Community Center for the Purpose of Constructing and Maintaining a Driveway, Parking Lot and Drainage Improvements (Procurement/Bill Taylor)

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. I've been asked by staff in the County Manager's Office to move this down the list. It is going to take more discussion than just the five minutes.

CHAIR MAYFIELD: Fair enough.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: I'd move for the approval of those Consent items that we did address.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: Commissioners, we have a motion and a second for Consent items with the exception of item C. 3 that we will put off for later in our agenda.

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

III. ACTION ITEMS

A. Ordinances

CHAIR MAYFIELD: Commission, I have received numerous email on this – well, it's not a public hearing, but on A. 1, I was trying to time our schedule as we usually time it and I told folks we would probably get to this around 1:45. So if we can I would just ask that we move to B. 1 and to B. 2 and B. 3 and then we could run back to A. 1 if that's okay.

III. B. Appointments

1. Appointment of Don Reece to Health Policy and Planning Commission

RACHEL O'CONNOR (Community Services Department): Mr. Chair, I apologize. Patricia is out in the hall so she'll be here in just a minute. We're requesting to put Mr. Don Reece on the Health Policy and Planning Commission. Mr. Reece has an extensive background in public health, a lot of experience working with CDC, a lot of experience working with Native American citizens and we are requesting his appointment to the Health Policy and Planning Commission.

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

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second, Commissioners.

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

CHAIR MAYFIELD: Welcome, former Secretary of State, Stephanie Gonzales. Thank you for joining us today.

III. B. 2. Appointment of John Mowen to the DWI Planning Council

LUPE SANCHEZ (DWI Coordinator): Mr. Chair, members of the Commission, today we bring before you Mr. John Mowen who has a background in psychology. He was a professor at Oklahoma State University. He has a strong background and did a lot of research regarding evidence-based research for us, so we feel it would be an excellent appointment to the Planning Council.

CHAIR MAYFIELD: Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

III. 3. Appointment or Reappointment of Members of the Santa Fe County Ethics Board

ERIK AABOE (Manager's Office): Mr. Chair, members of the Commission, there are two members of the County Ethics Board whose terms have expired and staff solicited interest. Those two members are interested in serving. In addition a number of other applicants submitted applications and so we recommend the appointment of Ms. Thompson and Mr. Heimbach for the vacancies.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you. I'm really pleased that a number of people have applied to be on this board and I think it's really a good idea at this point to encourage a variety of individuals to be able to serve on the board so that we can get the benefit of the expertise of a number of different people. So I would like to move to appoint Mr. William Heimbach and Ms. Carol Thompson to the Santa Fe County Ethics Board.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: Commissioners, any discussion? Commissioners, we have no discussion. We have a motion and a second on the floor.

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

III. C. Mid-Year Budget Resolutions

- 1. Resolution No. 2014-28, a Resolution Requesting a Budget Increase to the General Fund (101) and Road Maintenance Fund (204) and the Sheriff's Operations Fund (246) and a Budget Decrease to the Capital Outlay GRT Fund (313) as a Result of Needs Brought Forward at Mid-Year Budget Hearings/\$6,204 Net**

MS. JARAMILLO: Mr. Chair, Commissioners, each year the Finance Division holds mid-year budget reviews of all of the departments and all of the elected offices to see where they are in their budgets and determine if they have any needs that they don't have budget authority for moving forward so we can complete the year. We did those reviews in January and this resolution is the result of what we determined were additional needs and decreases that needed to take place for the mid-year resolution. And I stand for questions.

CHAIR MAYFIELD: Commissioners, any questions? Do we have a motion?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

- III. C. 2. Resolution No. 2014-29, a Resolution Requesting a Budget Decrease to the Water Enterprise Fund (505) and a Decrease to the General Fund (101) Transfers in as a Result of Issues Brought Forward at Mid-Year Budget Hearings/\$302,621**

MS. JARAMILLO: Mr. Chair, Commissioners, this is a second resolution that came about as a result of the mid-year budget reviews that we did in January. We segregated this one because it was specific to the water fund which is an enterprise fund that we needed to revisit their revenue projections for the year and felt like this needed to be in a separate resolution. We did that. We were able to reduce the revenue projections for the year and

correspondingly reduced the expenses for the water enterprise fund. And I stand for questions.

CHAIR MAYFIELD: Commissioners, any questions? Seeing done, is there a motion, Commissioners?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Motion and a second.

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

III. D. Purchasing Items

**1. Request Approval of Agreement No. 2014-0137-PW/MS
Construction of Oscar Huber Memorial Ballpark Phase II to ESA
Construction, Inc. in the Amount of \$269,300, Exclusive of GRT**

BILL TAYLOR (Procurement Director): Thank you, Mr. Chair, Commissioners. We're here before you in an effort to complete the second phase of a two-phase project at the Oscar Huber Ballfield in Madrid. We issued an invitation for bid. We received two bids. The low bid was from ESA Construction in the amount of \$267,000 and with that, Mr. Chair, I'll stand for any questions.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Mr. Taylor, this project is a long-standing project. Former Representative King, former Commissioner Anaya, this Commission, Commissioner Stefanics, has supported this effort and it's exciting to see it move to this phase. This baseball field was the first lit baseball field west of the Mississippi. There's a lot of history, a lot of tradition and a lot of excited individuals that are looking forward to see this get done. And with that, Mr. Chair, I'd move for approval.

CHAIR MAYFIELD: Second. Is there any further discussion, Commissioners?

COMMISSIONER STEFANICS: Mr. Chair and Commissioner Anaya, I think that the community has been long awaiting this. Several entities over many, many years have worked on this and most recently, Representative Rhonda King, Senator Griego, yourself, so let's thank everybody and I'm sure the community will be very appreciative.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Absolutely, Commissioner Stefanics. Former Senator Stefanics was always in support of this and other projects in this area, so I think this is a continuation of a project that is still going to continue to be something that I'm going to look at. We've had some professional players retired that are interested in getting more involved in this project which is exciting. So absolutely, thank you for adding those comments, Commissioner and clarifying that it's many, many people that have worked and

helped to see it to this point, most importantly the community. So thank you, Mr. Chair. Thank you, Commissioners.

CHAIR MAYFIELD: Thank you, Commissioners. We have a motion and a second.

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

III. D. 2. Request Approval of Agreement No. 2014-0152-FD/PL with Anissa Construction for the La Cienega Fire Station No. 2 Renovation and Community Center/Library Addition in the Amount of \$405,200 Exclusive of GRT and Request Approval for County Manager to Execute the Purchase Order

MR. TAYLOR: Thank you, Mr. Chair, Commissioners. This is the La Cienega Fire Station, Community Center and Library addition. We received a total of six bids in the IFB, the lowest being of course with Anissa Construction in the amount of \$405,200. With that, Mr. Chair, I'd stand for questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, yet again, another collective project that's been going on with the community, with the County, with state legislative support from Representative Richards, Senator Griego, and also I believe Representative Trujillo. And Egolf even I think contributed some resources to this project, as did the County. Mr. Taylor, we had the park in the additive alternates, and I know we have the resources for it. Has that been added in to be built out in this segment? I just want to make sure it is.

MR. TAYLOR: Mr. Chair, Commissioner Anaya, there were five bid alternates: septic tank upgrade, which was accepted, the drainage grading, gear lockers, and overhang portal. Those were the four of five alternates.

COMMISSIONER ANAYA: Could I get – Ms. Miller, we had talked about the playground, was one of the main things and I know we had the resources, Mark, so can you tell me what we're going to do? Where's it at? Is it in here? Is it not? Where are we at?

MARK HOGAN (Facilities): Mr. Chair, Commissioner Anaya, we did enter the area for the playground in the fenced enclosure, it is included in the base contract. The playground equipment itself we were looking at buying off the state contract like we have been with other playgrounds.

COMMISSIONER ANAYA: Excellent. Mr. Chair, Mr. Hogan, we had the resources for it but we're going to do that after it's done on the state price agreement?

MR. HOGAN: Mr. Chair, Commissioner Anaya, that's our plan. We're going to wait till we get further through the construction process. We have a contingency that will be applied to playground equipment and I think we also have some of the resources to apply to that.

COMMISSIONER ANAYA: Thank you, Mr. Hogan. The essence of this project is a modification of the fire station in La Cienega. It also creates an area that's going to be utilized for a community library and also adding in a playground that we've talked about. So another project that community members have been excited about for a long time and it will be utilized for fire protection and fire service as well as community use for libraries and the kids in the surrounding area. So thanks again for your work and that of the community and all those that participated in the funding. With that, Mr. Chair, I'd move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR MAYFIELD: Commissioners, we have a motion and a second.

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

III. D. 3. Request Approval of Agreement No. 2014-0096-O/PL with Parametrix, Inc. for the Cultural Investigation and Research at the Thornton Ranch Open Space in the Amount of \$417,477.80 Exclusive GRT

MR. TAYLOR: Thank you, Mr. Chair. Purchasing issued a request for proposal for services for the cultural investigation and research at Thornton Ranch open space. We received five proposals. Parametrix was selected by the committee as the most qualified and with that, Mr. Chair, I'll stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Taylor, could you, for the public's edification speak to the intended use of the report that we are garnering for \$417,477? Or if you can't, is Adam here or somebody that can?

MR. TAYLOR: Mr. Chair, Commissioner Anaya, Colleen Baker is here.

COMMISSIONER STEFANICS: And Mr. Chair and Commissioner, this has been long in the works. Commissioner Anaya and myself really tried – the former Commissioner Anaya and I'm sure you're supportive, really tried to push this for the area of the county, so I'm sure the public would like to hear about it.

COLLEEN BAKER (Open Space): Mr. Chair, Commissioners, thank you. Yes, there's really two main purposes that this investigation will comply with. First is just the cultural resource investigations that we're required to do by state law for the State Historic Preservation Office, and then that will allow us to go ahead with designs for improvements to the property to allow the public in, so we'll be able to get all of our clearances are required to protect those resources.

The second part of it though, it will also provide all of the information in order to develop interpretive programming, whether it be [inaudible] or signage or actual programs that we can deliver to the public to enhance their experience of the property when they are there.

COMMISSIONER ANAYA: Thank you, Ms. Baker. Thank you, Commissioner Stefanics. I am supportive of the effort but I did think it was important enough to have you say some remarks. The public has been wanting to make sure we protect those areas that we need to but utilize the open space. And this affords us the opportunity to do both. So with that, I appreciate those efforts and I would move for approval.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER ANAYA: There's a motion and a second. Is there any further discussion?

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

III. ACTION ITEMS

A. Ordinances

- 1. Ordinance No. 2014-1, Discussion and Possible Adoption of 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 (Not a Public Hearing)**

CHAIR MAYFIELD: This is not a public hearing, although I did speak with the County Attorney. I want to hear all the Commissioners' amendments or any potential new amendments please. It is in our packet. But Mr. Ross, I still want to find a way to afford, this not being a public hearing, a public who has really not spoken on this issue in the past or just would like to either state their support or not support on this living wage, if that would be possible and if you would suggest that it be done prior to the Commission moving forward with proposed amendments or post.

STEVE ROSS (County Attorney): Mr. Chair, members of the Commission, this hearing has not been advertised as a public hearing. It's just basically an action item. I don't think there's any problem asking for a show of hands, pro and con, on the ordinance. I wouldn't want to go into a full-blown public hearing having not advertised it. That could affect the validity of the ordinance down the road.

CHAIR MAYFIELD: Fair enough, Mr. Ross. I appreciate that. So Commissioners, with that, I'm going to ask that we look at the amendments that we have proposed with this ordinance that's in front of us, and then after we'll just go to the audience for a show of hands of support or opposition of this ordinance.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I have an amendment that I'll pass out [*Exhibit 2*] and I will summarize my amendment that I'm proposing and then I will move to see if I have a second on my amendment. The essence of my amendment is that I'm supportive of the living wage in Santa Fe County and an increase to the living wage in Santa Fe County, but my amendment speaks to the cost of living differences that exist in the southern part of Santa Fe County that I will respect my colleagues to take into consideration. It breaks the county into two areas and there's a map that's in the back of the amendment. The northern area or the northern part of the ordinance I'm proposing an increase on what's been proposed thus far. I'm proposing an increase to \$11 per hour in Area A, which is essentially the area above Cerrillos. And south I am proposing a wage of \$9 an hour which is higher than the existing minimum wage in the southern part of the county, which is more in line with the cost of living as well as Bernalillo County which I believe has a living wage of \$8.50 an hour.

The other thing that this amendment does and Ms. Brown was very helpful in helping me get the legal language right. The other thing that this amendment does is calls for a review of the wage in two years. It does not have an automatic increase for cost of living but has a review in two years. And I would just comment that if the existing living wage that's been proposed gets enacted, right now CPI is about 1.6 percent so this wage in essence taking it to \$11 would take it right above what two CPI indexes would have taken it to.

And so that equates to about 15 to 16 cents per hour increase with another CPI. So my amendment raises the wage to \$11 an hour in Area A and in Area B raises the wage to \$9 an hour. One area and I would look to my colleague to the left, Mr. Chavez for some feedback. I have language that speaks to the tipped wages. What we essentially did, Ms. Brown and I, we took half, I think it is, of the base wage of the \$11 rate and half of the base wage in the \$9 rate. But that was open for discussion by the Commission. But I respectfully ask my colleagues to consider this. It increases and even bumps up the wage higher in the urban area around Santa Fe, but it also takes into consideration lower cost of living in the southern part of the county. So with that, Mr. Chair, I would move for acceptance of this amendment.

CHAIR MAYFIELD: Commissioners, we have a – I guess that's a motion, Commissioner.

COMMISSIONER ANAYA: I'll put that in the form of a motion and hope for a second for some discussion.

CHAIR MAYFIELD: Commissioners, I'll second for discussion. Is there any discussion, Commissioners?

COMMISSIONER STEFANICS: Mr. Chair, I'd like to ask our County Attorney. Mr. Ross, I thought we were still operating under the rules that – even though I didn't agree with them – that we were still operating under the rules that amendments that would be accepted had to be friendly amendments.

MR. ROSS: Mr. Chair, Commissioner Stefanics, that's correct.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, I do not accept this as a friendly amendment.

COMMISSIONER ANAYA: Well, Mr. Chair, I still believe we're able to prefer amendments second in discussion so I don't think it precludes us from having

amendments but like I said I would hope there's other discussion and it increases the base rate for all these people that everybody's been talking about on this Commission and in the papers. It gives them a bump, another almost 50 cents. So I do see it as a friendly amendment, recognizing the differences in southern Santa Fe County.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Oh, boy, Commissioner Anaya. I think you make a valid argument. It's hard to say no, and I appreciate what you're trying to do in Area A. I just don't know – I'm not comfortable with this amendment because if we are trying to keep up with Albuquerque and Bernalillo and maybe match the city, I think this is kind of going backwards because it's not taking a holistic approach. It's not comprehensive. It's not regional in my mind. It's carving out a new area. Granted it does have some challenges but I hope that moving forward this Area B will not be in the situation that it's in and that we can turn that around and I don't think doing this, creating these two areas is going to help. I'm not sure that it would help with enforcement in understanding the ordinance. So that's why I'm uncomfortable with this. I say that with some reservation but I'm closer to the original bill and I want to stay focused on that. So I cannot support this at this time.

COMMISSIONER ANAYA: Mr. Chair, if I could comment.

CHAIR MAYFIELD: Vice Chairman Anaya, please.

COMMISSIONER ANAYA: I appreciate your comments, Commissioner Chavez. I want to emphasize that the part of the county I'm referring to does not have the predominance of businesses as has been said by the people in the audience and we want to encourage economic development in the southern part of the county and not only just have business located in the Edgewood area. But I do think and I guess I'm going to call it out again later on the \$11 then if the course is not to pass what I would call the balanced approach to the two areas. I'm still going to call the question on the \$11 in a different amendment in the urban area and without a CPI, giving wage-earners more money right now rather than later. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioners. Commissioners, we have an amendment on the floor. Also, two weeks ago the Commission had this living wage ordinance in front of us and there were proposals also at that time for amendments and the Commissioners can as I understand our rules of procedures but this is the first time I've seen this amendment though in totality. So I would need a little bit of time to really read that. And I would just ask this Commission to look at this amendment and we can read in all the other amendments and then maybe we can take them in order, if that would be okay, Commissioners, as they were –

COMMISSIONER STEFANICS: Mr. Chair, I want to go back to our procedure.

CHAIR MAYFIELD: Fair enough.

COMMISSIONER STEFANICS: If we are required to follow all other ordinances with a procedure, this one needs to be followed as well. And Mr. Ross, would you please explain what our procedure is regarding amendments, friendly or otherwise, since this has been of great debate in the past.

MR. ROSS: Mr. Chair, Commissioner Stefanics, certainly. The procedure is when we eventually have a motion to adopt the ordinance in whatever form the movant chooses and then because we have this rule that requires all amendments be friendly, probably the best way to do it is for somebody to make a motion to approve the ordinance with features that that person moving desires and then work through all the remaining changes one by one in trying to achieve a consensus or a successful vote on a motion. Our procedures as you understand don't permit unfriendly amendments, stacking up a bunch of amendments and working through them one by one. That's never been a part of our procedure.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, and maybe it's going to take another look at our protocols, but in the discussion and deliberation of this and any other ordinance, you yourself, Commissioner Stefanics, told me both in these meetings and off-line, that if you have any amendments then by all means let's hear those. I would never presume as a Commissioner in bringing forth any ordinance that I might have agreement from my entire Commission all the time. I would anticipate that there would be some disagreement. So I think that as we progress we're going to have to have a broader discussion and more specific discussion because to say that everything is friendly or unfriendly, well then anything that I would propose or you would propose, then you carry all the cards if you're carrying an ordinance forward and I don't think that's appropriate. I think we represent five districts and five perspectives, sometimes in a consensus, sometimes not. But to assume that there all so-called friendly I think is a false assumption.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER ANAYA: Go ahead, Commissioner.

COMMISSIONER STEFANICS: Mr. Chair, actually I agree with you totally on the procedure and process, Commissioner Anaya. And I have advocated that our Commission not follow that process, but that has been part of the rules that we have passed since the beginning of every year. Seeing that, and also recognizing your comments about not knowing what would be friendly or unfriendly until we take a vote, I would ask the chair to take a vote on this motion now so we know if it's friendly or not, and it's either included or it's put aside. Thank you.

COMMISSIONER ANAYA: And Mr. Chair, I really think it's important for us as Commissioners on any item to be able to have a discussion on an amendment and a vote and so I definitely, Mr. Ross, if you were paying attention, think we need to re-engage the discussion and our policy so that we can have active discussion and debate and as they say, vote up or down the amendments. And I fully understand it. So I would agree with Commissioner Stefanics, Mr. Chair, and ask that we just go ahead and go through the process of voting and then if it doesn't have a favorable vote then so be it.

CHAIR MAYFIELD: Commissioners, thank you. And I was going to weigh in. I think publishing an ordinance is a lot different than publishing a resolution. If one Commissioner wants to champion a resolution, if a Commissioner views a friendly or unfriendly amendment to that resolution, I can definitely appreciate that. However, when you

look at publishing an ordinance, if it's one Commissioner or two Commissioners as we've heard three Commissioners, or five may want to sign on to that ordinance but we've been told we can't do that, maybe for potential of violation of a rolling quorum, but there we also publish title and general summary to publicize this ordinance so we can hear from the public on this. And as I know, on an ordinance we can receive a lot of public comment on these ordinances. And if we bring those questions that come to us from the public or as we develop our own questions or thoughts on these ordinances to the table, and respecting that whoever initiated that by signing on to that ordinance or whoever got that ordinance into Legal first can kind of say, well I consider that friendly or not friendly. I think I'm pretty much in agreement with this whole Board. This process definitely needs to be reviewed. Because I think that's why we're here discussing this and that's why we're here having the public to hopefully be able to weigh in. Even if we only notice it for two public hearings. I respect that too, but I also believe the public should have an opportunity to weigh in on any proposed amendment that we can hear. That's just my point of view on this, so I would hope that we could look at how we go about when we do publish an ordinance in the future. But I respect everything that was said by my colleagues and with that, Commissioners, I will ask for a vote on how I understand this amendment that came to us from Commissioner Anaya. Commissioner Anaya, would you care to repeat your amendments to the proposed ordinance?

COMMISSIONER ANAYA: Sure, Mr. Chair. The essence of the amendment is in Area A, which is the central and northern part of the county, the minimum wage would be \$11 an hour and in the southern part of the county, south, essentially of Cerrillos and Galisteo, for the Edgewood area and south it would be \$9 an hour. We would review the ordinance every two years. It would not be linked to a CPI or indexing but would be reviewed by the Commission every two years. That's the essence of the amendment.

CHAIR MAYFIELD: Thank you, Commissioner. There was a motion and a second on that suggested change. Then we had the discussion if it was friendly or unfriendly but I would take a vote on the new amendments.

The motion failed by 1-4 roll call vote with Commissioner Anaya voting in favor and Commissioners Chavez, Holian, Stefanics and Mayfield voting against.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I would like to make a motion for approval of Ordinance No. 2014-1 with accepting the staff revisions to the definitions section, and then perhaps we can start discussing the friendly amendments to that. But I just want to keep it clean and put the motion on the table to accept the ordinance.

CHAIR MAYFIELD: I'll second that, Commissioners. So with that, Commissioners, we're back on the whole ordinance in front of us. But I will ask that staff read in the definition changes that they are making first and then to the other amendments please. Ms. Brown.

RACHEL BROWN (Deputy County Attorney): The definitions have been revised to read as follows: "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession or business.

"Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than \$30 a month in tips shall be paid pursuant to this ordinance.

"Commission" means a payment based on a percentage of the value of sales or other business done.

"Living wage" means the minimum hourly rate of compensation that an employee shall be paid.

And "tip" means a gratuity earned by an employee for providing good services.

CHAIR MAYFIELD: Thank you, Ms. Brown. So those are the definition changes that are proposed by staff. So Commissioners, we are on some amendment changes and again, friendly or not friendly, however Commissioner Stefanics and Commissioner Chavez want to do these. I'm just going to go straight down as I read them into the ordinance if that's okay by the Commissioners.

COMMISSIONER STEFANICS: Commissioner Holian's motion was to accept the amendments.

CHAIR MAYFIELD: Was to accept the staff definitions.

COMMISSIONER HOLIAN: The staff revisions.

CHAIR MAYFIELD: And then we'll go by the amendments one by one.

COMMISSIONER HOLIAN: And the amendments we can --

COMMISSIONER STEFANICS: Do we not want to vote just on the legal amendments?

CHAIR MAYFIELD: I think we said we would accept those.

COMMISSIONER HOLIAN: I'm accepting -- I think now we need to have friendly amendments to my motion. Is that correct, Steve?

CHAIR MAYFIELD: That's what I understood, Commissioner. So I was going to read in -- so right now on page 2 -- I don't know if everybody has a copy of it, but -- and I'm just going through the redline version that I have in front of me, everybody. So I'm on page 2 on C. I'm going to read it as it was and then I'm going to read what has been struck. So as it currently reads or proposed in the initial draft: As of the effective date of this ordinance, contracts entered into by Santa Fe County government for services including construction services, shall require the contractor to pay the living wage established by this ordinance if the total amount of the contract is or by way of amendment becomes equal to or greater than \$30,000.

So Commissioner Mayfield has proposed to strike if the total amount of the contract is or by way of amendment becomes equal to or greater than \$30,000. And I stand for any questions.

COMMISSIONER HOLIAN: Mr. Chair, I accept that as a friendly amendment.

CHAIR MAYFIELD: I'm going to have to go to Commissioner Stefanics if you don't mind. But thank you though.

COMMISSIONER HOLIAN: But I made the motion.

COMMISSIONER STEFANICS: We're the sponsors. I think we should just vote each amendment up or down.

CHAIR MAYFIELD: Okay. Fair enough.

COMMISSIONER STEFANICS: In order to go back to the process, Mr. Chair, of listening to everybody and whatever other amendments might come besides what's here I think we should take each amendment and just vote it up or down.

CHAIR MAYFIELD: Fair enough. Would that be okay with the maker of the motion?

COMMISSIONER HOLIAN: Actually, my question is for Steve about legal process. As we go forward, can we vote on the amendments one at a time?

MR. ROSS: Mr. Chair, Commissioner Holian, once again, our rules permit friendly amendments, so if there's an amendment that's friendly to the maker of the motion which at this point is Commissioner Holian then that's a friendly amendment. Voting would imply that an amendment was unfriendly, so I don't know what to tell you. Those are the rules.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, just a little more discussion on this. Explain to me why a contractor, if the contract is by way of amendment becomes equal or greater than \$30,000, why would that contractor – why would we not require that contractor to pay their employees the living wage?

CHAIR MAYFIELD: Commissioner Chavez, I'll do an explanation on the amendments I made but first I want the Commission to understand if I need to go through Commissioner Stefanics or Commissioner Holian for this. We just did two of Commissioner Anaya's amendments by asking it to go through the sponsor of this ordinance so I think we need to have a little consistency there.

COMMISSIONER STEFANICS: Right. But Mr. Chair, I think what happened is Commissioner Holian made this hers now with her motion.

COMMISSIONER CHAVEZ: By making the motion. And that's fine.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian, please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I didn't mean to take over the ordinance and I would be willing to pull my motion if one of the sponsors of the ordinance would rather make the motion.

CHAIR MAYFIELD: And I'll rescind my second.

COMMISSIONER STEFANICS: So, Mr. Chair, I would move adoption of Ordinance No. 2014-1 with the legal definitions and considering each amendment therein.

CHAIR MAYFIELD: Thank you.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and a second. I'm going to stand for discussion and I'm going to move to Commissioner Chavez' question because I understand Commissioner Chavez' question and hopefully our audience is all with us right now but I know where I'm at. So Commissioner Chavez, so the way I look at this and the reason that I'm asking to strike that is because the way I view this right now, Santa Fe County and everybody here is a proponent of leading by example. So as I see this ordinance written, we're not leading by example. Anybody who has a contract with Santa Fe County under \$30,000 we're saying, well, we're not going to require that they comply with this ordinance if it passes. So I'm just asking, as I understand it and I will defer to County Attorney if I've crafted this wrong with the struck language. I'm just saying any contract in Santa Fe County will have to comply with this living wage ordinance including any contract that Santa Fe County engages in. So this is applicable to the contractors doing business with Santa Fe County. Because right now everybody else out there in Santa Fe County is going to have to comply with this ordinance if it passes.

MR. ROSS: Mr. Chair, I think that's exactly what the proposed amendment does. So Commissioner Chavez, what it does is there is no floor with the proposed amendment if it is approved. Any contract would require the contractor to pay the minimum wage. I think you're reading it backwards.

COMMISSIONER CHAVEZ: You could say it a different way and say the total amount would not exceed the \$30,000 then they would not be required to pay the minimum wage.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm reading the amendment to say all contractors will pay the minimum wage. There's no floor. There's no amount anymore. Zero, ten dollars, a million dollars.

COMMISSIONER CHAVEZ: So that makes it a level playing field for everyone, in essence what it would do.

CHAIR MAYFIELD: That's how I was proposing it, Commissioners, to make it a level playing field for everyone.

COMMISSIONER CHAVEZ: Okay. Okay. Well, the wording didn't quite flesh that out but I think the discussion did. That clarifies it for me and I see no problem with this amendment.

CHAIR MAYFIELD: So, Commissioners, with that I would like to move this amendment forward.

COMMISSIONER STEFANICS: I would accept this as a friendly amendment.

COMMISSIONER CHAVEZ: As I would also.

CHAIR MAYFIELD: So we'll vote on these individually Commissioners? Okay, we don't have to. Thank you. Thank you, Commissioners. Okay, so now I'm going to move on to page 2 F. (3) and this is a deletion from the Legal Department. Commissioners would you like me to read all this in or do you not want me to read it in?

COMMISSIONER STEFANICS: For the public.

COMMISSIONER CHAVEZ: I think you should read it in for the public.

CHAIR MAYFIELD: So if it's anything straight coming from our Legal Department, if I could just defer to you to do those readings in.

MR. ROSS: Mr. Chair, I might be able to short circuit this a little bit because this was just moved to the definitions. It's still there.

CHAIR MAYFIELD: Okay. So I'll defer to Mr. Ross. So that's where we are on that. And that also tracks with page 2 and 3. Correct, Mr. Ross?

MR. ROSS: It appears so.

CHAIR MAYFIELD: So now, Commissioners, we're on 3 and this was achieved by myself and Commissioner Stefanics and it deals with apprentices. So right now as it read, 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, 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. I'm asking that it now would read Apprentices in a registered apprentice program recognized by the state Apprenticeship and Training Committee or the Federal Bureau of Apprenticeship and Training, as well as apprentices participating in the apprenticeship program providing significant instructional and practical experience and offered by a 501(c)(3) apprentices are those bound to serve another for a specified time in order to learn some art, trade, profession or business. Commissioners, I would stand for any questions.

COMMISSIONER CHAVEZ: I'm happy with that. I think it clarifies it a little bit. The one question I would have is that when we get into the area of 501(c)(3)s I'm sure we would want to have a list of those that are in fact certified and following the Federal Bureau of Apprenticeship guidelines and I think we can work on that as we move forward.

CHAIR MAYFIELD: And Commissioner Chavez, I agree with you. I'm not looking at the City, as I view the City, I'm not taking anything away from the City but I think the City of Santa Fe just totally gave a blanket exemption for 501(c)(3)s and I just wanted to make sure we were tracking 501(c)(3)s that have a definite apprenticeship program within. So I think that's seen as a friendly, as Commissioner Stefanics also championed that with me, so I'm going to move on, Commissioners.

And we are on to page 4, and page 4 was a living wage payment requirement and this is Commissioner Holian. I'm just going to defer to Commissioner Holian on this one if I may.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. The purpose of replacing – let's see. It's 5. A, is so that the living wage as defined in the county will be identical to the City's living wage, and let me read how this section – how I propose that this section be written. 5. A. Except as provided in subsection B the living wage paid to an employee shall be \$10.51 per hour. In the event the City of Santa Fe increases its living wage above \$10.51 per hour prior to March 1, 2015 the living wage established by this ordinance shall automatically increase to the amount of the new City of Santa Fe living wage.

Beginning March 1, 2015, and each year thereafter, the living wage shall be adjusted upward by an amount corresponding to the previous year's increase, if any, in the Consumer Price Index for the Western Region for Urban Wage Earners and Clerical Workers. Santa Fe County shall post the living wage established by this ordinance on the Santa Fe County website after this ordinance becomes effective and prior to each adjustment of the living wage.

And so my question is if the makers of the motion will accept that as a friendly amendment.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I would like some discussion if possible, because there's another scenario on page 5 that also relates to paragraph B.

COMMISSIONER HOLIAN: Commissioner Chavez, if I may.

CHAIR MAYFIELD: Please, Commissioner Holian.

COMMISSIONER CHAVEZ: And this is a comment, alternative proposed by Commissioner Holian and Mayfield. So how do you reconcile the two?

COMMISSIONER HOLIAN: Commissioner Chavez, they are not incompatible with each other. Paragraph 5. A has to do with the living wage whereas paragraph 5. B has to do with what we call the base wage, and it says the base wage at 60 percent of the living wage. So it's a continuation. They are not inconsistent.

COMMISSIONER CHAVEZ: Except that in paragraph B on page 5 the base wage is different because it's \$5.25 in one paragraph and \$6.31 in the other paragraph on page 5.

COMMISSIONER HOLIAN: B is replaced. There are two paragraph B's and Commissioner Mayfield and my proposed amendment is the second version of that paragraph.

COMMISSIONER CHAVEZ: Got it. So you're focusing now on just the \$10.51 per hour.

COMMISSIONER HOLIAN: What we define as the living wage.

COMMISSIONER CHAVEZ: Okay. All right.

CHAIR MAYFIELD: We have Commissioner Anaya for a comment on this.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Holian, Commissioner Chavez and Commissioner Stefanics, as well as you, Mr. Chair. You comment as well. Why – help me understand why we as a County, the governing body of Santa Fe County – well, first question, is the City of Santa Fe going to do an amendment that's going to complement this amendment? Because in essence what we're saying is we're going to forego whatever responsibility we have as the Board of County Commissioners to whatever they decide? Is the way I read the amendment. So if they decide to go higher – what if we decide to go higher? Is the City of Santa Fe going to follow suit? That's – because essentially what you were saying is we're going to give up my responsibility to look at a wage or raise it higher. Is that what you're saying? That's the way I read it. Am I reading it wrong?

COMMISSIONER HOLIAN: Commissioner Anaya, I am just attempting at this point to make the living wage as defined identical to the City's living wage. I think it reduces confusion. That doesn't mean to say that at some point in the future we couldn't change that. We could amend this ordinance.

COMMISSIONER ANAYA: Why would we want to put the decision outside of the city limits in their hands? I mean, I'm going to propose an amendment. We're talking about putting our money where our mouth is, I'm going to propose an amendment on \$11. Okay? So the way I read this ordinance it puts in the City's hands – and I respect the City – but I have an obligation as a County Commissioner to make recommendations or make decisions for the County. So if this amendment passes – help me, Steve. The way I read this amendment it says whatever they do, we'll impose. And I just have a philosophical and ideological problem with that.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER ANAYA: Does it say that, Steve? Help me understand.

COMMISSIONER HOLIAN: Could I comment on that? Since I was the one who proposed the amendment?

CHAIR MAYFIELD: Commissioner Anaya has a question for the County Attorney so let me have him go there first please.

MR. ROSS: Mr. Chair and Commissioner Anaya, yes, it does tie our increases to the City of Santa Fe's increases.

COMMISSIONER ANAYA: Mr. Chair, if I could, and I'm going to Commissioner Holian if I could. If there was a reciprocal approved ordinance that I was looking at from the City of Santa Fe that says if the County of Santa Fe would so choose to increase the rate then the City would follow suit, well then let's have a discussion about that. But what this says is if they decide then we take our decision making authority and we basically hand it over to the City.

COMMISSIONER HOLIAN: Mr. Chair, may I replay.

CHAIR MAYFIELD: Sure.

COMMISSIONER ANAYA: I still have the floor.

CHAIR MAYFIELD: Fair enough. Commissioner Holian, please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would note that actually in here the living wage is tied to the Consumer Price Index. It does not say we will do whatever the City does. And I will also make the point that in paragraph 5. B, in fact we are doing more than what the City does right now and in fact that I hope that the City will follow suit with what we've done in paragraph 5. B.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya, you have the floor.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Holian, sentence two of the amendment, In the event the City of Santa Fe increases its living wage above \$10.51 per hour prior to March 1, 2015 the living wage established by this ordinance shall automatically increase. That says we're doing whatever they say it is. And I – what I'm saying is if there's a true interest to tie these ordinances together then we should have

language on both sides, not we put the language in and then we hope to get the same in return, because we may decide to raise the minimum wage before the City does. Mr. Chair, I think we need to be cautious about handing over responsibilities to any governing body because we have that responsibility as elected Commissioners to review those things. That doesn't take anything away from the comments we've heard from the public or the discussions held to thus far to this point.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian, please.

COMMISSIONER HOLIAN: The language about following the City of Santa Fe is only actually prior to March 1, 2015. It is not in perpetuity. But, however, this is the amendment that I'm proposing and I would like to know whether the maker of the motion and the seconder of the motion accept it as a friendly amendment.

CHAIR MAYFIELD: Commissioner, I had Commissioner Stefanics for discussion first.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and Steve, that was my question. This language only identifies the County with the City one time. Is that correct?

MR. ROSS: Mr. Chair, Commissioner Stefanics, it ties it to the City ordinance up until March 1 a year from now. Basically you're tied to the City for a year. Then after that it goes by the CPI.

COMMISSIONER STEFANICS: So, Mr. Chair, Commissioner Holian, what if this amendment said March 1, 2014? Because that's the date – I understand that it's one time that we would mirror the City, but I understand the City's going to adjust March 1, 2014.

COMMISSIONER HOLIAN: Mr. Chair, Commissioner Stefanics, you're saying we would pin it at \$10.51 an hour until March 1, 2015 –

COMMISSIONER STEFANICS: 2014. They're going to change.

COMMISSIONER HOLIAN: I understand. But what you're sort of asking is an amendment to my amendment, is to not change it on March 1, 2014. Is that correct?

COMMISSIONER STEFANICS: No, no, no.

COMMISSIONER HOLIAN: I don't understand exactly what you're asking.

COMMISSIONER STEFANICS: Mr. Ross, let me just ask your clarification, or Rachel. If we changed this language, or if Commissioner Holian wanted to change her language to March 1, 2014, that would be saying we would change one time if the City changes one time. Is that correct?

MR. ROSS: Mr. Chair, Commissioner Stefanics, I think that's right.

COMMISSIONER STEFANICS: So, my information, and of course this is just from press releases from the City and from the newspaper is that the City intends to add their CPI March 1, 2014. Is that your understanding, Mr. Ross, Rachel?

MS. BROWN: Mr. Chair, Commissioner Stefanics, I have not confirmed that with the City, however, that is what I've read in the papers.

COMMISSIONER STEFANICS: So, Mr. Chair, Commissioner Holian, the only thing I'm saying here is that 2015 might not be the relevant date. It might be the March 1, 2014 that's the relevant date. That's all I'm suggesting.

COMMISSIONER HOLIAN: Mr. Chair, I just have a point of clarification. So you're asking that we change both instances of March 1, 2015 in this proposed amendment to – there are two places that it's referenced. Change that 2015 to a 2014. Correct?

COMMISSIONER STEFANICS: I am suggesting that if Legal understands my intent and advises me to do that.

MR. ROSS: Mr. Chair, Commissioner Stefanics, we would like to account for the change in about a week to the City rate so we're consistent with that, and then thereafter we'd like to index it. Is that correct?

COMMISSIONER STEFANICS: That's right. And our index might in fact be different than the City. The City might go back in and change but we would accommodate our amount to the City one time this year. Now, that's just where I'm going but I'd like to hear from the other sponsor too.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I don't know if this helps, but Commissioner Holian, there's some language in here that's causing some concern and the language is, it says that the living wage established by this ordinance shall automatically increase. I'm wondering if you could soften that language just a little bit and allow for discussion on that at that point in time so that it would read we may consider an increase to the amount of our ordinance. Because we don't know what the CPI is going to do. We don't know exactly what the City will be doing when. They could decide not to impose what they have before. I think they held back one year, did not go to the CPI, did it the following year. So I think we should have some flexibility in there to decide if it's in the best interest of the county and our residents to do that. So I'm wondering if you would consider changing that language just a little bit.

COMMISSIONER HOLIAN: Steve, I have a question for you. How would we word that, saying that we would consider whether we will?

COMMISSIONER CHAVEZ: We may increase the amount of the new City of Santa Fe living wage.

COMMISSIONER HOLIAN: What would be the process for making that decision?

COMMISSIONER CHAVEZ: I think we would have to evaluate the effectiveness of the ordinance. We would have to look at the CPI. We'd have to look at some benchmarks to decide if at that point in time it's in the best interest of the county and our residents to move forward.

COMMISSIONER HOLIAN: So, Commissioner Chavez, this is going to happen in the very near future, and so when would we be considering whether we would come into consistency with the City?

COMMISSIONER CHAVEZ: Well, I don't know. I guess I don't have a crystal ball to give that definite answer because I think some of this is in flux. For the county

it's going to be something relatively new, although the concept is not new. And so I think that if we can ease into it a little bit in some areas that might be helpful. So I'm just wondering – I'm just asking if we could maybe look at some different language.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Thank you. I realize I've made a mistake, because it says prior to, so I think the March 1, 2015, prior to March 1, 2015 should be left and not change it to 2014.

CHAIR MAYFIELD: Commissioner, I'm going to just ask a couple questions. So, Mr. Ross, or even Commissioner Holian, I think the intent is just to try to tie it into the new CPI index that the City will be imposing in the next couple weeks, and then from there on out Santa Fe County will have it moving the first of every March to whatever the CPI is regardless of what the City does.

MR. ROSS: Mr. Chair, we were just talking. There are at least two ways to do that. One, we could just say we're going to go to \$10.65, since that seems to be the number that's being discussed over there, or we could coordinate the initial wage on the effective date of our ordinance, which will be 30 days after we record it, which will probably be tomorrow. So 30 days after that the initial wage would be whatever the City does next week. Or you could just say take it out of the discussion now and say we're going to be \$10.65.

CHAIR MAYFIELD: And going forward, Mr. Ross, looking in perpetuity very near, March 1st. Once those numbers come in on the CPI, when do they hit by the feds, typically?

MR. ROSS: In the fall.

CHAIR MAYFIELD: And we're given to – or that's just the date that the City's chose to impose that.

MR. ROSS: Well, it takes some time for those numbers to get circulated, but yes. By March 1st for sure we have the numbers.

CHAIR MAYFIELD: So even by March 1st, but then wherever we go on this ordinance we have to allow the business entities some time to be able to make those adjustments. It could be from one day to the next where they're saying, okay, now you've got to come up with another two percent, if we say every March 1st. Don't they have to be able to do something with their books for at least a few days?

MR. ROSS: Mr. Chair, I think the idea is that we would post the number many months before the effective date of the increase.

CHAIR MAYFIELD: So that's why they're saying right now that it's going to be going up to say, \$10.65, \$10.66 an hour?

MR. ROSS: I think that's why the March window was what was traditionally used because it gives businesses plenty of time. It gives us plenty of time to get the numbers from the feds and then gives us plenty of time to give businesses a notice of the increase.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: I have Commissioner Anaya first.

COMMISSIONER HOLIAN: Okay.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'd much prefer putting the number in there and not having any of that. \$10.65? \$10.66? Like I said, without CPI – any ordinance, just for clarification, Mr. Chair, Mr. Ross – at any time the Commission can pull any ordinance that they want to pull and publish it for title and general summary if they so have the votes and review it. I just want to say that on the record.

MR. ROSS: Correct.

COMMISSIONER ANAYA: Correct. That being said I would support doing the \$10.65 right now, strike the language and I would even support even going higher and not having the CPI and a review in two years. But I would much prefer the language to just put the \$10.65 in there than to go down the road of relying or waiting on the City of Santa Fe.

MR. ROSS: Mr. Chair, Commissioner Anaya, we just got word from the City. Their number is \$10.66, not \$10.65. To further confuse things.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. So I am now changing my proposed amendment in the following way: I am going to change in the first sentence, \$10.51 per hour to \$10.66 per hour, and then strike the second sentence.

CHAIR MAYFIELD: In the event?

COMMISSIONER HOLIAN: In the event the City of Santa Fe increases its living wage above \$10.51 per hour prior to March 1, 2015, the living wage established by this ordinance shall automatically increase to the amount of the new City of Santa Fe living wage. So I'm proposing striking that sentence, but then continuing with the rest.

COMMISSIONER STEFANICS: I consider that friendly.

COMMISSIONER CHAVEZ: That's double friendly.

CHAIR MAYFIELD: So, Commissioners, we have Commissioner Holian's amendment. That seems that it has made it through as amended. Commissioners, is there any further discussion? Okay. So now, Commissioners, we're on page 5 and we're on B and this kind of ties in to the one we just approved, and this was a motion, an amendment that was proposed by myself and Commissioner Holian and then after I looked at the documents over the weekend I think Commissioner Holian is more tracking with what I initially proposed and maybe have receded on couple of your prior readings, Commissioner Holian. So with that I'm going to read in, and correct me any time if I'm wrong, Commissioner Holian, please. So with that I'm going to read in the proposed amendment as it's written.

An employee who customarily and regularly receives from than \$30 a month in tips and/or commissions shall be paid at least a base wage equivalent to 60 percent of the living wage established by this ordinance. Initially the base wage rate shall be \$6.31. That wage will increase simultaneously with each living wage increase. The employer may consider tips and commissions as part of wages but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient tips and/commissions combined with the base wage to receive a wage at least equal to the living

wage established by this ordinance the employer shall make up the difference to ensure the employee receives a wage equal to the living wage established by this ordinance. All tips received by such employees shall be retained by the employee except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons) only the amount actually retained by each employee shall be considered part of that employee's wages.

Commissioners, I'll stand for any questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya please.

COMMISSIONER ANAYA: Chairman Mayfield, I have a question and I still haven't got it quite clear in my mind yet. I know you talked about it a little, Rachel. If a business owner decides to could they decide not to pay tipped wages at all and just pay the base wage? Could they pay the wait staff just the base wage and not do tips, not allow them to do tips? What I heard feedback on from some of the restaurants out in the county was paying that base wage and raising that amount could have – will have financial impacts on the business. But do businesses have a choice as to, could they say all my wait staff is going to be paid a base wage and no tips?

MS. BROWN: Mr. Chair, Commissioner Anaya, an employer can always elect to pay the living wage, rather than having a tipping system for their employees.

COMMISSIONER ANAYA: Right. And I guess some of the feedback that I go was, especially in Santa Fe in particular, they make a really good living, a lot of people on tipped wages. And so I was just curious. A business owner can opt in one or the other. They could only hire staff and say we're going to pay the living wage but we're not going to pay tipped wages if they so chose to.

MS. BROWN: Mr. Chair, Commissioner Anaya, that is correct. And if I could point out one additional revision that may be necessary as you consider this. Because you've contemplated raising the living wage your 60 percent calculation will be different than what's written on this document.

CHAIR MAYFIELD: That's what's throwing me off.

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

CHAIR MAYFIELD: Thank you, Commissioner Anaya. Commissioner Holian, would you like to comment on this?

COMMISSIONER HOLIAN: Yes, Commissioner Mayfield, I believe that we need to change that \$6.31 to whatever 60 percent of \$10.66 is.

MR. ROSS: Mr. Chair, I did it at \$6.60. \$11 times 60 percent is \$6.60.

COMMISSIONER HOLIAN: It's 60 percent of \$10.66.

MR. ROSS: Oh. That would be \$6.40.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I think that it seems the ordinance has improved drastically just in the last couple of weeks in this area of the base wage because if

you do the math, the base wage would be \$5.21. Now we're proposing that it be \$6.31? \$6.40? So that's more than a dollar difference in the base wage and I think that's above – that says that we're willing to invest in our work force. It may not be our County employees that we're investing in but we're investing in a workforce that depends mostly on the service industry and some people do good in tips and some people just barely make their wage. And it's not easy. It's not something that I could do, I know that. And so I just want to comment on that. I think that we're being sensitive. We're trying to think outside the box and push the envelope as much as possible. So I'm encouraged in this regard. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioner Holian, please.

COMMISSIONER HOLIAN: Commissioner Mayfield, I would just like to put that forward as a proposed amendment, changing the \$6.31 to \$6.40.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics, would you accept that as a friendly amendment as it was changed?

COMMISSIONER STEFANICS: Yes.

CHAIR MAYFIELD: Commissioner Chavez?

COMMISSIONER CHAVEZ: Yes.

CHAIR MAYFIELD: Commissioners, okay. So let's move on and Commissioners, I think we're on page 7. And on page 7 we have in front of us the date this ordinance will become effective. We have a proposal of 60 days after the adoption by the Board or we also have an effective date of 30 days after adoption by this Board. And I will defer to whoever would like to comment on that. Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I'm going to ask Legal to comment on this, because I think – isn't there a standard date that ordinances and resolutions become effective, Steve?

MR. ROSS: Mr. Chair, Commissioner Chavez, the statute provides that an ordinance becomes effective 30 days after recordation in the office of the County Clerk. So I would have to look at making some changes to this proposed language because the significant date is the date of recordation, not the date of adoption but that being said, unless you specify some other period greater than 30 days it will become effective 30 days after recordation. So the 60 days is fine, because you'd be specifying a different time that would be in excess of the period the statute requires. It's written like this because you have 30 days to appeal the action, so they basically preserve the status quo for people to appeal within that 30 days. After that it becomes effective and you can't appeal.

COMMISSIONER CHAVEZ: So then either the 60 days or 30 days as far as the legal requirement would work.

MR. ROSS: Yes, it would. Yes.

COMMISSIONER CHAVEZ: And it would meet the recordation.

MR. ROSS: Yes, as long as we write the words after recordation by the Board instead of after its adoption.

COMMISSIONER CHAVEZ: Ah. Okay.

CHAIR MAYFIELD: All right. Vice Chairman Anaya please.

COMMISSIONER ANAYA: Thank you, Chairman Mayfield. Manager Miller, Mr. Ross, how are you going to communicate the ordinance to businesses and all the business licenses that are issued in Santa Fe County? That's the first question. The second question is who in the County as this passes is going to be responsible for taking in complaints and issues of that sort? Who's going to get assigned that duty?

MR. ROSS: Mr. Chair, Commissioner Anaya, taking the second question first, we have a number of code enforcement officers who are responsible for enforcing codes of the County and of course Sheriff's deputies also have the authority to enforce County ordinances. So it would be my guess that the code enforcement officers would be the ones that are primarily responsible for enforcing this. I don't know about the sending of letters to all the business license holders. I haven't thought about that but that could be done. We have their names and addresses.

COMMISSIONER ANAYA: No, I appreciate that and I guess I'm giving you an opportunity to make comments and even Ms. Miller, because the County – we have many ordinances on the books that a lot of times don't get enforced until you get calls. And so I just want to convey to the public that the reality, there's exciting times ahead with an ordinance that's going to provide for a living wage but associated with some of the responsibilities of oversight and management it's not as easily said or quickly done, I guess would be the way I would say it. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Vice Chairman Anaya. Commissioners, any thoughts on the 30 days or the 60 days?

COMMISSIONER STEFANICS: Mr. Chair, I would be happy with either one.

COMMISSIONER ANAYA: Mr. Chair, I think more time gives staff and the County a better time to lay more of the groundwork that's going to be necessary to inform and also execute this. I would say at minimum 60, but I don't know that you'll have all the mechanisms in place even in that timeframe, to be quite honest.

CHAIR MAYFIELD: Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Mr. Chair, Commissioner Anaya, that's a good lead-in for me and I would like to then at this time make a motion, if we're asked that it be friendly to state that this ordinance shall become effective 60 days after its adoption by the BCC.

CHAIR MAYFIELD: Recordation.

COMMISSIONER CHAVEZ: I don't think we have to have the language about recordation if it's the 60 days. Right, Steve?

MR. ROSS: Mr. Chair, Commissioner Chavez, you're correct. We can leave the language just like it is.

COMMISSIONER CHAVEZ: So I agree with Commissioner Anaya. I think more time to work this through is better. Thirty days, that's a month, that goes by too quick. We've been working on this, some of you for ten years, or eleven or twelve, or I don't know. Some of you have probably lost track. So let's not rush this; there's no reason to rush it. So I think 60 days is fine.

CHAIR MAYFIELD: Commissioners? Thank you. I'll do it if nobody cares to but I would defer to either the sponsors of this ordinance if they would like to do a brief recap of everything we have just done in the summary of the ordinance. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and first I would like to do a little preface that this living wage really is not a living wage. It should be much higher. And we had the opportunity to hear a regional economist speak to us that it was closer to \$625 to \$650 that was a low wage for the region. This will only really get people to \$420 a week, approximately. So hopefully, this will put a little more money into the pockets of working families and help individuals eat and pay for healthcare and buy books and shoes and other things that they need to for their children.

On some of the changes that we made that are in the motion are the legal definitions or legal changes to the definitions. We also took out the minimum contract amount so that any contractor with the Santa Fe County would be required to pay the living wage. We also clarified apprentices under the definitions with state, federal, but also 501(c)(3)s. We raised the living wage to \$10.66, and then beginning March 1, 2015 to be adjusted by the CPI. We also changed the base wage for tips and commission employees to \$6.40, and we are making this effective 60 days after adoption. And I think we already moved for approval with all the friendly amendments.

COMMISSIONER ANAYA: I have a question for the sponsors.

CHAIR MAYFIELD: Yes, question. Thank you for the summary, Commissioner.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics or Commissioner Chavez or Katherine, does the County pay anybody right now under the living wage? I don't think we do.

MS. MILLER: Mr. Chair, every time it changes with the City if we have anybody that is below that we have to move them up to the minimum wage. So currently we do not and if there's anyone who would say, be at the \$10.51 right now, which I don't think we do have anybody, but it would change March 1 anyway when the City has changed it. We have paralleled that for all County employees. So this would change as well.

COMMISSIONER ANAYA: Mr. Chair, just a comment associated with lead by example. I didn't think we had any and I think we still need to analyze that as we continually do with the unions we have in our County. So I don't have anything else. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. And Commissioners, we do have a motion and a second on the floor but I did say I would go to the audience and just by a show of hands, and hearing all of our comment up here and in discussion on this proposed ordinance and also listening to our County Attorney that this was not noticed as a public hearing, so with that, just by a show of hands in our audience today, who is in support of this ordinance as we have discussed it today please? [Approximately 100 people raised their hands.] And any opposed that are with us today? [No one raised their hands.] Thank you, Commissioners. Do any other Commissioners want to make any comments? Commissioner Chavez, this was also one that you championed.

COMMISSIONER CHAVEZ: No, I think that this ordinance, even though I was willing to work with Commissioner Stefanics to introduce it I don't want to claim it as mine. I think it belongs to all of us and the living wage – and it doesn't belong to any one person, any one campaign, any one municipality. It's a national debate that we're dealing with and our state government and our national government, I think, hopefully, will be paying attention to what local government is doing and maybe we'll push them in the direction that we're going. I know it's not easy for us to impose this on businesses. I know businesses are having a hard time. I'm just hoping that they can work through it and we'll move forward and evaluate as we go along. And if there comes a time where the economy does not seem to be improving I think we have the authority to hold back a year or two before we move forward.

But I think now we're making a strong statement. Again, we've pushed the envelope, I think as much as we can right now. I agree a little bit with Commissioner Stefanics; it really is a non-living wage, but it puts money in the pockets of people that need it the most. That's where it matters. And so I'm willing to support this and give it back to the community where it belongs.

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

COMMISSIONER ANAYA: Mr. Chair, I did have some additional comments that I'll keep brief that piggyback off what Commissioner Chavez just said. I appreciate, Commissioner, that you didn't just speak of the workers and the workforce, which is very important to our economy and to our system but to businesses. Businesses help keep things moving forward and this ordinance affects all businesses. It doesn't single out corporations or large companies. It looks at all businesses. And so I think it's important that we do just as you said, that we evaluate the ordinance, this and other ordinances as we progress through time and take them in concert, businesses and employees working together to figure out what's fair and applied to both, because both are impacted. So I appreciate those comments and thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Vice Chairman Anaya. Commissioner Holian please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. This is really an important ordinance and I want to thank all of you and commend all of you in the community who work so hard to make this happen, getting petitions signed, speaking to people, educating the people about this particular topic, and I would also like to thank Commissioner Stefanics and Chavez for sponsoring this resolution. I certainly would have liked to have been a co-sponsor but due to our rules I couldn't. In any event, I agree with all of those, including Commissioner Stefanics who pointed out that this is not really a living wage but rather a minimum wage. I understand according to the national low income housing coalition that a living wage for New Mexico would be \$14.42 an hour. For Santa Fe, an expensive place to live, it would actually be \$19.00 an hour.

Also, I was reading a very interesting article on income inequality in this country not too long ago, and what they were saying is that if the minimum wage that existed in the 50's and 60's had kept pace with inflation over the years, that the minimum wage now in the

United States would be \$21 an hour. And in fact that's what it is in Denmark, interestingly enough.

I also believe that in the perfect world people who work in a community should be able to live in that community. In my mind that's a really crucial component of having a strong community, which is, I think, what we all want. We also have to recognize that it is possible that some businesses may relocate because of this, although I really don't think that that will happen with very many businesses, because I believe that the businesses are here precisely because we are here in Santa Fe with a very high quality of life. But this also I think poignantly illustrates that what we really need to work towards in the long run is a statewide living wage law. Thank you.

CHAIR MAYFIELD: Commissioners, thank you. I do want to echo everything that was said. I would also say this. Many Americans, especially in Santa Fe County live paycheck to paycheck. And sometimes that paycheck doesn't stretch very much. So I'm happy that I've been able to be a part of this today. I appreciate all my colleagues for entertaining some of the proposed amendments I made. And I do want to work with all the businesses out there and I hope that this will be fruitful for all of Santa Fe County and by no means am I trying to plug any miniseries because I don't know if everybody can afford to watch HBO but there will be an HBO miniseries coming up, a documentary on working moms living paycheck to paycheck. So I think that's going to be coming up now in March and I would just suggest if you have the access to look at that, look at that. And with that I want to thank the community for their involvement and for their interest in this and staff for all their hard work on this and I would ask for a roll call vote on this ordinance please.

The motion to approve Ordinance No. 2014-1 passed upon unanimous roll call vote with Commissioners Anaya, Chavez, Holian, Stefanics and Mayfield all voting in the affirmative.

[The Commission recessed from 3:00 to 3:16.]

III. D. 4. Request Approval of Award of Agreement No. 2014-0175-PW/MS Greater Glorieta MDWCA Regional Water Quality and Infrastructure Phase 1 Glorieta Estates-Village of Glorieta Water Line Connection to Done Right Construction, LLC, in the Amount of \$515,630, Exclusive of GRT and Grant Signature Authority to the County Manager to Issue the Purchase Order for Said Amount

MR. TAYLOR: Thank you, Mr. Chair, Commissioners. We came before this Board for approval of this project, the Greater Glorieta last calendar year. This is CDBG HUD money and there are requirements that have to be met. There were some technicalities that we did not bring to the satisfaction of DFA- Local Government, so they required us to

rebid it. The good news is the same contractor was the lowest and most responsive bit and it came in about \$20,000 to \$30,000 less. So with that, Mr. Chair, I'll stand for any questions.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, thank you. I just – well, I want to thank you and all off staff and all the members of the Greater Glorieta Water Association for all the hard work in making this work. I know it took a while but it's a real achievement and I think that it's extremely important to realize though that this is just the first step for the water association there. And I think that this is a good example though of the kind of thing that we need to be doing for our mutual domestics because here we have three mutual domestics that are joining together, they've gotten a CDBG and they are improving their infrastructure and they're also linking to each other so that they can be backups to each other in case of drought or some other - wells going dry or things like that. So I think that this is really going to increase the resilience of the water situation in the Glorieta area. So I just again want to thank you and all the people of Glorieta who worked on this and staff.

I know staff worked very hard to make this happen.

MR. TAYLOR: Mr. Chair and Commissioner Holian, thank you for those words. It's been a true team effort in order to get this to this point and get approved so I appreciate those words.

COMMISSIONER HOLIAN: Mr. Chair, I move for approval.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: We have a motion and a second. Mr. Taylor, I do notice that this was a grant requiring a ten percent match. Just so I know, what did that ten percent match money come from?

MR. TAYLOR: Mr. Chair and Commissioners, I believe that that approximately \$42,000 is coming from our Utility –

MS. JARAMILLO: The match for the CDBG grant is coming out of the enterprise fund.

MR. TAYLOR: It's coming from our enterprise fund.

CHAIR MAYFIELD: Could you give me a little more explanation please on the enterprise fund. I do support this project. I just know other Commissioners have water projects in their districts that may require match money or County dollars.

MS. JARAMILLO: The match for the CDBG grant is coming out of the water enterprise fund.

CHAIR MAYFIELD: Thank you.

MS. JARAMILLO: You're welcome.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez, please.

COMMISSIONER CHAVEZ: To staff, maybe in the future, even though these are grants. In this case it's CDBG money, maybe we could have a summary in our packet that would answer some of these questions at the front end, like a fiscal impact report or a summary of some kind. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. We have a motion and a second on the floor.

The motion passed by unanimous [5-0] voice vote. [The initial vote was 4-0; Commissioner Anaya subsequently registered an affirmative vote. See page 41.]

III. D. 5. Requesting BCC Approval for a Waiver From Section 1 of Ordinance 2012-6 to Purchase Professional IT Services Utilizing the Existing State Price Agreement with Bohannon-Huston, Inc. for the 2014 Santa Fe County Terrain Mapping and Orthophotography Project

MR. TAYLOR: Chairman and Commissioners, this is a very critical flight window for the Growth Management GIS Division. We were able to identify a current and existing state price agreement for these services from Bohannon Huston and because of our Ordinance 2012-6 we're requesting your approval to waive that and enter into an agreement and negotiations with this firm and to grant authorization to the County Manager to sign the PO amount of \$600,000. I do want to point out that there's an addition \$600,000 could come to us once this effort of the ortho-LIDAR mapping is accomplished that we would sort of have those funds to come do the second phase of this project. And we do have staff that can answer any questions, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioners?

COMMISSIONER CHAVEZ: Mr. Chair

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Taylor, if you could, one more time for myself and for the public, just make a distinction between what we would do normally and the waiver. I think you may have touched on it but one more time.

MR. TAYLOR: Mr. Chair and Commissioner Chavez, there is an ordinance that requires any time we use an existing contract or a cooperative contract that's out there that we – it requires that we have Board approval to utilize that.

COMMISSIONER CHAVEZ: Because we're not using the procurement code that we would be using in most cases.

MR. TAYLOR: Actually, Mr. Chair and Commissioner Chavez, it's more to the effect of the amended amount. It's above the County Manager's approval. There's also the ordinance, so just to be transparent we need to bring everything forward on those points. It is in the procurement code that we can use existing contracts but there's also the ordinance that we want to follow as well which says that existing contracts need to get Board approval.

COMMISSIONER CHAVEZ: Right. And the procurement code binds us to the low bidder. In this case that's also –

MR. TAYLOR: Mr. Chair and Commissioner, the existing contracts were already solicited. The State of New Mexico Purchasing Division went out and solicited these.

COMMISSIONER CHAVEZ: Oh, okay.

MR. TAYLOR: And so these, they've provided their costs, unit costs of this and the firms have to meet that amount or beat it, in our opinion even better. So we got word from the division that some of the preliminary analysis from the federal government on these costs, it's actually about 33 percent below what it would cost the federal government.

COMMISSIONER CHAVEZ: Good. So that works in our behalf then. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Mr. Taylor, so I'm on page 11 and page 12. So on the proposed LIDAR project area, are they currently doing photography work or aerial photography work in the area?

MR. TAYLOR: Mr. Chair, can I defer to Erle, Mr. Wright?

ERLE WRIGHT (GIS Division): Good afternoon. I haven't been here since redistricting so I'm really rusty. Santa Fe County is not making any flights now. Mid Region Council of Governments is actually doing the flights right now and I've seen some photo control up north but I'm not sure who's doing it.

CHAIR MAYFIELD: I was wondering that myself. So on that note, Erle, when are they going to propose to start getting in the air? There's a lot of trees that are starting to bud.

MR. WRIGHT: Well, and that's one of the reasons why we decided to go this route, because we do have a procurement mechanism out there. Normally our flight window is late April, early May for leaf-off conditions, but with the conditions now we're looking to fly as soon as we can. So the first thing we need to do if we were to get this waiver is to actually set the ground control because we have to set that first, prior to there being any flights.

CHAIR MAYFIELD: Okay. And then I guess my question also is looking at page 11 and also page 12, so any area outside of Santa Fe County, are they going to be doing mapping of that also?

MR. WRIGHT: This boundary is slightly beyond the county boundary. One of the things we did is full USGS quads, 7 1/2 minute quads. The reason we've extended north is to capture the watersheds, the flood control structures above the Santa Cruz River, so the Village of Chimayo, Cuarteles, well, not so much La Puebla but Sombrillo and also the City of Espanola has given us a commitment to partner in the project. So they're within that footprint. We're also going a little bit to the east, one, to be able to capture the Jaroso burn scar that's up there. Because a part of this, we won't be doing orthophotography there but we will be doing the LIDAR which will actually give us the surface and the terrain.

CHAIR MAYFIELD: Sure. And I appreciate that. This question may be for Mr. Taylor or Mr. Ross, where I'm going with this next question. So Santa Fe County is incurring the expense for all this, correct?

MR. WRIGHT: Yes. The City of Santa Fe is partnering and we do have again a commitment from the federal government to participate on the LIDAR piece of the project, the terrain mapping piece.

CHAIR MAYFIELD: And once all this terrain mapping is done and these aerial photos are done, they are now public record, correct?

MR. WRIGHT: That is correct, Mr. Chair.

CHAIR MAYFIELD: So this question would be for Mr. Ross as it pertains to the Aamodt BOR and EIS scoping that they have most likely not done because they may not getting a lot of interest from a lot of individuals that are signing on or not signing on to allow people on their property. This being public record, is EIS or BOR going to come to Erle and say, hey, I want to see all the aerial maps for the area so we could potentially look at running a system up there and if so, us as a County are incurring all this expense just to turn those maps over?

MR. ROSS: Mr. Chair, I'm sure they'll come to Erle wanting to take a look at the imagery.

CHAIR MAYFIELD: So can we maybe see if somebody else wants to help foot this bill?

MR. WRIGHT: We've approached the Bureau of Reclamation. Actually, their needs are even more detailed than ours and they are actually – and may be flying that now. They ordered the contract in the fall but then the weather turned on them. But they're actually doing even more detailed mapping than we are specifically for the Pojoaque Basin Regional Water System.

CHAIR MAYFIELD: Okay, then on that note, I appreciate what you're saying there, Erle, so are we duplicating service if they have the maps that we could just look at?

MR. WRIGHT: Chairman Mayfield, not exactly – again it's apples and apples but they're kind of like Granny Smiths and Fijis. They're pretty similar. But they're doing more detailed work and much lower flights because they need engineering level terrain mapping. The LIDAR project – and also we're doing this countywide. They're not interested in the other areas of the county, so we're essentially doing wall-to-wall carpeting where they're doing project-specific work.

CHAIR MAYFIELD: Fair enough. That's all I have, Commissioners. Thank you. Commissioners, do we have a motion and a second? Are there any other questions?

COMMISSIONER HOLIAN: Move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and a second, Commissioners.

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

CHAIR MAYFIELD: We are now on item E. 5 but before we go there I know Commissioner Anaya had to step out for a few minutes. Commissioner, do you want to go back to us to take consideration of your vote on the prior items?

COMMISSIONER ANAYA: Thank you, Mr. Chair.

CHAIR MAYFIELD: We took D. 4, and we just voted on D. 5, so we took D. 4, Commissioner.

COMMISSIONER ANAYA: I would vote in the affirmative, Mr. Chair.

CHAIR MAYFIELD: Thank you. If we could just have the record reflect that please.

III. E. Items From Consent Calendar Requiring Extensive Discussion / Consideration

II. C. 3. Approval of Easement Agreement Between the Pojoaque Valley School District and Santa Fe County for Approximately .736 Acres Adjacent to the Nambe Community Center for the Purpose of Constructing and Maintaining a Driveway, Parking Lot and Drainage Improvements

COMMISSIONER CHAVEZ: Thank you, Mr. Chair, and I really will defer to staff because staff has some questions and I think some clarification on this item before we can move forward.

CHAIR MAYFIELD: I'd like to hear any questions from staff because they brought this to my attention, so staff, please.

MS. MILLER: Mr. Chair, I was the one who asked Commissioner Chavez to pull it because staff handed something out today. *[Exhibit 1]* The school district actually changed the lease as it was in the packet and my understanding of that change was that it was to add maintenance of the easement to the portion that we're going to be doing, have the easement for it. They also added an extra item at the bottom of those that I had wanted to make sure that Steve had a chance to look at it because even though it's been looked at I wasn't sure what it implied. So I would appreciate it if the staff's that's been working on it, including Tim and Erik could come and explain that to the Commission.

CHAIR MAYFIELD: Please.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I just pulled this off the Consent Calendar because we didn't have any information. I didn't know anything about the specifics on this case. It's just that there was no information.

CHAIR MAYFIELD: That's fine. But if I can go back to Katherine. So Katherine, what is the school adding there in the back?

MS. MILLER: Mr. Chair, Commissioners, what they added was actually some standard lease language but two of the items of what they indicated what they wanted to do was actually add in a couple of clauses that had us doing the maintenance on the easement. This is needed for us to do the improvements to the entrance to the center and it had not been included in the original lease to have our easement, that we would actually maintain that. So that's what they indicated that they wanted to change, but then they added some other information and then Steve, I asked Steve to take a double check on it but I was not sure what they meant by the last statement.

CHAIR MAYFIELD: What page are you referring to?

MR. ROSS: Mr. Chair, in the handout that was handed out just before the meeting, you'll see that the proposed easement agreement has gone from two to three pages. We looked over it. Most of it was fine. It's just technical changes that the school district has requested at the last minute. And like Katherine says, they wanted to address who's going to maintain the easement. They wanted to address what's going to happen to the property that's located on the easement when it reverts.

Paragraph 10 at the bottom of page 2 is the one that kind of caught my eye because it's an attempt to coordinate our position of the adjoining property with the possession of this easement, and that's okay. The problem was that when you really start looking at it the exhibit that you have there at the back of this document, Exhibit A, contains more property than it should and actually includes an easement property that's subject to the lease document. So we needed to take that out. And Tim has looked at that and has yet another proposed change to this document, which will be a minor change to Exhibit A. Tim, if you could explain that.

TIM VIGIL (Assistant County Attorney): Chairman Mayfield, what we're doing is taking the Exhibit A that has the metes and bounds description and we were adding less and except language because there is an overlap between the metes and bounds description as shown on Exhibit A with property that's owned by the trust. And so what we've done is added less and except any property that's owned by the trust along that – I believe it is the northwest boundary line. So that's how we've tried to address the ownership overlap.

CHAIR MAYFIELD: Thank you. Commissioners, I'm just going to state this. Right now the County currently maintains an easement acquiring both facilities. Correct?

MR. VIGIL: We have an easement – no. We have a lease agreement for the portion of the property that has the basketball court and the tennis court.

CHAIR MAYFIELD: But as far as the ingress into and egress out of – unless you go through the back way for the school, we only have one ingress and egress for our senior community center and our playground area. The County maintains that, correct?

MR. VIGIL: Yes, Mr. Chair. The easement comes across the front of the property along 503 that goes back towards and beyond the basketball and the tennis courts. We're proposing to have one more inlet to that property. That inlet would come off of and go through the Martin property and then serve the new easement estate.

CHAIR MAYFIELD: That would have accessed both properties and we would closing up that upper ingress. Correct?

MR. VIGIL: I don't know if that upper ingress would be closed or still be used for the senior center as it is now.

CHAIR MAYFIELD: I think from what I saw that it would be closed.

MR. VIGIL: And it may be.

CHAIR MAYFIELD: So how long would this – I mean, this projects been in the works for three years I think and I'm glad that you call caught this now and the school's decided to bring up this issue now. But how much longer is this interchange going to –

MR. VIGIL: I believe we can address the legal description issue right now with this new language. [Exhibit 3] I do understand, however, we do need to go back to the Martin family and get that one last driveway easement across their sliver of property, between 503 and the easement that we're acquiring.

CHAIR MAYFIELD: So this will still hold up construction on the project?

MR. VIGIL: I don't believe it will because we will have acquired the easement estate that will then allow the trigger to start the improvements. But I don't know that for sure.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I'm on page 2, paragraph 3 and 4, and it reads the grantee shall be solely responsible for the cost and expense of constructing and maintaining improvements and any future improvements and shall maintain all improvements on the easement as needed. So I wanted to see if you could –

CHAIR MAYFIELD: Commissioner Chavez, I'm sorry. Where are you?

COMMISSIONER CHAVEZ: I'm reading page 2, Commissioner, paragraph 3. The grantee shall be solely responsible for the cost and expense of constructing and maintaining improvements and any future improvements and shall maintain all improvements on the easement as needed. You mentioned earlier that you thought that the County was in fact maintaining an easement already but I don't know if this is in fact the same easement that you're talking about or not and I would like to know the dollar amount on what the County is spending on maintaining that easement if it's not our property. I think we're leasing that easement.

MR. VIGIL: Mr. Chair, Commissioner Chavez, the easement I was referring to is an existing driveway that came off an eastern portion of the property we own and then kind of loops around towards this new easement estate. So there's always been this driveway that followed along State Road 503 that fed into this easement area.

COMMISSIONER CHAVEZ: And is that what we're maintaining currently?

MR. VIGIL: If there is any maintenance, yes.

COMMISSIONER CHAVEZ: Do we know how much we're spending? How much maintenance we're doing and what the cost is on an annual basis by chance?

MR. HOGAN: Mr. Chair, Commissioner Chavez, right now we don't contract for maintenance on that. That's usually just done by our Parks crew. It's a dirt drive so when we have ruts and stuff like that we do some cleanup on that.

COMMISSIONER CHAVEZ: So it's not a big expense then.

MR. HOGAN: It's not a big expense.

COMMISSIONER CHAVEZ: Okay. Then we move on into paragraph 4, because I'm a little concerned about the cost and if it's negligible that's fine, but I think we still need to be aware of it. Paragraph 4 says the grantee, and I guess that's us, the County, shall maintain public liability insurance coverage on the easement and improvements and any liability on the part of the grantee is subject to the limitations and immunities of the New Mexico Tort Claims Act. It goes on to say that the grantee shall cause its insured to name the grantor as an additional insured under such coverage. What is the fiscal impact of that paragraph and is that in place now? Or is that something that's new?

MR. ROSS: Mr. Chair, Commissioner Chavez, I think I can pick that one up. The County's risk and consequently the premium for insuring buildings and roads and things like that is based on the square footage of the entirety of the County's property. So this is going to be a negligible – we might not even see a premium increase as a result. We'll have to pay \$50 to the County Insurance Authority to get the grantor on as an additional insured but that's the sole expense associated with this paragraph.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR MAYFIELD: Mr. Vigil, what do you recommend the Commission to do?

MR. VIGIL: I believe we've adjusted the easement's legal description to include or to address the Martin ownership and I have those exhibits that we can attach to the agreement. And I think that addresses that concern.

CHAIR MAYFIELD: Fair enough. And also, Commissioners, I would just like to say, and Mr. Leigland, I think he might be in the backroom, that the current easement, as it exists, as I understand, causes significant damage to an adjoining property we do not own. And it may also be causing damage to a well that we use that services our facility that is in between two properties the way that typical roads run up there. And we've had numerous discussions about roads and maintenance of roads and part of the redesign of this is to provide adequate safety for people who use that facility as the sun sets west and east – rises west, and sets opposite. Rises east and sets west, and when people are coming in and out of that facility and they have to do an almost hairpin turn across traffic with a view radius that is very – I don't know if unsightly is the right word or that they really don't have a very good view when they're trying to leave the current one. I think the County right now is in risk of a lot more liability if they do not change the access to this property.

By the access of this property being changed I also think they will potentially be mitigating a lot of damage that they push on to the school's property and/or to that well. And I would stand to be corrected on any of those points I just made. Please correct me if I am wrong on any of that. This is something I've been looking at for three years on this bench. Please, Mr. Vigil, Mr. Leigland, Mr. Hogan, correct me if I'm wrong with anything I just stated.

MR. HOGAN: Mr. Chair, you're correct. The existing access to the property creates problems coming in. There's a quick turn before you go into the community center and also going out because the sightlines are poor. We've been out with members of the Department of – DOT and the new access point is much safer for all parties and that includes people that are using the County facilities as well as the Headstart center.

CHAIR MAYFIELD: Thank you. And again, it should be to address public safety, health and awareness on this one specific entrance. So Commissioner Chavez, you asked that this be pulled, so I'll just –

COMMISSIONER CHAVEZ: No, no. But what I'll do then, again, it was really just for clarification, just because it was new information I think we've had a good discussion. I think that staff was able to correct some things that needed to be corrected. I think that's only appropriate. So what I would do, if you're okay with it, Mr. Chair, I'll go ahead and make a motion to approve the easement agreement between the Pojoaque Valley School District and Santa Fe County for approximately .736 acres adjacent to the Nambe Community Center, for the purpose of constructing and maintaining a driveway, parking lot and drainage improvements. And my motion includes a document that stated easement Nambe Community Center with the new metes and bounds that was presented by staff. So that would be part of my motion, and it would also include the memorandum that was presented to us on the dais before the meeting.

CHAIR MAYFIELD: And I'll second that, Commissioner. Thank you.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR MAYFIELD: Commissioners, we are on Matters of Public Concern. Do we have any public here for Matters of Public Concern?

Seeing none, Commissioners, I'm going to move really quick to a signature sheet, if the Commission will indulge me on a recent ordinance we just passed. I don't have a problem doing this but this is new for me. As we just passed the Living Wage Ordinance there is a signature sheet presented to me that all Commissioners will sign off on this ordinance. I don't mind doing that but this is new to me and there have been very historic events that we have taken place on in this Commission in the past that I would have liked to have my signature on also so I just want to know what the Commission's thoughts is on all of us signing off on an ordinance that is passed. And if we could change rules or protocol that we all sign off on or don't sign off on ordinances in the future.

COMMISSIONER CHAVEZ: But you don't want to go retract it, do you?

CHAIR MAYFIELD: I would love to put my name on a lot of ordinances that we've passed, Commissioners. I just want to know what your thoughts are, Commissioners.

COMMISSIONER STEFANICS: Mr. Chair, I don't mind signing but I'm wondering why. Mr. Ross?

MR. ROSS: Mr. Chair, Commissioner Stefanics, it's done both ways. Different entities do it different ways. We used to actually do it here, have every Commissioner who voted in favor of an ordinance sign, but we've gone to the simpler way in recent years. It means – there's no difference in an ordinance executed by the chair and an ordinance executed by all voting in favor of the ordinance. I think Bernalillo County does it this way as a regular diet.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya. Vice Chairman.

COMMISSIONER ANAYA: Mr. Chair, I think that it's a suggestion that way made by the Clerk that's fine with me on this ordinance. If an individual carrying an ordinance in the future would want to sign on if they're not the chair, I guess I could either way, but I think it's okay with me on this particular ordinance.

COMMISSIONER HOLIAN: Mr. Chair, I would be delighted to be able to sign the ordinance. Actually, I would be delighted to go back and have all five Commissioners sign the Sustainable Land Development Code Ordinance.

CHAIR MAYFIELD: And that's great. I don't mind doing – looking at a lot of past ordinances and just in the future I wouldn't mind, because I don't think all of us will be chair for an indefinite period of time, so I would also like to be able to sign on to other ordinances in the future. Thank you, Commissioners for that and I will circulate that. Thank you for the suggested change, Clerk Salazar.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: This could be the only thing I get to sign so maybe I'll sign this one.

CHAIR MAYFIELD: We can go back, Commissioners, to a lot of ordinances we've passed. So we've had no Matters from the Public. I'll open that up one more time. Nothing here.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Quarterly Santa Fe County Ethics Board Report

CHAIR MAYFIELD: Chair Adair. We just appointed a few new members to your Ethics Committee. And we also have the vice chairman with us.

ADAIR WALDENBERG: Yes, Mr. Baca is here with me, Mr. Chair. Mr. Chair and Commissioners, you have the quarterly report. We've had no ethics complaints. We have spent our time trying to tighten up and make the Ethics Ordinance clearer and easier to implement and stronger. The staff have been invaluable in this effort and we want to commend them specifically for their input and feedback. We don't always agree with them but we always have a good discussion with them.

Some of the things – we're going to bring this forward for a first reading on March 25, a month from today and there was some question about whether you needed a second reading after that, so I think that's for the Board to determine.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Excuse me. Mr. Ross, I don't think the Ethics Board can put forward an ordinance. They can make recommendations to us, but we want to put forth an ordinance. Is that correct?

MR. ROSS: Mr. Chair, Commissioner Stefanics, yes, that's correct. I don't think they're proposing to adopt an ordinance.

COMMISSIONER STEFANICS: They're talking about a first and second reading, so clarify this.

MR. ROSS: Right. I think that's a first and second reading before this body. A proposed ordinance.

MS. WALDENBERG: Right. The Commissioners are doing the readings.

COMMISSIONER STEFANICS: Okay. Thank you very much.

MS. WALDENBERG: We're just proposing these as possible changes for your consideration, and there will be a first reading of those changes a month from now, or at least we hope so. You will have all the information you need to do a first reading at that point.

We've amended some of the definitions. We've clarified what family means. We've clarified the values of the gifts so that if someone gives a gift repeatedly within a given year it's the aggregate amount of the gift. We've tightened up on the hearings and procedures, making sure they all comply with the full rights of individuals. We have made recommendations on training to the Commission and so we would formalize that as part of

the ordinance, that the Board makes recommendations to you for training materials and tightening the training. The training has been very effective, from what we understand from Ms. Salazar in Human Resources. It has benefited many people and it has been wonderful and we commend them for doing that.

We've also – and you will see this because it affects you directly and others who are elected. We have made it so we are proposing to change so that if there is a conflict of interest there's an affirmative need for the Commissioner or the elected official to disclose that conflict of interest. And you'll see that that's not currently in the ordinance but we thought that would help you. It enhances transparency and it's probably more consistent with current practice, but you'll see it in what we're proposing for the ordinance.

We're repealing some inconsistent language, and the other sort of substantive change came out of an issue that came before us. Right now, only sworn, certified complaints come to us and there's an instant where there was an anonymous complaint. The board will recommend to you that even anonymous complaints that we cannot act on should come to the board. We need to know what's going on and there's a question about if it was directed to us why we wouldn't receive it. So the new ordinances, the changes that we're proposing for your consideration would include that as part of the new ordinance. We'll have details well in advance of your March 25th meeting. We would invite any questions, any clarifications that you need, but we're trying to make the ordinance as effective as it can be for you and for the citizens of the county. Any questions. And thank you for your approval of two board members for us.

CHAIR MAYFIELD: Commissioners. Commissioner Anaya, please.

COMMISSIONER ANAYA: Thank you for your feedback. We'll review it and take it into consideration.

MS. WALDENBERG: Any questions you would have we would welcome them, because we've spent a good deal of time and it can always be better. Even what we're proposing can be improved, so we would welcome that feedback.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you and thank you for your work. It says proposed – there's an attachment and we don't have an attachment.

MS. WALDENBERG: I understood there was going to be an attachment. I would yield to Lisa. There was no attachment. What we're preparing for you, just so you know, is a copy of the ordinance with the proposed changes highlighted and noting the changes that you already approved I think a year and a half ago. So it will be very easy for you to read through what was there before and what we're proposing to change. But I don't think anything is attached to your materials, Lisa. It will be forthcoming hopefully before the next meeting, so you'll have ample time.

CHAIR MAYFIELD: So I'm going to strike proposed attachments because we do not have that in our packet, so if we could just let the record reflect that there was no attachments that came on this ordinance to the Commissioners at this stage. And also, Chair Adair, so just so I understand, are you all – I see our Risk Management Division sitting back there, our HR Director, our County Attorney sitting here also, are you proposing on these anonymous letters that you all receive, are they against the elected officials? Or against all

staff at Santa Fe County that you can act on? And the reason I bring that up, because we do have HR policies and staff members are entitled to due process and there could potentially be proprietary information in an allegation against that could cause severe potential liability on this County if something was acted on improperly.

MS. WALDENBERG: Yes. This only pertains, as the ordinance does, to the elected – it does not cover ordinary staff. HR handles all those complaints very effectively. They sometimes report on the number of complaints but nothing is ever identified. This focuses only on the body of people that the ordinance is intended to cover and not intended to cover employees. That remains within the HR Department, and they're doing a great job, I have to say, from what we know.

CHAIR MAYFIELD: And Chair Adair, how many complaints have you received about elected officials to date?

MS. WALDENBERG: As the report indicates, no ethics complaints have been received in this quarter nor any other quarter since I was appointed to the board.

CHAIR MAYFIELD: And right now, in your view and the committee view is that it needs to be strengthened even more?

MS. WALDENBERG: It needs to be clarified. This is an opportunity to make the definitions more consistent, to make the process and procedure more clear. It's better to make changes before there are issues before the board than while there are issues before the board. This is an ideal time to do it. Once a case is being heard you don't want to make any changes. That's not a good time. So that's the purpose of bringing these forward now.

CHAIR MAYFIELD: Thank you. Mr. Ross, do you have any comments?

MR. ROSS: Well, Mr. Chair, I was just going to add that the ordinance actually requires that the Ethics Board review the ordinance periodically and make recommendations. So this is consistent with what the ordinance already calls for.

CHAIR MAYFIELD: All just say this. I look forward to it because there are some suggested changes that I would also like to make to that ordinance. That ordinance was enacted before I was – before I came into office so I welcome and thank you all for bring this and I will now be able to have my say when that ordinance comes in front of us for proposed changes.

MS. WALDENBERG: As I said, we welcome all the feedback, the way to make this serve the elected officials, the citizens of our district is to get everyone talking about what it does and what it needs to do. So we welcome that opportunity to have that dialogue. Or multi – polylogue.

CHAIR MAYFIELD: Commissioners, nothing else?

MS. WALDENBERG: Thank you very much.

V. B. Matters From the Commission

1. Commissioner Issues and Comments

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First of all I would like to extend the Commission's sympathy for the loss of his sister which happened recently. The second thing I would like to let everyone know that this Commission is providing a

certificate of acknowledgement to Susan Stokes, the partner of Hugh Avery Lynn for his dedicated contributions and support of civil liberties and personal freedoms working to protect the constitutional rights and privileges of the residents of Santa Fe County and New Mexico. He was a founding member of the Santa Fe Chapter of ACLU. He was an old and dear friend that I've known for over 25 years. Thank you very much.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Holian please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all I would really like to thank our staff for all their efforts on behalf of Santa Fe County at the last legislative session. I'd like to thank from our Manager's Office, Rudy Garcia, Hvtce Miller, Tony Flores, Lisa Katonak and especially Katherine Miller, our County Manager and also Commissioner Stefanics and also from our Human Resources Department Rachel O'Connor and Patricia Boies. I'm probably forgetting somebody but for all their efforts, and I think that it is their work that is the real reason that only 1/12 rather than an 1/8 was taken away from the County for indigent care funding. Or I should say redirected from the County into the state for indigent care funding. I know that NMAC also did lobbying but I really think it was the leadership of Santa Fe County that really made the difference in that legislation. And also of course I would like to thank Senator Nancy Rodriguez because I think it was her leadership on the Senate side that really made a huge difference in how all of that turned out. All I can say is it could have been worse. It maybe isn't exactly what we would have wanted but we still do have indigent care funding that remains in the County that we can use to help people in our community.

I also would like to just alert everybody that I will not be here for the March 11th BCC meeting. And finally, I would also like to thank the directors of the departments and the staff of the departments for the many really good reports that we have here in our packets. The reports are very informative. I like the way that they're written and I like the format that they use. Also, I think it's important to note that they are available to the public because the packets are on our website. So it's a way of giving the people in the community a snap shot of what's happening in various departments in the County. And again, thank you. I read the reports completely, thoroughly and I just am very appreciative of getting all that information.

CHAIR MAYFIELD: Thank you, Commissioner. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Also, I want to thank Commissioner Stefanics for bringing this certificate of acknowledgement before us. It's unfortunate that in many cases we don't recognize those until they're dead. I did get to know Hugh and Susan. I got to know Hugh through the construction industry. I've known him for the last, probably close to 40 years. And his contribution goes well beyond just the founding member of the Santa Fe Chapter of the ACLU. He contributed to the community in many ways. One is as a contractor he provided cabinets for a lot of our larger projects like the hospital, the South Side Library and other projects like that and he was always conscientious about how those projects were bid and the quality of his work was exceptional. And so I got to know him in that regard and then later as he got involved with the ACLU. He was the one that encouraged me to be a card-carrying member of the ACLU and so he will be missed greatly by many in the community. Both he and Susan got involved in the Agua Fria Village

even though their property is just outside the boundary, but they were close enough to be concerned about the village and everything around them.

So Hugh Avery Lynn died peacefully at home in Santa Fe, New Mexico on January 14, 2014 at the age of 74. He was born August 27, 1939 in Wayne, Nebraska. He was survived by his loving partner Susan J. Stokes, sister Rebecca V. Lynn, sons Hugh A. Lynn and Joseph, granddaughters Parker, Sidney and Avery Lynn, nieces Regan and Chase Lynn. A dedicated supporter of civil liberties and personal freedom, Hugh inspired all he knew to zealously protect their rights and privileges outlined in the constitution. He was proud of his efforts to help found the Santa Fe Chapter of the ACLU. He was co-owner of Cabinets for Contractors from 1984 to 2000. He greatly enjoyed the people he worked with as chief commercial estimator. His family is planning a celebration of his life to be held this summer.

So again, thank you, Commissioner Stefanics for bringing this before us .

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, first and foremost, my public condolences to the Lynn family. I very much respect the comments of Commissioner Stefanics and Commissioner Chavez just made and I just want to acknowledge that. I wanted – I just have one item. I want to ask Mr. Flores if he would come forward and I would comment to Ms. Miller that I've been appreciative of his efforts to help us maintain more communication on capital projects and help the rest of the staff in advanced projects. I want to say that first. In the meeting of June 25, 2013 I made some fairly extensive comments associated with a parcel of property in La Cienega that we have as an agricultural lease that the Commission supported taking on a partial portion of that for a lease for multiple aspects but a park was the initial phase that has been discussed and I'm going to go back to that June 25, 2013 discussion. I've had discussions on that even prior. I think even when you were a staff member here at Santa Fe County, Mr. Flores, former Commissioner Anaya had worked and received some legislative dollars so this has been a long-standing project.

We did provide direction to move forward with the lease, with the Land Office. We had discussion in executive session. We came out of that and provided some feedback in that line. And there's a process with the Land Office who we've been engaged with Commissioner Powell has been engaged in these discussions. Don Britt, Representative Trujillo, Senator Griego, Representative Egolf as well as Representative Stephanie Richards. So I wanted to get from you some background on the timing of the work. What have we done with Mr. Britt, the assistant commissioner responsible for the process and what is the timeline to conclude the paperwork necessary to finalize the lease? Where are we at?

TONY FLORES (County Manager's Office): Mr. Chair, Commissioner Anaya, the current timeline for the acquisition of a commercial lease rather than agricultural lease with the State Land Office was initiated with discussions, from my understanding, with the State Land Office after that direction was received, on or about June or July of last year. In the interim we have had some discussions in my brief tenure back with the County on a schedule and a process to undertake those activities with the State Land Office. As of last week in meeting with the Projects Division they developed a preliminary scope of work and schedule that at this point in time needs to be further evaluated to complete that process with the State Land Office. We have the submission requirements for the State Land Office and

we've tried to tailor the scope of work and the work product deliverables or goals requirements with the State Land Office.

So we're moving in a direction to get that done. I can't honestly tell you, Mr. Chair, Commissioner Anaya, on what has transpired over the last few months but the project is on the table again for movement.

COMMISSIONER ANAYA: So, Mr. Chair, the reason I bring this up is because I'm getting feedback from those legislators that I noted as well as community members, and I think one of the things that's occurred is we had had some initial discussions about a potential senior center on this particular site and we weren't able to garner any dollars from the state legislature to augment some of the dollars that we just approved earlier in the meeting that are improvements to the existing center. And I think we might get some traction to focus on our existing center and those expansion efforts to utilize the commercial kitchen we already have and maybe in a shorter course than trying to get a brand new facility done get some ultimate senior services in our existing facilities.

So I'm not going to say that every one of those legislators I mentioned is on board with that. There are still some legislators that want to build a new facility. But I do think that we've got some traction headed in that direction. But the site that we're talking about, there's always been and there was a project approved for a park that you were part of, to do on that site of La Cienega, which doesn't have facilities for our youth to utilize. And the site where the community center is doesn't have the space to accommodate a larger recreation area. That's an area that I specifically said that I would set aside – going to set aside some of my own resources to help achieve. So I would greatly appreciate it, and I know Colleen was working on it and I think Paul maybe, was one of the people working on it as well. But I'd greatly appreciate it if we could take that to the next step in the coming months to work through the Land Office process, which my understanding of it isn't that complicated. And so that's what I would ask you to work on and help us with the entire team to get it achieved.

MR. FLORES: Mr. Chair, Commissioner Anaya, absolutely.

COMMISSIONER ANAYA: Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioners, I'll be brief on my update. And I know I am going to make somebody very upset with me and I would like to wish my wife a very happy birthday today. And also Commissioners, really quick though, Manager Miller, is it possible that Santa Fe County – I know we did have some press coverage, but could we see about doing a press release about passing the living wage ordinance? I will be headed out to DC and I do have appointments scheduled. I do have some scheduled with our delegation. I'm going to let them know what Santa Fe County did today and hopefully they will be –

COMMISSIONER STEFANICS: Mr. Chair, on that point.

CHAIR MAYFIELD: Yes.

COMMISSIONER STEFANICS: It's already posted on a California website on what we did.

COMMISSIONER CHAVEZ: Good news travels fast.

CHAIR MAYFIELD: Yes. Also, Commissioners, I need to be going out to DC. I talked to Manager Miller, I believe Commissioner Stefanics is also going. So Manager, I will be meeting with members of our delegation. If there's anything – I know we're going to talk about some PILT, at least I will, and any other issues we need to address with our

delegation please let me know. I will be bringing up various issues and in particular some easement issues that we have had discussions on issues pertaining to District 1. Commissioners, if you would like me to discuss anything, please, just let me know.

Also, Manager Miller, today in an earlier meeting, I believe our Health – Ms. O'Connor and Christus St. Vincent's mentioned this weekend they were going to have some public outreach for training of signing up individuals for Medicaid and Medicare. I don't know if you know a little more about that. I didn't keep pretty copious notes on that and I should have got them from my office, but I would just – now that we have a listening audience, a viewing audience, we could maybe push out some information for individuals. And maybe attend that registration.

MS. O'CONNOR: Mr. Chair, I was notified this afternoon by Christus St. Vincent's that they will be doing, in partnership with Santa Fe County and with the City of Santa Fe, they're going to be doing a Medicaid and health insurance exchange enrollment at the hospital from 10:00 to 2:00 on Saturday. We did send out a notice this afternoon, and people that are interested are certainly welcome to contact our office and we'll have the flyers out later.

CHAIR MAYFIELD: Thank you. Thank you, Commissioners. Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, if I could, our Rachel and our health staff put together a nice brochure that I'd like to read because I think it's important. Preventive care starts with a simple exam. Be sure to take your first steps towards lasting health. www.santafecountynewmexico.gov. On our mobile health van this flyer points out that we do free health screens. We do blood pressure screening, blood glucose checks, adult flu shots, oxygen assessment, cholesterol checks and medication review. And let me say it again: Free. We do this throughout the county and the number for the mobile health van and information pertaining thereto is 505-992-9849. And I believe we have a schedule of the van that's on our website, where it's at. It's placed throughout the community, and preventive care starts with simple exams like we do on the mobile health van. So thanks to Rachel and the staff for working on this. We're going to distribute these throughout the county and hopefully we get more and more people to get screened and get checked. Thanks.

CHAIR MAYFIELD: Just a follow-up, and I believe – so Commissioners, and just our listening audience, we also are doing, and everybody's heard me talk a little bit about Aamodt, but we are doing outreach meetings right now. Santa Fe County, through a contract we had with UNM and Darcy Bushnell of UNM, or Estelle, and I think I might get that wrong, Steve, has done a couple outreach meetings up north. One was at the Pojoaque Middle School last Tuesday. A second one was last Thursday at the Tesuque Elementary School. They were very well attended. Commissioner Holian, thank you for attending up in Pojoaque. I really appreciate that. She can attest to the attendance that was out there. It was – I won't say standing room only but to accommodate almost –

COMMISSIONER HOLIAN: And the emotion on the subject.

CHAIR MAYFIELD: Well, I'm glad you stated that, Commissioner Holian. Thank you. But with that, I just want the public to know that you still – as a matter of fact there is a meeting going on today at the Pojoaque satellite office and you can schedule meetings with Darcy up to 30 individuals and they happen every Tuesday and Thursday.

She's having 16 outreach meetings. And today is at the Nambe Community Center from 6:00 to 8:00, and this is all posted on our website. I'm just going to read a few. There's one Thursday, February 27th at the Rio en Medio-Chupadero Community Center and there will be one March 4th at the El Rancho Community Center. March 6th, the Pojoaque satellite office; March 11th, the Nambe Community Center; March 13th, Tesuque Elementary School; March 18th, El Rancho Community Center; March 20th at the Pojoaque satellite office; March 25th, Nambe Community Center; March 27th, Tesuque Elementary School; April 1st, El Rancho Community Center. Again, the last one scheduled is April 3rd, Pojoaque satellite office. You can also call Ms. Bushnell at 505-277-0551. Again, that is 505-277-0551 to schedule an individual meeting if you have any questions pertaining to the Aamodt.

And I will say this, Commissioners. I will ask eventually that we have a public meeting on this with all of us. I believe we have a working session on this issue. But one comment that I have received from a lot of the public, and not bad comments but even the process that we're going through as far as providing the outreach and the education is just the opportunity for the public to be able to voice their thoughts or their opinions or their questions on the Q and A on what is going on. I think our group is putting together the best form that they can, but the schools only afford a couple hours rental for us to be there because they have other reasons to use their building. So the public does – some public do view that we're not providing enough opportunity for them to voice their public thought on it, based on us just providing cards to be read in and answers.

So Commissioners, I appreciate your time and your thoughts on that, and that's all I have. Thank you, Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. We also have, and I think this information will get out on our webpage, but we're also doing outreach to be sure that everyone is enrolled in the Affordable Healthcare Exchange, the New Mexico Health Insurance Exchange. And we have some information here. There's a webpage, bewellnewmexico.com, or 1-855-996-6449 for information to help with enrolment. We also have all of our health providers, La Familia, Alto Street, South Side, La Familia dental, Healthcare for the Homeless, First Choice Community Healthcare, PMS Ortiz Mountain Health Center, PMS Santa Fe Community Guidance, Las Clinicas del Norte, School-Based Health, Christus St. Vincent and Santa Fe Community Services all will help with enrollment to be sure that our residents are enrolled in affordable healthcare because of the fact that the indigent program as we know will no longer be available but we do have help. We have other provisions where people can get affordable insurance and we want to be sure that we can direct them in that way. Thank you, Mr. Chair.

V. C. **Matters From the County Manager**

1. **Legislative Update**

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**

MS. MILLER: Mr. Chair, Commissioners, I'd first like to have Tony give you the update on the legislative session. As you well know, this morning we talked in our Indigent Board meeting about probably what was the most pressing issue with counties and the state legislature relative to the changes to the sole community provider program and funding, the safety net care pool. So we won't go back over that but I would like Tony to give you an update on all of the other items that passed and where we ended up relative to the capital outlay.

CHAIR MAYFIELD: Mr. Flores please.

MR. FLORES: Thank you, Mr. Chair. I'll be brief. As you know, the session concluded last Thursday at the 11th hour. We got a statewide budget approved and through the session which was one of the few pieces of legislation that actually made it through. We won't retalk about Senate Bill 268 but there were a couple of other pieces of legislation that we provided the update that had legislative action taking the spending approval. One of them is the House Bill 15 which dealt with Resolution 2013-140, which dealt with the prohibition of e-cigarette sales to minors, and then the second one was the resolution in support of the Healthy Kid, Healthy Economy program, which was House Bill 220, which actually is in support, where we passed a resolution in support of that which was Resolution 2013-121.

What didn't pass or have a lot of discussion in the session per se was the hold-harmless legislation of the numerous bills that were introduced by both houses. For lack of a better term they all failed to get through some committee or another. There was an article this morning basically saying that that is going to be the hot topic button for next session. We anticipated that at one of the New Mexico Association of Counties meetings very early on that that would be an item that would be being brought forward by the Municipal League. The Association of Counties hasn't taken a position on that but through Ms. Miller's direction, one of the topics that I'll discuss briefly is how do we start preparing for the next session and I think we need to position ourselves as a county to take a look at what that hold-harmless is and what the repercussions are to the County if they go through and they amend it as they're proposing for next session.

We've provided a large packet of all the bills that we tracked. [Exhibit 4] Santa Fe County legislative team tracked approximately ten percent of the bills that had some type of impact or relationship to Santa Fe County policy. As we know, the items that have passed both houses are pending approval by the Governor. That includes the capital outlay that Santa Fe County gets specifically. We've provided a brief synopsis on page 9 of the packet that we presented this morning and from my perspective we didn't do as well as I would have hoped, and I think that's primarily part of the fact that we have a different message that we need to prepare and be forthright with. Back to Commissioner Anaya's earlier comments about these

projects, when I started on January 13th, right before the session, Director Leigland and I talked about understanding what the County's position is relative to capital outlay and how do we move forward in getting capital outlay support from our delegation.

The second document that was provided in the packet on page 10 is kind of a synopsis of other community or government requests, with the exception of the public schools and the state. We had quite a few organizations as they do work through the capital outlay process. Those numbers, including the acequia associations, they received a little over \$2 million and some of those projects will come to Santa Fe County as a fiscal agent because we own some of those properties. Now, that is active legislation that we did not submit on behalf of Santa Fe County, however, we are in support of that legislation on behalf of Santa Fe County.

We also provided a quick overview, a five-year snapshot of what capital outlay has meant to the County and again how we position ourselves in the upcoming session and the upcoming year to take advantage of what our delegation wants to see as part of their improvements for their districts.

Real quickly, a couple of items that we need to kind of close the loop on once the legislation is signed is the capital outlay – there's some capital outlay letters that have been customarily or historically provided to the governors from Santa Fe County. Ms. Katonak in the Manager's Office is actually working on preparing those for Manager Miller's signature so that we can put those in for support.

Two other items: We'd like to have a debriefing meeting with those community organizations, those non-profit organizations that submit capital outlay. If nothing else at least educate them on the process of capital outlay and how they can or can't accept those funds and how the County can assist. And then lastly is actually looking at a way starting now to do the planning for the 2015 session. Under Manager Miller's direction we have started the brainstorming, if you will, and retooling of our legislative team process and how that works through the session, and actually prior to the session I think if the Commission has some ideas that they would like to vet between now and the interim process this is the time to start thinking about that. And with that, Mr. Chair, I will stand for any questions on that briefing.

CHAIR MAYFIELD: Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I want to thank everyone that worked during the legislative session. I did not. I wasn't called in so I left it to others and I know that staff spent a lot of time there and I know that Senator Rodriguez really helped a lot and so I do appreciate that. I know it was a short session so there was a lot happening in that 30 days and it gets very intense. But I do want to highlight just one small project that I think is really significant. And I don't want to take anything away from anyone else, but on page 9 there's Santa Fe County Vista Aurora sewer system. The funding request was for \$102,000 and we received \$70,000 which is obviously not enough to do the project. But the project will replace a gravity feed – it will replace grinder pumps and will go to a gravity feed system. These grinder pumps – I think there's two grinder pumps in the sewer system. They've failed numerous times over the years.

It's a small subdivision of about 40 homes sandwiched in between the traditional village and Lopez Lane. It's a one stretch subdivision, 20 houses on one side and 20 on the other. And these grinder pumps have failed numerous times over the last three or four years and it's really time to move away from grinder pumps and go to gravity feed. And so for

these homeowners – again, it's a small project but the significance is, I think, great, not only for them and their quality of life but also to protect our groundwater because if those grinder pumps are not working and they fail and that sewage trickles up to the surface, which it has, that's not good.

So I really just want to thank staff for their work on this. I think this is a project that has been in the works kind of bouncing around for a couple of years and now we have an allocation that we can build on. I think we're going to have to find some matching funds or work within our organization to find the money and eventually get that project underway. So thanks to all the staff that worked on that. Thank you, Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think that as far as capital goes I was a little surprised with the funding or lack thereof, and so I'd like to know more from our delegation what their priorities are. And as we move forward into our next year and making our priorities, and I think we've tried to do this over the years, but we try and mesh the two together. I'm not sure; I know they all had capital and it's kind of hard to decipher where some of their investment went but I for one would like to know the delegation that crosses, bisects District 3 and there's six of them I think that do – what their primary priorities are well in advance so that we might align our priorities more in line with theirs. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Mr. Flores, so I note that Commissioner Anaya brings up – what was the amount that each representative had?

MR. FLORES: Mr. Chair, the Senators received a little over one million dollars each, and the representatives received a little under \$770,000.

CHAIR MAYFIELD: Thank you. I also would like to thank staff for all your work. I know you all worked nights when they started getting moving over there. So thank you for your hard work. I also want to recognize the work of another entity, New Energy Economy, because they did start with one of our priority projects that we asked for, and that was for solarization of our fire facilities. I will be signing a letter to our delegation. I believe also two representatives outside of Santa Fe County also put in money for that solarization initiative request that we had for Santa Fe County. So what we'll need to look at is how we're going to prioritize the use of that money. Ms. Miller and Mr. Flores, so I understand, the way the process works at the legislature, there's no way to identify individual funding from x-legislative sponsor.

MR. FLORES: Mr. Chair, the way the process works as you know as well as I do, we submit the capital outlay request forms as soon as the session opens. Then those forms are turned into an actual delegation member request, and then all of those requests are then put into the House Bill, in this case it was House Bill 55, by project not by sponsor, so the identity of the individual sponsor in the final bill is a little difficult to discern who actually gave what. We know what we asked for, what they were intending to put in for but what the final negotiations and strategies are internally, we're not privy to that.

CHAIR MAYFIELD: So with that, Commissioners, I would just look as far as the \$182,000 funding that was received under a countywide project for the solarization that Mr. Hogan – I think that that's under Mr. Hogan's purview or Mr. O'Hare's, that we come to see a prioritization of those dollars, if that means matching money from individual

Commissioners or through different funds that Manager Miller identifies if we look at taking at maybe a photovoltaic project in each one of our districts, if we look at some of the bigger needs for – I don't know what would be the best, cost-effective to utilize that \$182,000. But I just think that we should get moving on that sooner rather than later, Manager Miller, on that specific funding. Because the other one – funding for a countywide project goes specifically to our Santa Fe County Fairgrounds and I don't think that could be divvied up too much and that's much needed work also. But again, Mr. Flores, thank you so much and thank you all for your work.

MS. MILLER: Mr. Chair, Commissioners, I'd also like to point out that one of the issues at our last meeting that the legislature did try to do to help bridge that gap on the sole community funding on the hospital funding was to take money from the DWI fund and also money from the Corrections fund, but that money did get put back into – well, it's not House Bill anymore. It's kind of a weird one, Senate Bill 313. The money did get put back in for the jails and the money did get removed from taken from the DWI fund. And one other piece of legislation that passed that we would be waiting for action by the Governor would be an increase in the liquor excise tax distribution to the actual DWI fund. Currently that funding is split between the general fund and the DWI fund, the state liquor excise tax, but House Bill 16 does move – it increases the percentage of the distribution of that liquor excise tax by 4.5 percent over a three year period going into the DWI fund so you can see on page 7 of the handout, at the bottom there is a little chart how those funds would increase to the local DWI fund.

So I just wanted to point that one out as another piece of legislation that was actually favorable to counties versus two weeks ago being very unfavorable to counties. We were in a bad position. Also, Mr. Chair, Commissioner Anaya, I was a little disappointed as well, based on the distribution of the capital outlay. I did note quite a bit of funding went to non-profits and that's always a challenge for local governments. But legislators do appropriate to non-profits and then we're stuck with trying to figure out the connection with keeping ourselves out of an issue with the Anti-Donation. Luckily, a couple of the ones, we do actually own the facility so that will help, like the Women's Health Center, but that's always been a challenge for local governments and I did note that there were quite a few appropriations made based upon what I would consider lobbying by non-profit organizations to the legislature.

V. C. 2. Miscellaneous Updates [Exhibit 5]

MS. MILLER: I did hand out to you under other updates, I handed out – well, that's in the legislation and the legislation, we'll keep you up to date with what's happening with any legislation on the Governor's desk, to line item vetoes, vetoes, pocket vetoes or signing bills and how those actions might affect us moving forward.

The other thing that I handed out was the monthly memo, just a couple things to point out in this. We still have our draft economic development plan out for comments. The public comments are still being requested through Friday, February 28 at 5:00 pm, so that's this Friday, so if you'd like to submit a comment to give that to David Griscom at santafecountynm.gov and you can go to our website as well to find that out. Additionally, Mr. Chair, Commissioner Chavez, the items that you mentioned about the healthcare, those are on

our website under hot topics, so if anybody wants to go to the Santa Fe County website they can go under hot topics and find the information that you mentioned as well.

Then in the Manager's memo, that schedule of the upcoming Aamodt workshops that Commissioner Mayfield mentioned, those are in there, and we do distribute these throughout our community centers, senior centers, and we keep some copies in kind of a little binder and clipped so if we run out there's still an original copy there for people to reference if they come in and to let us know to get more copies to them. But that schedule is there so anyone can look that up on our website as well as in the centers they can see a hardcopy of this newsletter.

At the bottom of that page 3, just a reminder, the Wall that Heals, the traveling Vietnam veterans memorial and museum is coming to Santa Fe March 20th through the 24th. Admission is free and it's on display at the Fort Marcy ballpark so it's supposed to be quite a sight to see and worth going to look at so we did put that for people's information so that they would know we were requested to make sure that people knew about this so we added that to the newsletter.

And then one other thing that I wanted to bring up that Commissioner Stefanics had brought something to my attention that was happening down in Bernalillo County but we're doing it too. Not to the same degree that Bernalillo County is going it but if you look on page 5, Santa Fe County and the charter school Team Up, we do have – Carol Branch has worked with some master program charter school on doing a volunteer program that will be a ten-week course. The class will meet weekly on Friday afternoons and the first class actually started January 31st and that's for County staff and 12 students along with their instructor are learning about our public lands and helping them improve them through several projects. So it's not maybe quite as robust as Bernalillo County's program that was in the paper a few weeks ago but we actually had set up one at Santa Fe County as well. And I thought you might find that interesting. I think it's a great program with the charter school and it will equal about 300 volunteer hours on our open space properties.

And I believe that is all I have on miscellaneous updates. Oh, actually there is one other. I just got it in the mail today and Commissioner Anaya will like this one. This is the 2014 Queen clinic for the state fair, but the New Mexico State Fair is kind of partnering up with Santa Fe County's fair programs. They're really working to try to get 33 county fair queen applicants at the state fair. So March 28th through the 30th of 2014 is a weekend that includes a horsemanship clinic, queen set patterns, makeup skills, clothing swap, training in public speaking and stage presence and it's to help ladies to learn how to run for the county fair queen and then ultimately the state fair queen. So we'll put this in the next Manager's Memo as well as on our website so people can look that up. And that was it.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, just a comment. We are engaged in our budget process now and it's my understanding staff is going to be looking at those projects that are in the queue that we're trying to get completed and you've made comments as well about trying to figure out our funding associated with those as a priority. I want to make a comment relative to the County Fair funding that we have. We have close to \$600,000 or a little over \$600,000 between the last couple years and now this year's funding, and I think at some point as a Commission we need to figure out if we're going to step up or

not and fund the facility that we were going to build that houses the extension service, the home economists, master gardener work, educational programs, 4-H, to name a few.

That partnership has been in place for many, many years between New Mexico State University and all the counties in the state of New Mexico, and the building that they're housed in that was a target in our master plan to replace on the corner of the fairgrounds if you drive into our new entrance, it was to be placed on the right there. We already have the design associated with that particular facility and I would like to make sure we're having that discussion as well because we need to expend the resources that we have from the legislature and I think collectively we're going to need to make a decision to fund that project and try and help it move forward, because it's been in the queue for too long. I'm going to say over a decade, probably ten to 15 years. At one time there was an attempt to get it as a bond project but that failed. But it does serve our families, our youth and is closely tied to the work that the County Extension Service does at the fairgrounds. So I think we had estimated the total cost at about \$1.2 million but it might be up to \$1.5 million now is my understanding. But I think that might be something that we have the discussion on and utilize both state capital dollars and get them spent and leverage them with ours if we can to make that project happen. And that's something we can discuss in budget.

But we've been putting it on, year after year and it looks like we've got close to half the funding now. Thank you, Mr. Chair.

CHAIR MAYFIELD: Manager Miller, thank you for the report and also just a couple things on the report. One, for Mr. Ross, County Attorney writes the feature article for the winter newsletter. Our very own Santa Fe County Attorney Stephen Ross recently had an article titled *The Unusual Rose of Elected County Clerks in Resolving the Question of Same-Sex Marriage in New Mexico*. If you have the publication – I guess I could go to the website and see it but if you want to forward me a copy I'd like to have that also please. And maybe we can have that – how big is it, Steve? Is it voluminous or is it a couple pages that we could have printed out?

MR. ROSS: It's one of those articles that will help you to sleep at night.

CHAIR MAYFIELD: That's good reading, though, Steve. It's not bad reading. So congratulations on that, Steve.

Also, Manager Miller, I know there was a few emails, I try to keep track of the emails in my mind, but one, you all are revamping a program, a great program that we have of how we recognize our County employee of the quarter or of the month, and I think that's great how you all are doing that. But also – and I just don't have the name in front of me but I do receive emails from constituents and my district members and other district members thanking staff all the time. So right now I just want to – I don't know whose name but I know it's in our Public Works Department under our individuals who go and clean up graffiti, and I will forward that to the appropriate departments thanking the staff member who was just on the ball, getting right to the needs of that community member. But on that, do you all take into consideration these letters that we might receive from the public recognizing the great work of our Santa Fe County employees when we recognize folks?

MS. MILLER: Mr. Chair, Commissioners, yes, we do and as well, we actually put a recognition form in their file when they receive compliments, so we actually attach the

letters that we get from the public to a form that we have that is an actual acknowledgement that goes into the personnel files for the kudos for things that they've done.

CHAIR MAYFIELD: Great. So I'll forward that over to you also. Thank you. That's all I have on the follow-up. Commissioners? Okay, then I think we're done for Matters from our County Manager. I don't know what to do, Commissioners because we're running so ahead of schedule.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

3. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights

CHAIR MAYFIELD: Do we have a need for executive session, Mr. Ross?

MR. ROSS: Mr. Chair, we need a brief executive session to discuss the purchase, acquisition or disposal of real property or water rights.

CHAIR MAYFIELD: Okay.

COMMISSIONER HOLIAN: Mr. Chair, I move that we go into executive session where we will discuss the purchase, acquisition or disposal of real property or water rights.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and a second. Roll call vote please.

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

CHAIR MAYFIELD: Just for our listening public, Steve, how long do we anticipate that to be?

MR. ROSS: Mr. Chair, half an hour.

CHAIR MAYFIELD: Half hour and then we will come out and have some information. Thanks.

[The Commission met in closed session from 4:50 to 6:00.]

CHAIR MAYFIELD: Commissioners, we're going to come out of closed session. If we could have a motion I would appreciate that or entertain that.

COMMISSIONER STEFANICS: Mr. Chair, I move that we come out of executive session with the five County Commissioners, the County Attorney, I believe our Deputy County Attorney and our County Manager, having discussed only the purchase, acquisition or water rights and property, possibly.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: Thank you, Commissioners. All those in favor that we come out and go back to our regular business.

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

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Ms. Miller, one item that we didn't touch on that I was going to ask but I don't mind asking in open session is are we getting closer to conclusion on discussion relative to the property for the Highway 14 senior center? Are we getting closer?

MS. MILLER: Mr. Chair, Commissioner Anaya, my understanding is just that we finally also have appraisals that we need in order to work on that particular issue that we did not have before.

COMMISSIONER STEFANICS: On that point.

COMMISSIONER ANAYA: Go ahead, Commissioner.

CHAIR MAYFIELD: Commissioner Stefanics, please.

COMMISSIONER STEFANICS: Commissioner Anaya, there was a very, very, very late report on this at one of our meetings and I don't know if you were already gone and I was half paying attention. So I went to the San Marcos annual meeting last week, which brings in more than just San Marcos area, and the community – there was actually 40 to 45 people there because later, after I left, they were going to discuss other land use business. But they became very upset that a site had been selected without having a public meeting along Highway 14. The other issue that came up, and I'm making this all very public now because I want it on the record, is that they wanted something right there at San Marcos and I indicated to them that the senior center wasn't just for San Marcos. It was for Highway 14. And they wanted it to be close to the grocery store and I said, excuse me. The people who are coming to a senior center for lunch and activities are not going to walk across the highway to a gas station and a grocery store. They're going to probably drive there with friends or come on a senior van, and that we needed to look at accommodating people all up and down.

The comment that came to me was, well, we should build this one in San Marcos and then build two or three more down Highway 14. And I said, well, we just don't have the money to do that all at once. So I just want you to know that I have asked staff for us to do some kind of public meeting down on Highway 14 and not at San Marcos. Maybe in Cerrillos at the community room or something but to really have some kind of discussion with the community.

COMMISSIONER ANAYA: Mr. Chair, Commissioner Stefanics, I'm appreciative of the comments that you made and I would echo those comments. We have gone through a lengthy process of looking at a facility and it takes in the communities of Golden and Madrid and Cerrillos and Galisteo, including San Marcos. And when you look in proximity to those communities it still makes it a lot closer for the San Marcos community to access the facility, but makes the traveling time for those coming from those outerlying communities a little better. So I appreciate that you made those comments. I would prefer that

we could do the intermediate in two places but the Galisteo community center would be a good place to think about one and possibly, as Commissioner Stefanics suggested, in Madrid or maybe Cerrillos. But I do think that the discussions and the selection wasn't done blindly and it took a balanced approach considering the means of the whole community. But I'm happy to hear so potentially we might have discussion in the March meeting, Ms. Miller. Maybe at the end of the month?

MS. MILLER: Mr. Chair, Commissioner Anaya, probably Mark has a better update on the time schedule where we are on the actual negotiation on the purchase.

MR. HOGAN: Mr. Chair, Commissioners, the update on the Highway 14, the last time we talked we were waiting to get an appraisal back. We're looking at three different lots there. We got that back on the 20th, initiated conversation with the property owners to confirm their willingness to sell. The early indications are looking good. We have a meeting with the homeowners association scheduled for March 15th in which we're going to ask the homeowners association to approve the use for a non-residential use there for this community center. If that goes well then we will initiate direct negotiations on the properties and at the same time we'll probably get a packet produced for a development plan to submit to CDRC to allow that zoning in that area. And at that time when we come back out we would be hoping to be proceeding with contract negotiations in the process and I would imagine that the BCC would not want to approve any contracts until the zoning had been confirmed, and so if we get that in by April 11th, the packet, that would be heard by the CDRC in June. I think it's mid-June. I can't remember exactly the day. And so we would get it on the Commission agenda as soon as possible after that.

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

CHAIR MAYFIELD: Thank you, Commissioners. Anything else, Commissioners? Okay.

VII. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Finance Report for the Month Ending 1/31/2014**

CHAIR MAYFIELD: Commissioners, we are going to go to our informational items. We have reports from individual departments. I know that we typically will pull these off and read them ourselves. I do have one that I would like to have discussed. I don't know if any Commissioners would like to have all of them presented in front of us tonight.

So, Manager Miller, do we have anybody with our Growth Management Department here tonight?

MS. MILLER: Mr. Chair, there may be. I told everybody to stay. I just know they were working in their offices.

CHAIR MAYFIELD: Manager Miller, on that, do we get reports from all of our departments?

MS. MILLER: Mr. Chair, we do. Community Services, we do those in the morning with Housing and the Health issues so they do those a little bit differently and then Public Works and Public Safety and Growth Management, and we still need Administrative Services Department to be added to this.

CHAIR MAYFIELD: We approved a pretty significant contract today on IT and various matters on ASD. I would like to see – and I guess risk management issues. I would like to see a report coming from that department also please.

MS. MILLER: Okay, so risk management statistics, also purchasing, contracts and IT issues.

VII. INFORMATION ITEMS

A. Growth Management Monthly Report

CHAIR MAYFIELD: Thank you. Ms. Miller, Ms. Ellis-Green, thank you and thank you for your report. Very comprehensive. I just was looking at two issues, one particularly pertaining to my district and then just a general one on the SLDC. But on community planning, and I was able to attend one of the County – this is on the Chimayo community plan. I just wanted to let you know, I'm sure your staff has let you know that I had the opportunity to speak with Ms. Ijadi and also Mr. Griego. The County did host a few community meetings up in the district. I did get feedback from some of the district members and they were great community meetings, but – and I don't want to say but, because we are working in conjunction with Rio Arriba County also as that community straddles in and out of two counties regarding how you drive or where you live. I think there's even one individual's business or home that is actually split by the county line that goes through that property.

So we did have two County open houses in the Arboleda Community Center. I have asked staff that they have some in Santa Fe County facilities and they said they would accommodate that and they would just try to do some more outreach with the other community members that brought many issues to our attention. So I just wanted to bring that to your attention, Ms. Ellis-Green.

And then under the SLDC, just looking at the schedule, Ms. Ellis-Green, I see the schedule that's in front of us. I did see a press release, I believe that was pushed out yesterday when I was looking through my email. I'll just let you know; I won't be here June 3, 2014, most likely, for a special Board of County Commission meeting on a second public hearing for adoption. I would like to be at all public hearings for the adoption of a zoning map.

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, Commissioners, yes. This was the schedule that was presented last meeting. Since then we're realized June 3rd is actually the election date.

CHAIR MAYFIELD: I think it's the day before.

MS. ELLIS-GREEN: Okay. But it's so close to that that we'll actually look for another meeting. What I'll do is I'll send out this week some possible dates for May and June to make sure that we have everyone available, and then we will revise this. What we said before is that we will revise the schedule as needed. By doing that it would actually give us a little bit more time for the public input. We only had two weeks and that had been an issue

that Commissioner Anaya brought up at the last meeting. That could allow us a little bit extra time to actually go out and do some office hours in the communities as well.

CHAIR MAYFIELD: Thank you, Ms. Ellis-Green. Commissioners, anything else? Seeing none, I don't believe any other Commissioner wanted to hear any staff reports. Thank you, staff for your great comprehensive reports.

VIII. PUBLIC HEARING

A. Ordinances

1. **Ordinance No. 2014-2 (Amending and Restating Ordinance 2002-08, an Ordinance Governing Tobacco Products Placement, Distribution, Display, and Sales and Establishing Penalties for Violation) to Ensure Conformity with State Law, to Regulate E-Cigarette Sales to Minors and to Insert a Severability Clause (Commissioner Stefanics and Commissioner Anaya) (Final Public Hearing)**

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'll just make a few very brief comments and turn it over to my co-sponsor. My interest in co-sponsoring this is that I am concerned about the minors in our county who might have access to e-cigarettes and there are varied reports on the effects of e-cigarettes – the amount of nicotine and whether or not nicotine continues to set up addiction problems. And I really appreciate what the state legislature tried to do. I appreciate what the City of Santa Fe has been trying to do and other local communities around the state, and this in fact would again prohibit the sale of e-cigarettes to minors in Santa Fe County. Thank you, and I'll turn it over to my co-sponsor.

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

COMMISSIONER ANAYA: Thank you, Mr. Chair. I want to read three of these whereases again. I echo the comments of Commissioner Stefanics and gladly signed on to carry this with her as an ordinance and I will read three whereases.

Whereas, approximately 434,000 Americans die each year of diseases caused by cigarette smoking;

Whereas, the US Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin; and

Whereas, the use of e-cigarettes, which contain nicotine may move minors into a nicotine addiction that may lead to the daily use of tobacco.

As policy makers, as citizens as parents, brothers, sisters, as people, we need to do everything we can to make sure that our youth are as best we can kept away from these things and take action to make sure we do our part. So I thank you again, Mr. Chair, Commissioner Stefanics, and look forward to the passage of this ordinance.

CHAIR MAYFIELD: Commissioners, is there any comment on this proposed ordinance? Commissioners, this is a public hearing. Is there anyone from the public who would care to comment on this ordinance? Seeing none, this portion of the public hearing is closed. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I move for approval of Ordinance No. 2014-2.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: Commissioners, just a brief discussion. I'd like to thank you both for bringing this. I think this is very important for all of our youth and maybe even those that are a little older than our youth could look at this ordinance also. We have to have a roll call.

The motion to approve Ordinance No. 2014-2 passed upon unanimous roll call vote with Commissioners Anaya, Chavez, Holian, Stefanics and Mayfield all voting yea.

CHAIR MAYFIELD: And Clerk Salazar, if I could ask, I don't think any Commissioner would oppose, all of us could maybe sign this ordinance also.

COMMISSIONER STEFANICS: Mr. Chair, just a point or order though I don't want it to hold up the ordinance.

CHAIR MAYFIELD: Oh, no. She'll have it right now. She just has to change the signature page. I think you guys will stay for that. If not, I'll do it.

IX. CONCLUDING BUSINESS

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

Having completed the agenda and with no further business to come before this body, Chair Mayfield declared this meeting adjourned at 6:15 p.m.

Approved by:



Board of County Commissioners
Daniel W. Mayfield, Chair




GERALDINE SALAZAR
SANTA FE COUNTY CLERK

3-25-2014

Respectfully submitted:


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

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: February 25, 2014

TO: Board of County Commissioners

FROM: Bill Taylor, Procurement Manager

VIA: Katherine Miller, County Manager
Adam Leigland, Public Works Department Director
Jeff Trujillo, ASD Director

ITEM AND ISSUE: BCC Meeting February 25, 2014

APPROVAL OF EASEMENT AGREEMENT BETWEEN THE POJOAQUE VALLEY SCHOOL DISTRICT AND SANTA FE COUNTY FOR APPROXIMATELY .736 ACRES ADJACENT TO THE NAMBE COMMUNITY CENTER FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A DRIVEWAY, PARKING LOT AND DRAINAGE IMPROVEMENTS. (BILL TAYLOR, PURCHASING)

BACKGROUND AND SUMMARY:

In 2009 Santa Fe County purchased the former Nambe Elementary School, located at 180 NM State Road 503 in Nambe, New Mexico and renovated it for use as a Community Center. The County constructed a playground, tennis court and basketball court adjacent to the Community Center. In 2013 the County awarded a contract to Souder, Miller and Associates to design additional site improvements. The improvements include grading, drainage control, parking lot improvements, construction of a new driveway, pedestrian pathways, a shade structure and picnic tables. The current driveway off NM 503 is the shared access for the Community Center and the Headstart facility on the School District's property that is operated by Presbyterian Medical Services. The new driveway will improve the safety of that access off the highway. The property owned by the Pojoaque Valley School District is integral to the successful implementation of the driveway, drainage and parking lot improvements. The Pojoaque Valley School District provided a letter of consent for Santa Fe County to undertake design of the proposed improvements in January 2013. The Pojoaque Valley School District has reviewed and approved the final construction plans. The Pojoaque Valley Schools Board of Education approved the easement agreement at their February 12, 2014 meeting.

Between the time that the packet was printed and this BCC meeting, the Pojoaque Valley School Board proposed acceptable amendments to the easement agreement. The version of the agreement attached hereto replaces the agreement in the packet. Please consider approval of this agreement.

ACTION REQUESTED:

Staff requests approval of the Easement Agreement between the Pojoaque Valley School District and Santa Fe County for approximately 0.736 acres adjacent to the Nambe Community Center for the purpose of constructing and maintaining a driveway, parking lot and drainage improvements.

EASEMENT AGREEMENT

This EASEMENT AGREEMENT is made this 24th day of February, 2014 between the Pojoaque Valley School District, a public school district of the State of New Mexico (hereinafter "Grantor"), 1574 State Road 502, Santa Fe, NM 87506, and the County of Santa Fe, a political subdivision of the State of New Mexico, 102 Grant Avenue, Santa Fe, NM 87504-0276 (hereinafter the "Grantee.")

RECITALS

A. Grantor is the fee owner of real property within Section 9, T19N, R9E, NMPM, Nambe Pueblo Grant, Santa Fe County, New Mexico, located on N.M. State Highway 503, approximately 1.7 miles east of the intersection of Highway 285 and 503 in Nambe, New Mexico, as more specifically indicated on Exhibit A, attached hereto and incorporated herein.

B. Pursuant to a 2009 Land Lease Agreement between Grantee and the Robin Martin Revocable Trust, Grantee leases the adjacent property east of Grantor's property described above for a recreational park.

C. Grantee is the fee owner of real property adjacent and east of the property described in B above, more particularly described as Tract 1 within Section 9, T19N, R9E, NMPM, Nambe Pueblo Grant, Santa Fe County, New Mexico.

D. On the property owned and leased by Grantee, Grantee operates and maintains the *Nambe Community Center* and related recreational facilities.

E. Grantee procured the services of an engineer who completed a design for the completion of certain improvements to the property where the *Nambe Community Center* and recreational facilities are located.

F. Grantee's design for the improvements includes construction of a driveway, grading to address drainage issues, and improvements to the parking area which will occur on Grantor's property described in Exhibit A.

G. In order facilitate Grantee's construction and completion of the improvements, Grantor desires to grant to Grantee an easement for ingress and egress and the location of improvements according to the terms and conditions contained in this Agreement.

NOW THEREFORE, for good and valuable consideration, receipt of which is acknowledged by Grantors:

1. Grantor hereby grants and conveys to the County of Santa Fe, its successors and assigns, (hereinafter "Grantee") an easement for the purpose of constructing and utilizing certain improvements for the benefit of the Grantee (the "Easement"). Said Easement is 32,048 square feet within Section 9, R19N, R9E, NMPM, located on N.M. State Highway 503, approximately 1.7 miles east of the

intersection of Highway 285 and 503 in Nambe, New Mexico, as more specifically indicated on Exhibit A. Subject to the approval of the New Mexico Public Education Department and New Mexico Board of Finance, if such approval is required, said Easement is granted on the following terms.

2. Grantor shall review and approve the final design and location of the improvements to be completed on the Easement by the Grantee.
3. Grantee shall be solely responsible for the costs and expense of constructing and maintaining the improvements and any future improvements and shall maintain all improvements on the Easement as needed.
4. Grantee shall maintain public liability insurance coverage on the easement and improvements and any liability on the part of the Grantee is subject to the limitations and immunities in the New Mexico Tort Claims Act, NMSA 1978, § 41-4-1, et seq., as amended. Grantee shall cause its insurer to name Grantor as an additional insured under such coverage.
5. No funds on the part of the Grantor are involved in this easement agreement at this time; however, any future obligations of the Grantor shall be subject to and limited by the availability of sufficient appropriations having been made to Grantor by the legislature of the State of New Mexico. If such circumstances arise in the future, the Grantor's determination as to the sufficiency of appropriations shall be final and not subject to review or challenge by the Grantee.
6. Nothing in this Agreement shall be construed as a waiver of sovereign immunity by the Grantor or Grantee, and any claims with respect to either the Grantor or Grantee arising in connection with this Agreement shall be subject to the privileges and immunities of the New Mexico Tort Claims Act, NMSA 1978, § 41-4-1, et seq., as amended.
7. This Easement shall be interpreted under the laws of the State of New Mexico.
8. This Easement may be executed in counterparts that together will be a single instrument.
9. This Easement may be modified only by a written document signed and notarized and recorded in the official records of Santa Fe County, New Mexico.
10. This Easement shall at all times be deemed to be and shall be a continuous covenant running with the land and shall be binding upon and in favor of Grantor and Grantee for the term of the Land Lease Agreement Between Robin Martin Revocable Trust ("Trust") and Santa Fe County dated October 6, 2009 and any renewals thereof by the Trust and Santa Fe County. This Easement shall automatically terminate upon the termination of said Land Lease Agreement. Notwithstanding the foregoing, in the event the Grantee acquires title to the land

which is subject to the Land Lease Agreement, Grantor and Grantee agree to enter into good faith negotiations for the grant of a permanent easement for ingress, egress and improvements.

11. In the event this Easement is terminated and not renegotiated, all improvements on the Easement shall become the property of the Grantor.

GRANTOR

BOARD OF EDUCATION POJOAQUE VALLEY SCHOOLS

By: J. David Ortiz
Its President

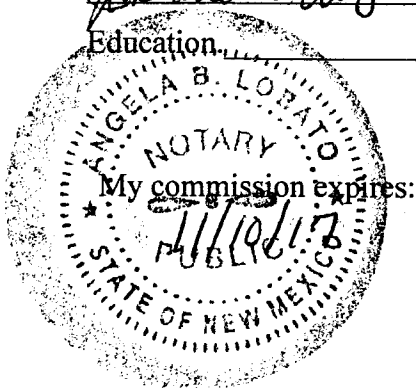
Date: 2-24-2014

[illegible]

This instrument was acknowledged before me on Feb. 24, 2014, by J. David Ortiz, as President of the Pojoaque Valley Schools Board of Education.

Angela B. Lobato

Notary Public



GRANTEE SANTA FE COUNTY

Daniel W. Mayfield, Chair
Santa Fe Board of County Commissioners

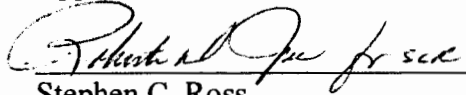
Date _____

ATTEST:

Geraldine Salazar
Santa Fe County Clerk

Date _____

Approved as to form

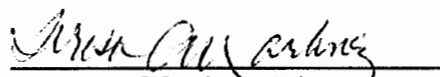


Stephen C. Ross
Santa Fe County Attorney

Date 2/25/14

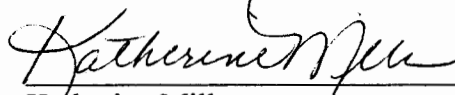
APPROVED

Finance Department



Teresa C. Martinez, Director

Date 2/24/14



Katherine Miller
Santa Fe County Manager

Date 2/25/14



EASEMENT
NAMBE COMMUNITY CENTER

DESCRIPTION of an easement being a portion of Exception 253, Private, Claim 319 and a portion of the lands adjoining on the North as shown on USGLO Supplemental Plat showing Private Claims in Section 9, within the Pojuaque Pueblo Grant, Township 19 North, Range 9 East of The New Mexico Principal Meridian, Santa Fe County, New Mexico. Said easement being more particularly described as follows:

COMMENCING at a found aluminum cap stamped "PS 13839" being a point on the East line of said Pojuaque Pueblo Grant, from which a found USGLO Brass Cap stamped 1/2 Mile bears South 00°04'03" East, 952.09 feet;

Thence North 81°23'05" West, 195.54 feet to a USGLO Brass cap whose marking were "Illegible" being "Corner No. 1" of said Exception 253 P.C. 319 also being the **POINT OF BEGINNING**;

Thence South 10°26'27" East, 259.32 feet to the Southeast corner, stated as "Corner No. 5" of said Exception 253 P.C. 319;

Thence North 65°12'32" West, 160.85 feet;

Thence North 13°18'58" East, 14.19 feet;

Thence North 20°19'50" West, 121.76 feet;

Thence North 11°42'27" West, 53.96 feet;

Thence South 78°46'52" West, 34.29 feet;

Thence North 11°01'59" East, 17.32 feet;

Thence North 89°48'46" East, 178.57 feet;

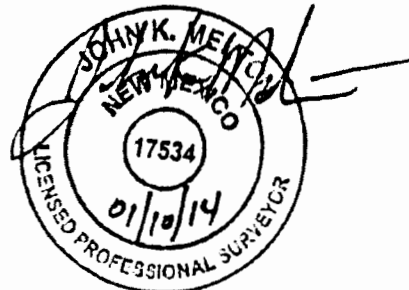
Thence South 10°26'27" West, 4.33 feet to the **POINT OF BEGINNING**.

Said Easement contains 32,048 square feet or 0.736 acres more or less.

Prepared by John K. Melton, LS 17534

Prepared on January 10, 2014

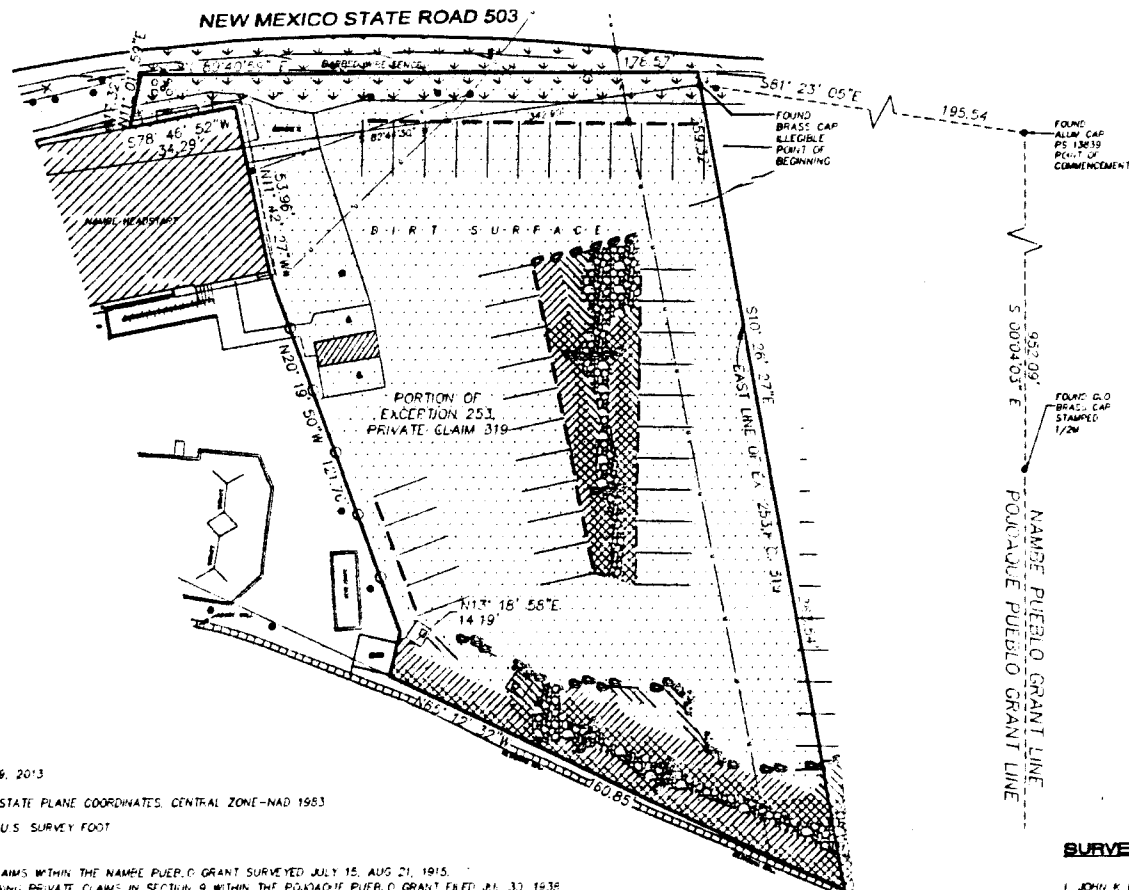
Project Number: 7222607/T1.1



NAMBE COMMUNITY CENTER

Section 9, T. 19 N., R. 9 E., N.M.P.M.

Within Pajarito Pueblo Grant, Santa Fe County, New Mexico
JANUARY 2014



DESCRIPTION.

DESCRIPTION of an easement being a portion of Exception 253, Private Claim 319 and a portion of the lands adjoining on the North, as shown on USGLO Supplemental Plat showing Private Claims in Section 9, within the Pajarito Pueblo Grant, Township 19 North, Range 9 East of the New Mexico Principal Meridian, Santa Fe County, New Mexico. Said easement being more particularly described as follows:

COMMENCING at a found aluminum cap stamped "PS 13839" being a point on the East line of said Pajarito Pueblo Grant, from which a found USGLO Brass Cap stamped 1/2 Mile bears South 00°04'03" East, 952.09 feet;

Thence North 81°23'05" West 195.54 feet to a USGLO Brass cap whose marking were "Magbina" being "Corner No. 1" of said Exception 253 P.C. 319 also being the POINT OF BEGINNING;

Thence South 10°26'27" East, 259.32 feet to the Southeast corner, stated as "Corner No. 5" of said Exception 253 P.C. 319;

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Thence South 10°26'27" West, 4.33 feet to the POINT OF BEGINNING.

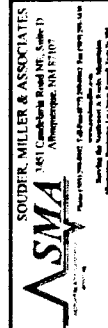
SURVEYOR'S CERTIFICATION

I, JOHN K. MELTON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEW MEXICO, LICENSE NUMBER 117534, DO HEREBY CERTIFY THAT THIS EASEMENT SURVEY WAS PREPARED BY ME, AND THIS SURVEY MEETS THE MINIMUM STANDARDS FOR EASEMENT SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF LICENSES FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

JOHN K. MELTON
NMLS 17534
DATE 01/16/14

Notes

1. FIELD SURVEY PERFORMED ON DECEMBER 9, 2013
2. ALL BEARINGS ARE GRID BEARINGS - N.M. STATE PLANE COORDINATES, CENTRAL ZONE-NAD 1983
3. ALL DISTANCES ARE GROUND DISTANCES - U.S. SURVEY FOOT
4. PLAT REFERENCES
 - 1) USGLO PLAT SHOWING PRIVATE CLAIMS WITHIN THE NAMBE PUEBLO GRANT SURVEYED JULY 15, AUG 21, 1915.
 - 2) USGLO SUPPLEMENTAL PLAT SHOWING PRIVATE CLAIMS IN SECTION 9 WITHIN THE PAJARITO PUEBLO GRANT FILED JUL 30, 1938



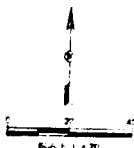
SANTA FE COUNTY, NM
NAMBE COMMUNITY CENTER
Section 9, T. 19 N., R. 9 E., N.M.P.M.
SANTA FE COUNTY NM
FOR THE PROFESSIONAL ENGINEER, P.E.



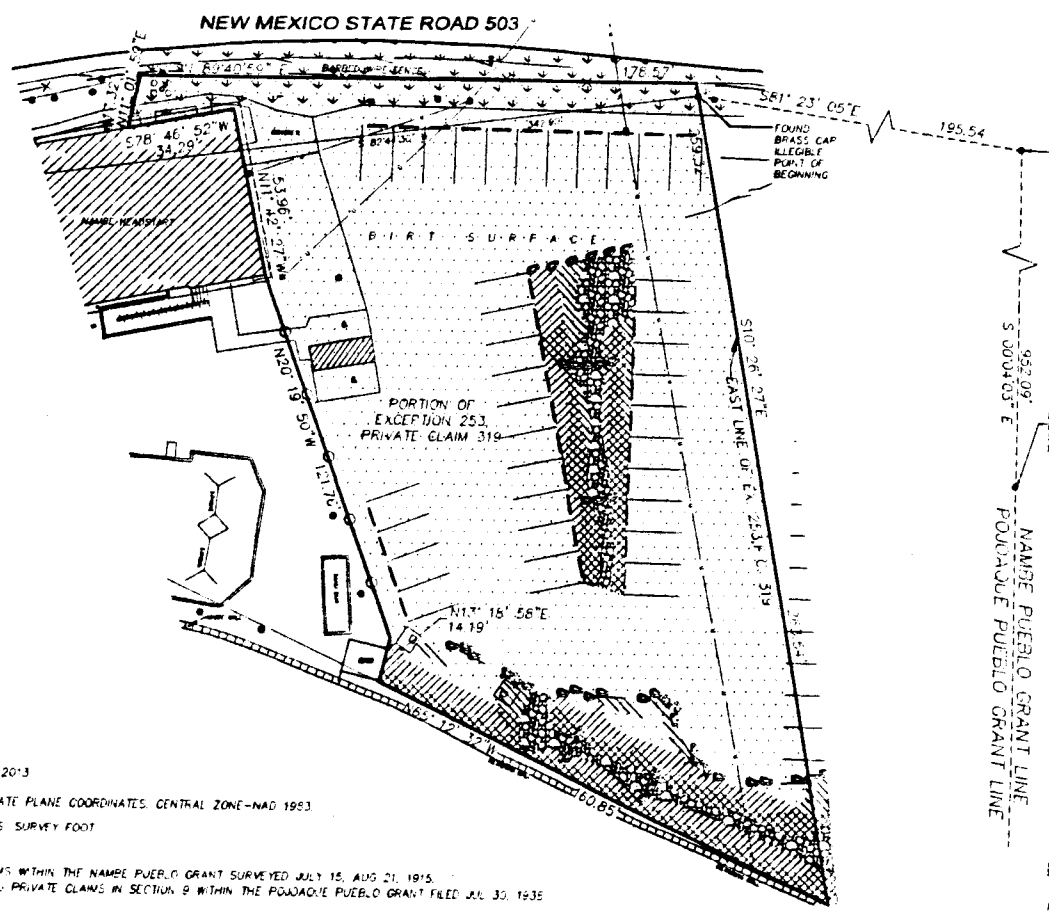
Designed By	Drawn By	Checked By
JKM	JKM	JKM
Date	12-16-2013	
Scale	AS SHOWN	
Project No.	722260	
Sheet	1	

EXHIBIT

A



NAMBE COMMUNITY CENTER
Section 9, T. 19 N., R. 9 E., N.M.P.M.
Within Pajarito Pueblo Grant, Santa Fe County, New Mexico
JANUARY 2014



DESCRIPTION:

DESCRIPTION of an easement being a portion of Exception 253, Private Claim 319 and a portion of the lands adjoining on the North, as shown on USGLO Supplemental Plat showing Private Claims in Section 9, within the Pajarito Pueblo Grant, Township 19 North, Range 9 East of the New Mexico Principal Meridian, Santa Fe County, New Mexico. Said easement being more particularly described as follows:

COMMENCING at a found aluminum cap stamped "PS 13839" being a point on the East line of said Pajarito Pueblo Grant from which a found USGLO Brass Cap stamped 1/2 Mile bears South 00°04'03" East, 952.09 feet.

Thence North 81°23'05" West 195.54 feet to a USGLO Brass cap whose marking were "Ineligible" being "Corner No. 1" of said Exception 253 P.C. 319 also being the POINT OF BEGINNING.

Thence South 10°26'27" East, 259.32 feet to the Southeast corner, stated as "Corner No. 5" of said Exception 253 P.C. 319.

Thence North 85°12'32" West, 160.85 feet;

Thence North 13°18'58" East, 14.19 feet;

Thence North 20°16'50" West, 121.76 feet;

Thence North 11°42'27" West, 53.96 feet;

Thence South 78°46'52" West, 34.29 feet;

Thence North 11°01'58" East, 17.32 feet;

Thence North 89°46'46" East, 178.57 feet;

Thence South 10°26'27" West, 4.33 feet to the POINT OF BEGINNING.

SURVEYOR'S CERTIFICATION

I, JOHN K. MELTON, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEW MEXICO, LICENSE NUMBER 177534, DO HEREBY CERTIFY THAT THIS EASEMENT SURVEY WAS PREPARED BY ME AND THIS SURVEY MEETS THE MINIMUM STANDARDS FOR EASEMENT SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF LICENSES FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

JOHN K. MELTON
N.M.L.S. 177534

01/10/14
DATE

Notes

1. FIELD SURVEY PERFORMED ON DECEMBER 9, 2013
2. ALL BEARINGS ARE GRID BEARINGS N.M. STATE PLANE COORDINATES, CENTRAL ZONE-NAD 1983
3. ALL DISTANCES ARE GROUND DISTANCES, U.S. SURVEY FOOT
4. PLAT REFERENCES:
1) USGLO PLAT SHOWING PRIVATE CLAIMS WITHIN THE NAMBE PUEBLO GRANT SURVEYED JULY 15, AUG 21, 1915.
2) USGLO SUPPLEMENTAL PLAT SHOWING PRIVATE CLAIMS IN SECTION 9 WITHIN THE PAJARITO PUEBLO GRANT FILED JUL 30, 1915

SOLDER MILLER & ASSOCIATES
1801 Cambridge Road NE, Suite D
Albuquerque, NM 87106
Phone: 505.261.1111
Fax: 505.261.1112
www.soldermiller.com

ASMA
ASSOCIATION OF SURVEYING MENTORS AND ASSOCIATES

SANTA FE COUNTY, NM
NAME OF NEW PLAT
NAMBE COMMUNITY CENTER
Section 9, T. 19 N., R. 9 E., N.M.P.M.
SANTA FE COUNTY NM
FROM THE BOUNDARY GROUP, LLC



DATE	DATE	DATE
12-16-2013	01-10-2014	
FILED	FILED	FILED
12-16-2013	01-10-2014	
12-16-2013	01-10-2014	
12-16-2013	01-10-2014	

EXHIBIT
A

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

ORDINANCE NO. 2014-____

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.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:

SECTION 1 – AUTHORITY.

This Ordinance is enacted pursuant to the authority in NMSA 1978, § 4-37-1 (1975) (as amended) to make and publish any ordinance to discharge the powers not inconsistent with statutory or constitutional limitations placed on counties and to exercise powers that are necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the County's inhabitants, and NMSA 1978, § 4-37-3 (1993) (as amended) which permits prosecution of violations of County ordinances in any court of competent jurisdiction.

SECTION 2 – APPLICABILITY.

A. This Ordinance shall be effective within the exterior unincorporated boundaries of Santa Fe County.

B. Santa Fe County government shall pay a living wage as established by this Ordinance to all permanent workers employed by the County. However, the provisions of this sub-section are expressly limited by and subject to union negotiations, as appropriate.

C. As of the effective date of this ordinance, contracts entered into by Santa Fe County government for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance if the total contract amount of the contract is, or by way of amendment becomes, equal to or greater than thirty thousand dollars (\$30,000).

D. Businesses who undertake an economic development project and execute a project participation agreement with Santa Fe County shall pay the living wage established by this Ordinance for the duration of the project.

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. 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

SECTION 3 – FINDINGS.

A. The Board of County Commissioners (hereinafter referred to as "the Board") finds that the public welfare, health, safety and prosperity of citizens of Santa Fe County requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The Board finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. According to the United States Census Bureau:

(1) The average earnings per capita in Santa Fe County is twenty-three percent (23%) below the national average and the cost of living is eighteen percent (18%) above the national average; and

(2) Fifteen and six-tenths percent (15.6%) of residents in Santa Fe County lived below the poverty level between 2007 and 2011;

D. The Board finds that housing costs in Santa Fe County are higher than in most other parts of New Mexico, and low income workers spend a disproportionate percentage of their income sheltering themselves and their families however housing costs for properties south of the City of Santa Fe are generally lower than those closer to the City limits;

E. The Board finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

F. Santa Fe County developed an affordable housing program that requires developers to include affordable homes in each subdivision, down payment assistance, assistance with roof repairs and other housing-related benefits;

G. The Board finds that it has expended public funds to provide summer programs for children residing in the County and to fund medical care for indigent residents; and

H. The Board finds that it is in the public interest to require that employers benefiting from the opportunity to do business in Santa Fe County pay employees a living wage that is adequate to meet the basic needs of living in Santa Fe County.

SECTION 4 – LIVING WAGE PAYMENT REQUIREMENTS.

A. The living wage paid to an employee working for an establishment located in area A on the map attached hereto as Exhibit 1, shall be \$10.11, 500 per hour. The living wage paid to an employee working for an establishment located in Area B on the map attached hereto as Exhibit A, shall be \$9.00 per hour. ~~Beginning January 1, 2015, and each January 1 thereafter, the minimum wage shall be adjusted upward based on the percentage increase, if any, as of August of the immediately preceding year over the level as of August of the previous year, of the~~

~~Consumer Price Index for the Western Region for Urban Wage Earners and Clerical Workers, U.S. City Average for All Items. Santa Fe County shall post the living wage on the Santa Fe County website after this Ordinance becomes effective and prior to each adjustment of the living wage.~~

~~B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid at least a base wage of two five dollars and thircentwenty five cents (\$~~22.55~~13). In the event an employee's wages, including the base wage and retained tips, is not equivalent to the state and federal minimum wage for tipped employees, the employer shall make up the difference to ensure the tipped employee earns at least the state and federal minimum wage. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's cash wage shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient tips combined with the base wage to receive a cash wage at least equal to the living wage, the employer shall make up the difference to ensure the employee receives a cash wage equal to the living wage. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages. Beginning January 1, 2015, and each January 1 thereafter, the base wage shall be adjusted upward based on the percentage increase, if any, as of August of the immediately preceding year over the level as of August of the previous year, of the Consumer Price Index for the Western Region for Urban Wage Earners and Clerical Workers, U.S. City Average for All Items. Santa Fe County shall post the base wage on the Santa Fe County website after this Ordinance becomes effective and prior to each adjustment of the base wage.~~

~~C. Every two years following adoption of this Ordinance, staff shall study the impact of the minimum and base wages established by this Ordinance as well as the economic conditions of the country and the local community, and shall thereafter present their findings as well as recommendations regarding increasing the minimum and/or base wage. Following the staff presentation, the Board of County Commissioners may take action on any justified modifications to the minimum and/or base wage rate through adoption of an amendment to this Ordinance.~~

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SECTION 5 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 6 – REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be guilty of a misdemeanor and, upon conviction, may be punished in accordance with NMSA 1978, Section 4-37-3 (1975)(as amended). A person violating any of the requirements of this Ordinance shall be guilty of a

separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred. This Ordinance may be enforced by a duly authorized code enforcement officer.

B. The County, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 7 – PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an *ex post facto* law or impairment of an existing contract within the meaning of New Mexico Constitution, Article II, §19.

SECTION 8 – SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Board that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 9 – NOTICE POSTING.

Any holder of a Santa Fe County business license shall, as a condition of obtaining or holding a Santa Fe County business license, post and display in a prominent location next to its business license a notice, in English and Spanish, that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 2 and 4 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 10 – PROCEDURE.

Violations of this Ordinance shall be investigated and prosecuted consistent with the process employed concerning alleged violations of the Sustainable Land Development Code, as amended. A complaint form for use in reporting violations of this Ordinance shall be available on the County webpage for use in reporting violations.

SECTION 11 – EFFECTIVE DATE.

This Ordinance shall become effective sixty (60) days after its adoption by the Board.

PASSED, APPROVED AND ADOPTED this ____ day of ____, 2014.
THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By: _____
Daniel W. Mayfield, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney

Santa Fe County Living Wage Areas North/South

Legend

Santa Fe County



Municipalities



Major Roads



Railroad Lines



Area A

Area B



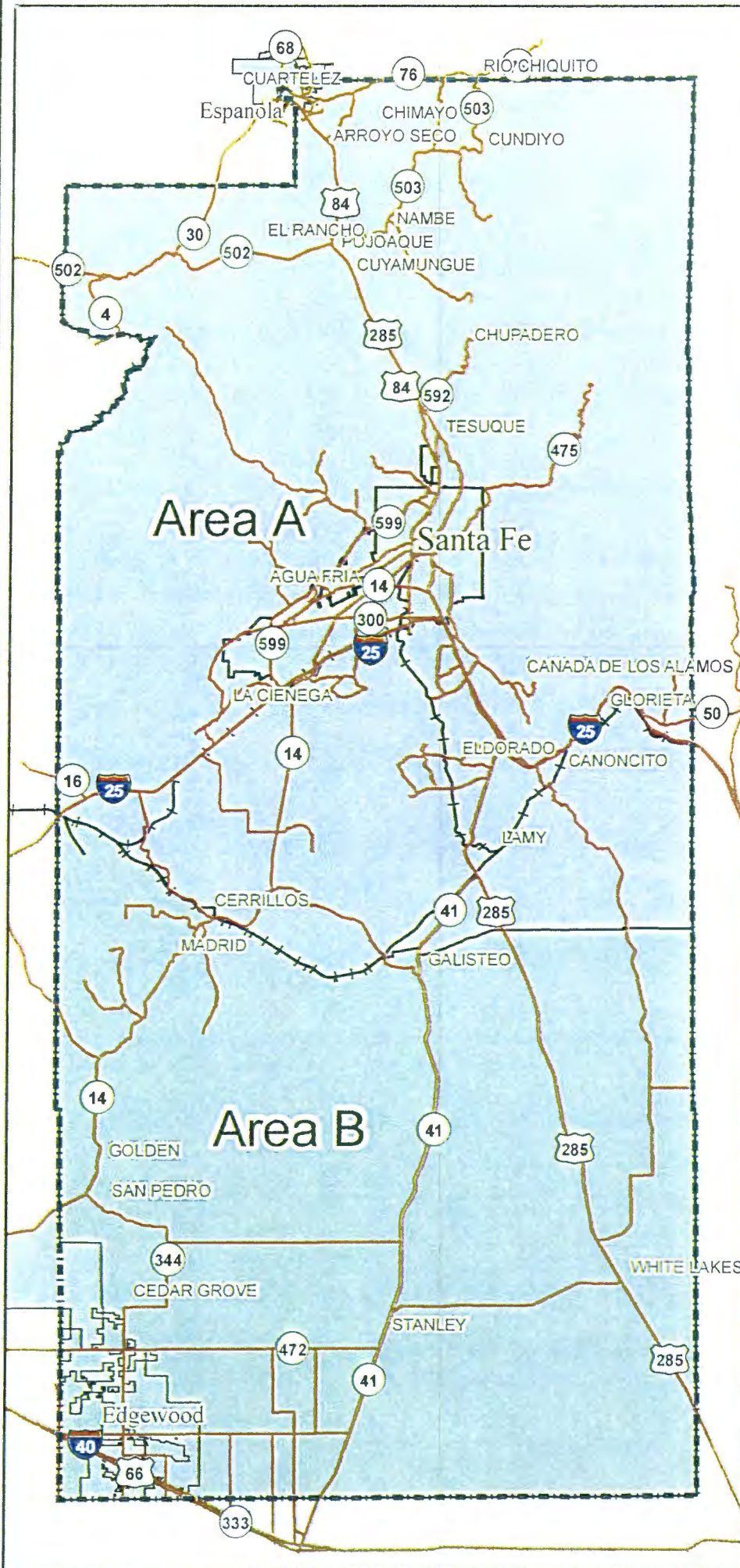
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This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
Users are solely responsible for confirming
data accuracy when necessary.



Santa Fe County
Growth Management
Department
Planning Division

Jan. 31, 2014
living_wage_areas_north_south.mxd



EASEMENT
NAMBE COMMUNITY CENTER

DESCRIPTION of an easement being a portion of Exception 253, Private, Claim 319 and a portion of the lands adjoining on the North as shown on USGLO Supplemental Plat showing Private Claims in Section 9, within the Pojoaque Pueblo Grant, Township 19 North, Range 9 East of The New Mexico Principal Meridian, Santa Fe County, New Mexico, Said easement being more particularly described as follows:

COMMENCING at a found aluminum cap stamped "PS 13839" being a point on the East line of said Pojoaque Pueblo Grant, from which a found USGLO Brass Cap stamped 1/2 Mile bears South $00^{\circ}04'03''$ East, 952.09 feet;

Thence North $81^{\circ}23'05''$ West, 195.54 feet to a USGLO Brass cap whose marking were "Illegible" being "Corner No. I" of said Exception 253 P.C, 319 also being the **POINT OF BEGINNING**;

Thence South $10^{\circ}26'27''$ East, 259.32 feet to the Southeast corner, stated as "Corner No, 5" of said Exception 253 P.C. 319;

Thence North $65^{\circ}12'32''$ West, 160.85 feet;

Thence North $13^{\circ}18'58''$ East, 14.19 feet;

Thence North $20^{\circ}19'50''$ West, 121.76 feet;

Thence North $11^{\circ}42'27''$ West, 53.96 feet;

Thence South $78^{\circ}46'52''$ West, 34.29 feet;

Thence North $11^{\circ}01'59''$ East, 17.32 feet;

Thence North $89^{\circ}48'46''$ East, 178.57 feet;

Thence South $10^{\circ}26'27''$ West, 4.33 feet to the POINT OF BEGINNING.

Said Easement contains 32,048 square feet or 0.736 acres more or less.

Less and Except the property owned by Robin M. Martin, as Trustee of the Robin M. Martin Revocable Trust u/t/s dated July 28, 2005, as said property is shown on Survey Plat for Martin to Pojoaque Valley School, prepared by James D. Crowl, NMLS 5213, dated October 2, 1987 as survey No. L3280-1-2.



Legislative Report

2014

Regular Session

February 25, 2014 Board of County Commissioners Meeting

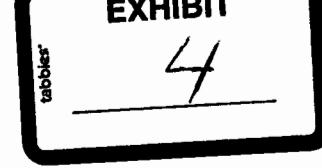


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I. SUMMARY

The Santa Fe County Legislative Team is pleased to present the following report to the Santa Fe County Commission and County Manager on the outcomes of the 2014 State Legislative Session.

The 2014 Legislative session was a 30 day session limited to fiscal issues and items messaged by the Governor for consideration by the legislature. February 20 Session ended

There were 1,081 bills introduced this session. 548 House bills that were introduced; 533 Senate bills were introduced.

Santa Fe County Legislative Team tracked approximately 113 bills related to Santa Fe County Programs and Services.

Resolutions and Action Taken by County Commissioners on Specific Legislation

LEGISLATIVE ACTION TAKEN

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) **HB 15**

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) **HB 220**

LEGISLATIVE ACTION NOT TAKEN

Resolution: 2013-87, Resolution Supporting Notice of Liens

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

Requires 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

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

Provides 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)

III. SIGNIFICANT LEGISLATION AS IT RELATES TO SANTA FE COUNTY

- **Senate Bill 268, Replacing Sole Community Providers with Qualifying Hospitals Sponsored by Senator Nancy Rodriguez**

Senate Public Affairs Committee Substitute for SB 268, SB 314 & Senate Finance Committee Substitute for SB 368 as three times amended (in the Senate)

- The bill is a compromise in which counties agree to continue to assist hospitals with funding shortages.
- SB 268 balances the need for counties to continue to provide indigent health care services to their residents and the need to fund New Mexico hospitals.
- This was a team effort, with the counties contributing approximately \$27 million and the state providing \$9 million, which will be used to leverage federal dollars.
- SB 268 has a three year sunset provision, allowing the state, hospitals, and counties to continue to work on this issue.
- Under this bill as amended, a one-twelfth increment of gross receipts tax (or equivalent) will be transferred to the "Safety Net Care Pool Fund" to make payments to hospitals. This transfer would expire after 3 years (July 1, 2019).
- Under this bill, a one-twelfth increment of gross receipts tax (or equivalent) will be transferred to the "Safety Net Care Pool Fund" to make payments to hospitals. This transfer would expire after five years (July 1, 2019). The bill provides the counties with additional gross receipts taxation authority for general purposes of one-sixteenth percent or one-twelfth percent.

Required Reports:

- Qualifying hospital must report within 30 days of receiving payment from the Safety Net Care Pool Fund the amount of the payment to the county within which it is located.
- Qualifying hospital must report annually to the county in which it is located the total cost of health care services provided in the previous calendar year.
- The Human Services Department must report by July 1 of each year to each county and to each qualifying hospital on the previous calendar year's payments from the Safety Net Care Pool Fund for uncompensated care to qualifying hospitals and estimated payments of enhanced Medicaid base rates.
 - Many statutes are amended or repealed to replace or remove references to sole community provider hospitals and to make conforming changes.
 - Declares an emergency.

Overview of County statutory responsibility and 2014 legislation/SB 268

- The new name of the indigent fund is the County Health Care Assistance Fund.
- The Indigent Hospital and County Health Care Act continues to recognize that “each individual county is the responsible agency for ambulance transportation, hospital care or the provision of health care to indigent patients”, as determined by resolution of the board of county commissioners. The county is also responsible for “providing support for the state’s Medicaid program.”
- All references to the indigent hospital and county health care board are deleted. Instead, it is simply the county that has powers relating to indigent care. A county “may budget for expenditure on ambulance services, burial expenses, hospital or medical expenses for indigent residents.”
- Claims-based and claims review language is deleted. The new legislation authorizes the health care assistance fund to be used for (1) burial/cremation of an indigent person; (2) ambulance transportation, hospital care and health care services for indigent patients; (3) all or part of monthly insurance premiums for indigent patients; (4) all or part of out-of-pocket costs (including copayment/deductibles); and (5) county administrative expenses.
- The safety net care pool fund is created, deleting all references to the SCP fund, as the fund for the state’s Medicaid program. Counties are mandated to dedicate to the safety net care pool fund “an amount equal to a gross receipts tax rate of one-twelfth percent applied to the taxable gross receipts reported during the prior fiscal year”.
- Counties are allowed to enact an ordinance imposing an excise tax of one-twelfth or one-sixteenth percent of gross receipts.
- By separate statute, the county is responsible for burial/cremation of those who are unclaimed or indigent. The 2014 legislation does not touch that statute.
- Hold Harmless

Hold Harmless Legislation did not move forward this legislative session. There will be no change in the new Hold Harmless GRT increments available to counties that choose to enact them, countywide, without referendum.

• House Bill 16: Liquor Excise Tax

The Legislative Team and DWI staff continue to monitor the progress of House Bill 16, Sponsored by Representative Carl Trujillo which cleared both chambers and is awaiting the Governor’s signature. If enacted, House Bill 16 will increase the percentage distribution of the liquor excise tax allocated to the Local DWI fund by 4.5 percent over a three year period starting in Fiscal Year 2016. Preliminary projects provided by DFA, show a significant budget increase to the LDWI fund.

Projected Yearly Increases for Santa Fe County DWI Program

FY16	FY17	FY18
\$279,584.50	\$316,178.30	\$350,797.65

OTHER ENACTED BILLS OF COUNTY INTEREST:

- **Senate Bill 313, General Appropriation Act of 2014 Sponsored by Senator Smith**, Passed. (Identical to HB7): Detention and DWI funding are restored in the general appropriations act

The language in Senate Bill 313, regarding our jail and DWI funds:

1.) The annual transfer of DWI funds to help fund the drug courts. Notwithstanding the provisions of Section 11-6A-3 NMSA 1978 or other substantive law, the internal service funds/interagency transfers appropriation to the special court services program of the administrative office of the courts in the other financing uses category includes five hundred thousand dollars (\$500,000) from the local DWI grant fund for drug courts. Any unexpended balances from appropriations made from the local DWI grant fund remaining at the end of fiscal year 2015 shall revert to the local DWI grant fund.

2.) The Detention Fund appropriation was put back into the budget: (r) County detention of prisoners 3,300.0

3) This bill included language authorizing the state share of money to fund the Safety Net Care Pool. The legislation referred to is Senate Bill 268, which passed. Contingent on enactment of legislation during the second session of the fifty-first legislature establishing a matching contribution from the counties, the general fund appropriation to the medical assistance program of the human services department in the other category includes nine million dollars (\$9,000,000) for safety net care pool payments for hospitals. So, it appears Counties were given back the \$6.6 million that was taken out of jail and DWI funding, to make up the perceived shortfall in funding the hospitals. It was restored in the Senate version of House Bill 2, which passed the House without amendment.

4.) The bill also provided funding to the State Land Office in the amount of \$200,000 to conduct a study to assess the feasibility of acquiring lands identified by the federal bureau of land management as being subject to disposal for the purpose of generating revenue. The state land office shall report the findings and recommendations of the study to the governor and to the legislature. There is potential for acquiring lands for funding for Early Childhood Education.

- **House Bill 51, Right to Farm bill, Sponsored by Representative Harrell**, Passed (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.
- **Senate Bill 190, Firefighters Supplemental Survivor Death Benefit Increase, Sponsored by Senator Woods and Senator Kane** also Passed. This Bill 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.

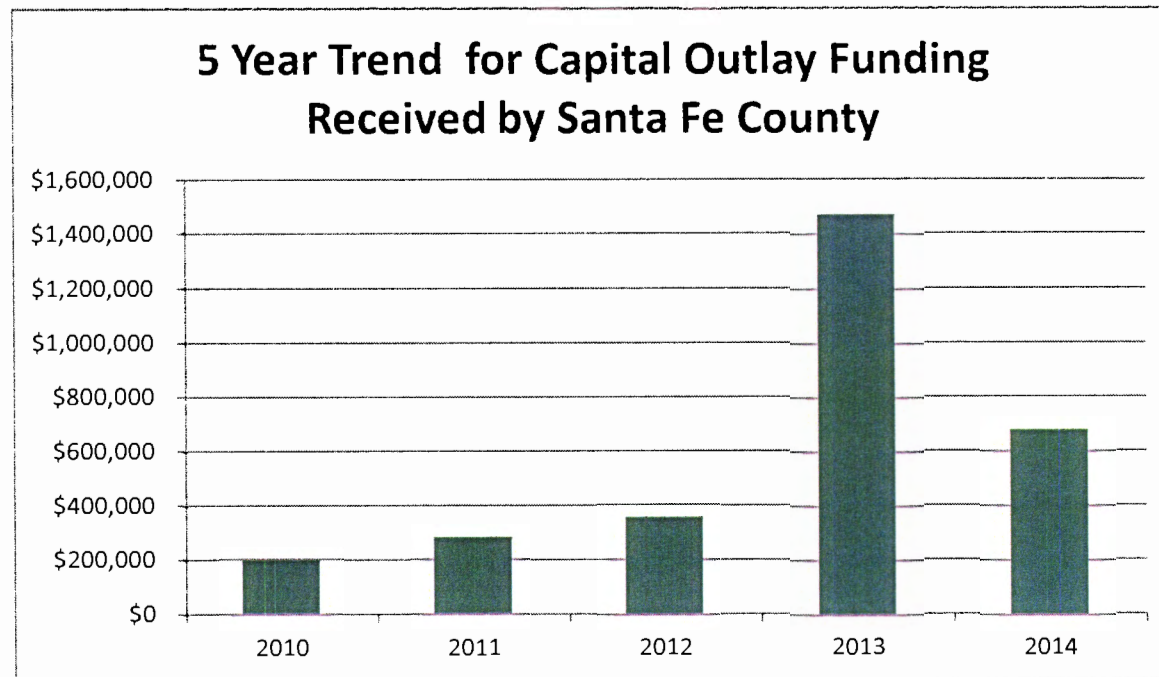
2014 CAPITAL OUTLAY REQUESTS FOR SANTA FE COUNTY

Project	Funding Request	Amount Appropriated in House Bill 55	Commission District
Santa Fe County Fairgrounds	1,500,000	160,000	County Wide
Solarization of Santa Fe County Fire Stations	1,000,000	182,000	County Wide
Pojoaque Sports Fields	400,000	128,000	1
Upgrade Chupadero Water System Phase 1	300,000	100,000	1
Santa Fe Co Romero Park Improvements	1,000,000	0	2
Santa Fe Co Vista Aurora Sewer Systems	102,000	70,000	2
Santa Fe Stanley Wellness Center	1,200,000	0	3
La Cienega Community Center Improvements and Senior Services	530,000	0	3
Santa Fe County NM Hwy 14 Senior/Community Center	800,000	40,000	3 & 5
Santa Fe County La Bajada Water System Improvements	250,000	0	3
Santa Fe Co Potable Bulk Water Project (aka I25/US 285)	165,000	0	4
EAWSO Spur Transmission Line	400,000	0	5
TOTAL	\$ 7,647,000	\$ 680,800	8.90%

2014 Capital Outlay Appropriations for Other Government/Community Requests in Santa Fe County,

Yellow = [Santa Fe County is Fiscal Agent]

Other Government/Community Requests	Funding Request	Amount Received	Commission District
1st Judicial Court House (IT Improvements)	50,000	50,000	County Wide
1st Judicial Court House (Exterior Seating Area)	25,000	25,000	County Wide
El Dorado Water District Ph I Improvements	147,000	147,000	5
El Dorado Water District Ph II Improvements	135,000	135,000	5
Agua Fria MDWCA / Santa Fe County Utility Design	270,000	80,000	2
Agua Fria MDWCA Water System Improvements	500,000	130,000	2
Women's Health Building Renovations	200,000	114,400	1
Vista Grande Library Expansion	10,000	10,000	5
Alamo Lane Improvements	35,000	20,000	2
La Familia Southside Clinic Improvements / Roof	88,000	10,000	2
Santa Fe County Roads - El Dorado	100,000	100,000	5
Edgewood Waste Water Systems Improvement Project	2,038,000	440,000	1
Nambe Pueblo Water System/Tank/Sewer	500,000	150,000	1
San Ildefonso Wastewater Treatment Facility	500,000	5,000	1
Santa Fe Affordable Housing for Vets/Low-income Project	100,000	100,000	County Wide
Acequia del Rancho Improvements Phase I	34,000	34,000	1
Fresquez Ditch Restoration	75,000	50,000	1
Acequia Agua Fria Improvements	80,000	80,000	2
Acequia del Los Trujillos	29,800	30,000	1
Acequia de Los Chupaderos Improvements Head Gates/Liner	50,000	25,000	1
Acequia del Barranco Blanco Improvements	71,700	71,000	1
La Bajada Community Ditch Improvement Project	200,000	20,000	3
Acequia del Los Ranchos Embankment Improvement Project	75,000	75,000	1
Acequia de La Cienega Piping/Gate/Valve/Spillway Improvements	25,000	25,000	3
Acequia de La Cienega Pump System & Well	56,310	75,000	3
Acequia del Rincon Improvements	66,800	67,000	1
Cuarteles Ditch Improvements	75,000	50,000	1
Santa Fe Mountain Center Improvements	60,000	75,000	2
TOTAL	5,596,610	2,193,400	39.19%



V. LEGISLATION PASSED BOTH HOUSES

HOUSE Legislation

House Bills (42)

HB 1 FEED BILL Rick Miera
HB 9 REQUIRE NEWBORN INFANT HEART DISEASE TESTING Nora Espinoza
HB 12 NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS Patricia A. Lundstrom
HB 14 AIRCRAFT PARTS & MAINTENANCE GROSS RECEIPTS James P. White Carlos R. Cisneros
HB 16 LIQUOR TAX DISTRIBUTION TO DWI GRANT FUND Carl Trujillo
HB 19 UPDATE SCHOOL FINANCE AT-RISK INDEX Luciano "Lucky" Varela John M. Sapien
HB 24 COMMERCIAL OR MILITARY CARRIER GROSS RECEIPTS Bob Wooley
HB 30 ALTERNATIVE FUEL TAX DEFINITIONS & PAYMENT Roberto "Bobby" J. Gonzales Timothy M. Keller
HB 32 DIALYSIS FACILITY SERVICE GROSS RECEIPTS Roberto "Bobby" J. Gonzales
HB 33 JUDICIAL RETIREMENT CHANGES Luciano "Lucky" Varela
HB 35 ADDITIONAL FUNDING UNITS FOR SOME SCHOOLS Jimmie C. Hall
HB 42 FILING OF ANNUAL LAND GRANT BOARD REPORTS Tomás E. Salazar Timothy M. Keller
HB 50 BAIL BONDSMAN QUALIFICATIONS & LICENSURE James E. Smith Daniel Ivey-Soto
HB 51 RIGHT TO FARM NUISANCE CHANGES Yvette Herrell
HB 55 2014 WORK NM ACT- SEVERANCE TAX BOND PROJECTS Jim R. Trujillo
HB 58 BRAIN INJURY SERVICES FUND DEFINITIONS Jim R. Trujillo Gay G. Kernan
HB 63 COUNTY DETENTION BEHAVIORAL HEALTH PROJECT James Roger Madalena
HB 92 SCHOOL CHILD SEXUAL ABUSE DETECTION TRAINING David M. Gallegos
HB 99 ADULT FALL RISK & AWARENESS PROGRAM Elizabeth "Liz" Thomson
HB 126 PHARMACY BENEFIT MANAGER ACT Nora Espinoza
HB 141 CREATE ADDITIONAL JUDGEShips Henry Kiki Saavedra
HB 144 NO INSURANCE TAX FOR PRC ELECTIONS ACCOUNT Thomas C. Taylor
HB 152 MEDICAL PRACTICE ACT SUNSET Terry H. McMillan
HB 156 FUEL PRICES & SCHOOL TRANSPORTATION EMERGENCY Mimi Stewart
HB 157 SCHOOL TRANSPORTATION TRAINING FUND Mimi Stewart
HB 181 HUMAN TRAFFICKING RESOURCE CENTER HOTLINE Emily Kane
HB 182 MOVE APPRENTICESHIP ASSISTANCE PROGRAM Rick Miera
HB 185 COMMERCIAL REAL ESTATE BROKER LIEN ACT Antonio "Moe" Maestas
HB 215 EDUCATION TRUST BOARD CHANGES Jim R. Trujillo
HB 216 MAGISTRATE RETIREMENT CHANGES Jim R. Trujillo
HB 222 PUEBLO LEASE OF ADJUDICATED WATER Roberto "Bobby" J. Gonzales
HB 223 CONVENTION CENTER FINANCING ACT DEFINITIONS Roberto "Bobby" J. Gonzales
HB 232 RENEWABLE ENERGY REPORTING DATES George Dodge, Jr.

HB 271 K-12 BREAKFAST AFTER THE BELL PROGRAMS W. Ken Martinez
HB 273 ECONOMIC DEVELOPMENT GRANT & PROGRAM W. Ken Martinez Mary Kay Papen
HB 280 RETURN TO STATUTORY SCHOOL CLASS LOADS Mimi Stewart
HB 287 FIREFIGHTER SUPPLEMENTAL BENEFITS Emily Kane
HB 288 BIODIESEL TAX DEDUCTION Roberto "Bobby" J. Gonzales
HB 328 MINOR PARTY ELECTION NOMINATING PETITIONS Edward C. Sandoval
HB 330 DIPLOMA SEAL OF BILINGUALISM Rick Miera
HB 337 NATIVE AMERICANS IN MEDICAID MANAGED CARE James Roger Madalena
HB 338 PUBLIC DEFENDER DEPT. PERSONNEL POLICIES Gail Chasey Daniel Ivey-Soto

House Joint Memorials (9)

HJM 1 "BETTER HEARING & SPEECH MONTH" Sheryl Williams Stapleton
HJM 4 NM FAMILY CAREGIVER TASK FORCE Tomás E. Salazar
HJM 7 "COLONIAS DAY" Mary Helen Garcia
HJM 8 "NDI NEW MEXICO DAY" Luciano "Lucky" Varela
HJM 10 "NEW MEXICO HUNGER WEEK" Jim R. Trujillo
HJM 11 BID & RFP TRAINING FOR STATE CONTRACTS Stephanie Garcia Richard
HJM 13 KIRTLAND AFB FUEL SPILL CLEANUP Sheryl Williams Stapleton
HJM 15 STUDY PRE-BOOKING DIVERSION PROGRAM Sheryl Williams Stapleton
HJM 18 MANHATTAN PROJECT NATIONAL PARK Stephanie Garcia Richard

House Joint Resolutions (2)

HJR 8 DISPOSAL OF SANTA FE SURPLUS LAND Jim R. Trujillo
HJR 16 LAND GRANT FUND CARE & INVESTMENTS, CA Antonio "Moe" Maestas Timothy M. Keller

SENATE Legislation

Senate Bills (49)

SB 9 ONE-STOP BUSINESS PORTAL ACT Mary Kay Papen Luciano "Lucky" Varela
SB 19 PROHIBIT TEXTING WHILE DRIVING Peter Wirth James E. Smith
SB 21 THEFT OF UTILITY & RAILROAD HARDWARE PENALTY Steven P. Neville
SB 31 LOCAL GOVERNMENT PLANNING FUND Mary Kay Papen
SB 38 METRO COURT BOND FUND RECIPIENTS Jacob Candelaria
SB 41 COMMERCIAL DRIVER'S LICENSE RETESTING Steven P. Neville
SB 44 USE OF "HIGH SCHOOL EQUIVALENCY CREDENTIAL" Gay G. Kernan
SB 49 CO-OP RENEWABLE ENERGY PURCHASE REPORTING Pat Woods
SB 53 GENERAL OBLIGATION BOND PROJECTS Carlos R. Cisneros
SB 56 UPDATE MODEL ACTS OF INSURANCE CODE Carroll H. Leavell
SB 58 COMMUNITY HEALTH WORKERS ACT Mary Kay Papen
SB 69 AFRICAN AMERICAN INFANT MORTALITY PROGRAM Gerald Ortiz y Pino
SB 71 MUNICIPAL HOUSING COMMISSIONER APPOINTMENTS Gerald Ortiz y Pino Don L. Tripp
SB 75 EMERGENCY MEDICATIONS IN SCHOOLS Mark Moores Yvette Herrell
SB 80 EXEMPT HUMATE MINES FROM MINING ACT George K. Munoz
SB 81 UTILITY CHARGES FOR CERTAIN SCHOOLS William H. Payne
SB 84 MAGISTRATE COURT FEES & FUND REVERSION Richard C. Martinez
SB 88 INFUSION THERAPY & MED. SUPPLY GROSS RECEIPTS Mary Kay Papen

SB 98 EMERGENCY MEDICAL SERVICE PROVIDER CHECKS Sander Rue
 SB 106 EXCLUDE NOL CARRYOVER FOR UP TO 20 YEARS Carroll H. Leavell
 SB 110 REAL ESTATE APPRAISER REQUIREMENTS Sander Rue
 SB 112 WATER PROJECT FUND PROJECTS Joseph Cervantes Patricia A. Lundstrom
 SB 116 PERMIT RACETRACK EJECTIONS FOR SOME ACTIONS Mary Kay Papen
 SB 117 SOLE MEMBER LLC TAX STATUS Peter Wirth
 SB 119 EXPEDITED NURSE FROM OTHER STATE LICENSURE Benny Shendo
 SB 122 SCHOOL DISTRICT P.E. REQUIREMENTS Craig Brandt Jason C. Harper
 SB 124 REAL ESTATE FOREIGN BROKER LICENSURE Phil A. Griego
 SB 125 MINOR PARTY ELECTION NOMINATING PETITIONS Daniel Ivey-Soto
 SB 130 SERVICE MEMBER CHILD CUSTODY ACT Daniel Ivey-Soto Nathan P. Cote
 SB 136 FIX OUTDATED CHILD ABUSE NMSA REFERENCE Daniel Ivey-Soto Zachary J. Cook
 SB 140 TAX INCREMENT DISTRICT BASE-YEARS Daniel Ivey-Soto
 SB 153 HOME SCHOOL PROGRAM UNIT CALCULATIONS Craig Brandt
 SB 154 EXTRA LICENSE PLATES FOR PURPLE HEARTS William E. Sharer James P. White
 SB 158 DUAL CREDIT PROGRAM PARITY Daniel Ivey-Soto Dennis J. Roch
 SB 159 EDUCATION TECHNOLOGY INFRASTRUCTURE FUNDING Jacob Candelaria Mimi Stewart
 SB 160 MAGISTRATE RETIREMENT CHANGES Sue Wilson Beffort
 SB 163 CAPITAL OUTLAY REAUTHORIZATIONS Carlos R. Cisneros
 SB 164 PUEBLO LEASE OF ADJUDICATED WATER Carlos R. Cisneros
 SB 169 SUMMER CIVICS SCHOOL COURSES AS ELECTIVES George K. Munoz
 SB 182 CORRECTIONS INDUSTRY DIV. PRODUCT SALES Bill B. O'Neill
 SB 183 CHILDREN'S COURT IMMEDIATE APPEALS Lisa A. Torraco
 SB 206 FOSTER CARE SYSTEM STUDENT TUITION WAIVER George K. Munoz
 SB 252 RACING COMMISSION HEARING PROCEDURE Mary Kay Papen
 SB 268 SOLE COMMUNITY PROVIDER FEDERAL COMPLIANCE Nancy Rodriguez
 SB 304 LEGISLATIVE RETIREMENT TO JUDICIAL RETIREMENT Stuart Ingle Luciano "Lucky" Varela
 SB 307 SCHOOL DISTRICT P.E. & GRADUATION REQUIREMENT Joseph Cervantes
 SB 313 GENERAL APPROPRIATIONS ACT OF 2014 John Arthur Smith
 SB 320 SCHOOL TRANSPORTATION BOUNDARY AGREEMENTS George K. Munoz
 SB 347 LOTTERY TUITION SCHOLARSHIP FUND SOLVENCY Michael S. Sanchez

Senate Joint Memorials (16)

SJM 1 NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY Mary Kay Papen

 SJM 3 CYFD FOSTER CARE REPORTS TO LEGISLATURE Michael Padilla
 SJM 4 STUDY STATE BUILDING BROADBAND INFRASTRUCTURE Jacob Candelaria Debbie A. Rodella
 SJM 5 MEDICAID SERVICES OVERSIGHT COUNCIL Timothy M. Keller Elizabeth "Liz" Thomson
 SJM 6 HEALTH CARE WORK FORCE WORKING GROUP Jacob Candelaria
 SJM 8 SWIFT RESOLUTION OF INTERNATIONAL CONFLICTS Mary Kay Papen
 SJM 9 "COLONIAS DAY AT THE LEGISLATURE" Mary Kay Papen
 SJM 11 VISION FOR HIGH-QUALITY EDUCATION IN NM Jacob Candelaria
 SJM 12 STUDY TRANSPORTING SCHOOL STUDENTS Pat Woods

- SJM 14 STUDY GRANDPARENTS RAISING GRANDCHILDREN Richard C. Martinez
- SJM 16 "PI DAY NEW MEXICO" William Soules
- SJM 20 "NDI NEW MEXICO DAY" John C. Ryan
- SJM 21 "BEHAVIORAL HEALTH DAY" Mary Kay Papen
- SJM 26 CHILD SUPPORT PAYMENT REQUIREMENT EQUITY Richard C. Martinez
- SJM 27 SUPPORT PARTICIPATION BY TAIWAN Michael S. Sanchez
- SJM 28 UNIVERSITY ECONOMIC DEVELOPMENT ASSOC. SUMMIT Richard C. Martinez
- Senate Joint Resolutions (2)**
- SJR 16 JUDICIAL RETENTION ELECTION DATES, CA Daniel Ivey-Soto James E. Smith
- SJR 22 URBAN COUNTIES & COUNTY CHARTERS, CA Gerald Ortiz y Pino

SFC HOUSE and SENATE (2014 Reg)

GREEN = PASSED LEGISLATION BY BOTH CHAMBERS

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: Referred to Committee

Status: 02/12/2014 – House Appropriations and Finance Committee

History: 02/12/2014 – H Note: Motion to refer to HAFC Vote: 34-33.
02/12/2014 – H Referred to House Appropriations & Finance.

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: 2nd House: Passed

Status: 02/20/2014 – Passed in the Senate

History: 02/20/2014 – S Opened for floor debate.
02/20/2014 – S Passed 40-0.

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: 2nd House: Reported from Committees

Status: 02/19/2014 – Senate Finance Committee

History: 02/19/2014 – S Reported without recommendation by Senate Education.

Bill: HB15

Sponsors: Bandy (R3); Keller (D17)

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: 2nd House: Reported from Committees

Status: 02/18/2014 – Senate Calendar

History: 02/18/2014 – S Reported Do Pass by Senate Judiciary.

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: 2nd House: Passed

Status: 02/20/2014 – Passed in the Senate

History: 02/20/2014 – S Opened for floor debate.
02/20/2014 – S Passed 38-0.

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

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 prefled 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: 01/30/2014 – 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: Reported from Committees

Status: 02/19/2014 – Senate Calendar

History: 02/19/2014 – S Committee referrals changed.
02/19/2014 – S Referral withdrawn from Senate Judiciary.

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: 01/29/2014 – H Reported Do Pass by House Agriculture & Water Resources.
01/29/2014 – H Reported Do Pass by House Agriculture & Water Resources.

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.

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: 2nd House: Reported from Committees

Status: 02/19/2014 – Senate Calendar

History: 02/19/2014 – S Committee referrals changed.

02/19/2014 – S Referral withdrawn from Senate Finance.

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: 2nd House: Passed

Status: 02/20/2014 – House concurred with Senate amendments

History: 02/20/2014 – H House concurred with Senate amendments.

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: Reported from Committees

Status: 02/16/2014 – Senate Finance Committee

History: 02/16/2014 – S Reported Do Pass by Senate Public Affairs.

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: 01/31/2014 – 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: 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: 01/29/2014 – H Reported Do Pass by House Agriculture & Water Resources.

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: 01/29/2014 – 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.

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.

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.

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.

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: 02/04/2014 – H Reported Do Pass by House Transportation & Public Works.

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.

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: 02/03/2014 – H Reported without recommendation by House Taxation & Revenue.

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: 02/05/2014 – H Reported Do Pass as amended by House Taxation & Revenue.

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: 2nd House: Passed

Status: 02/18/2014 – Passed in the Senate

History: 02/18/2014 – S Committee referrals changed.

02/18/2014 – S Referral withdrawn from Senate Finance.

02/18/2014 – S Opened for floor debate.

02/18/2014 – S Passed 41-0.

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: Reported from Committees

Status: 02/18/2014 – House Calendar

History: 02/18/2014 – H Reported Do Not Pass but Do Pass as substituted by House Appropriations & Finance.

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.

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.

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: 2nd House: Reported from Committees

Status: 02/19/2014 – Senate Judiciary Committee

History: 02/19/2014 – S Reported Do Pass by Senate Conservation.

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: 2nd House: Referred to Committee

Status: 02/14/2014 – Senate Judiciary Committee

History: 02/14/2014 – S Received in the Senate and referred to Senate Judiciary.
02/14/2014 – S Also referred to Senate Finance.

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: 2nd House: Passed

Status: 02/20/2014 – Passed in the Senate

History: 02/20/2014 – S Opened for floor debate.
 02/20/2014 – S Passed 41-0.

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.

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: 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.

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: 02/05/2014 – H Reported Do Not Pass but Do Pass as substituted without recommendation by House Labor & Human Resources.

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.

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: 2nd House: Reported from Committees

Status: 02/19/2014 – Senate Calendar

History: 02/19/2014 - S Committee referrals changed.
02/19/2014 - S Referral withdrawn from Senate Judiciary.

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:** Vigil, T. (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:** 2nd House: Passed**Status:** 02/19/2014 - Passed in the Senate**History:** 02/19/2014 - S Committee referrals changed.

02/19/2014 - S Referral withdrawn from Senate Finance.

02/19/2014 - S Opened for floor debate.

02/19/2014 - S Passed 38-0.

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:** 01/31/2014 - H Reported Do Pass by House Agriculture & Water Resources.**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.

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: 2nd House: Passed

Status: 02/18/2014 – Passed in the Senate

History: 02/18/2014 – S Opened for floor debate.

02/18/2014 – S Passed 39-0.

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.

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: 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.

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: Appropriations; Transportation

Related: 2014:SB221; 2014:HB116

Progress: 2nd House: Referred to Committee

Status: 02/18/2014 – Senate Finance Committee

History: 02/18/2014 – S Received in the Senate and referred to Senate Finance.

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.

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: 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.

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: Referred to Committee

Status: 02/10/2014 – House Appropriations and Finance Committee

History: 02/10/2014 – H Reported without recommendation by House Labor & Human Resources.

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:** 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.

Bill: HB301**Sponsors:** Gonzales (D42); Cisneros (D6)**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:** 1st House: Referred to Committee**Status:** 02/14/2014 – House Taxation and Revenue Committee**History:** 02/14/2014 – H Reported Do Pass as amended by House Agriculture & Water Resources.

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.

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: 2nd House: Referred to Committee

Status: 02/18/2014 – Senate Rules Committee

History: 02/18/2014 – H Opened for floor debate.

02/18/2014 – H Passed 38-26.

02/18/2014 – S Received in the Senate and referred to Senate Rules.

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: 1st House: Referred to Committee

Status: 02/11/2014 – House Taxation and Revenue Committee

History: 02/11/2014 – H Reported Do Pass as amended by House Transportation & Public Works.

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 & 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.

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.

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.

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.

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:** 1st House: Reported from Committees**Status:** 02/19/2014 – House Calendar**History:** 02/19/2014 – H Reported Do Pass by House Business & 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:** 2nd House: Passed**Status:** 02/19/2014 – Passed in the Senate**History:** 02/19/2014 – S Opened for floor debate.

02/19/2014 – S Passed 39-0.

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.

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.

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.

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: Passed
Status: 02/17/2014 – Signed by Officers of House
History: 02/17/2014 – H Enrolled and engrossed.
02/17/2014 – H Signed by Officers of House.

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)
Related: 2014:HM80; 2014:SB324
Progress: 1st House: Passed
Status: 02/12/2014 – Signed by Officers of House
History: 02/12/2014 – H Enrolled and engrossed.
02/12/2014 – H Signed by Officers of House.

Bill: HM33

Sponsors: Brown (R55)

Title: STUDY OF UNCAPPED, ABANDONED 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; County Affairs; Municipalities/City Government; Energy Resources and Chemicals; State Affairs and State Agencies; Interim Studies and Interim Committees

Progress: 1st House: Passed

Status: 02/18/2014 – Signed by Officers of House

History: 02/18/2014 – H Enrolled and engrossed.

02/18/2014 – H Signed by Officers of House.

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: 1st House: Passed

Status: 02/18/2014 – Signed by Officers of House

History: 02/18/2014 – H Enrolled and engrossed.

02/18/2014 – H Signed by Officers of House.

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: 1st House: Passed

Status: 02/13/2014 – Enrolled and Engrossed

History: 02/13/2014 – H Enrolled and engrossed.

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: 1st House: Reported from Committees

Status: 02/13/2014 – House Calendar

History: 02/13/2014 – H Reported Do Pass by House Judiciary.

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.
Subjects: Land, Housing and Real Estate; Appropriations; State Affairs and State Agencies; County Affairs; Schools and Teachers
Progress: 1st House: Reported from Committees
Status: 01/31/2014 – Senate Finance Committee
History: 01/31/2014 – S Reported Do Pass as amended by Senate Conservation.

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: 01/29/2014 – S Reported Do Pass by Senate Public Affairs.

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: 02/03/2014 – S Reported germane by Senate Committee on Committees.

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: 2nd House: Passed
Status: 02/19/2014 – Passed in the House
History: 02/19/2014 – H Reported Do Pass by House Taxation & Revenue.
02/19/2014 – H Opened for floor debate.
02/19/2014 – H Passed 64-0.

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: 02/11/2014 – Senate Finance Committee

History: 02/11/2014 – S Reported without recommendation by Senate Corporations & Transportation.

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: 02/05/2014 – S Reported Do Pass by Senate Public Affairs.

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

Status: 02/07/2014 – Senate Finance Committee

History: 02/07/2014 – S Reported Do Pass by Senate Education.

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: 2nd House: Passed
Status: 02/18/2014 – Passed in the House
History: 02/18/2014 – H Opened for floor debate.
02/18/2014 – H Passed 65-0.

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: 02/11/2014 – Senate Finance Committee
History: 02/11/2014 – S Reported without recommendation by Senate Corporations & Transportation.

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: 02/03/2014 – S Reported Do Pass by Senate Public Affairs.

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: Reported from Committees
Status: 02/16/2014 – Senate Finance Committee
History: 02/16/2014 – S Reported Do Pass by Senate Conservation.

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.
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: 01/29/2014 – 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: 2nd House: Referred to Committee

Status: 02/19/2014 – House Transportation and Public Works Committee

History: 02/19/2014 – S Opened for floor debate.

02/19/2014 – S Passed 20-19.

02/19/2014 – H Received in the House and referred to House Transportation & Public Works.

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: 02/11/2014 – Senate Finance Committee

History: 02/11/2014 – S Reported without recommendation by Senate Corporations & Transportation.

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: 02/07/2014 – S Reported Do Pass by Senate Public Affairs.

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: 02/11/2014 – Senate Finance Committee
History: 02/11/2014 – S Reported Do Pass by Senate Corporations & Transportation.

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: 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: Reported from Committees
Status: 02/07/2014 – Senate Calendar
History: 02/07/2014 – S Reported Do Pass as amended by Senate Public Affairs.

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: 02/05/2014 – S Reported Do Pass by Senate Public Affairs.

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.

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: 02/03/2014 – S Reported germane by Senate Committee on Committees.

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: 02/03/2014 – S Reported germane by Senate Committee on Committees.

Bill: SB263

Sponsors: Sanchez, M. (D29); Bratton (R62)

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: 2nd House: Referred to Committee

Status: 02/17/2014 – House Business and Industry Committee

History: 02/17/2014 – H Received in the House and referred to House Business & Industry.

02/17/2014 – H Also referred to House Taxation & Revenue.

Bill: SB268

Sponsors: Rodriguez (D24)

Title: REPLACING SOLE COMMUNITY PROVIDERS WITH QUALIFYING HOSPITALS

Summary: SPAC substitute for SB0268, SB0314 and SFC substitute for SB0368 blends the three proposals regarding replacement in the wake of federal regulatory change of sole community provider hospital funding with funding for qualifying hospitals and indigent care.

Subjects: Health and Medical Practice; County Affairs; State Affairs and State Agencies; Taxation and Fees

Related: 2014:SB314; 2014:HB350

Progress: 2nd House: Passed

Status: 02/19/2014 – Passed in the House

History: 02/19/2014 – H Reported Do Pass by House Taxation & Revenue.
02/19/2014 – H Opened for floor debate.
02/19/2014 – H Passed 55-10.

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.

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: 02/04/2014 – S Reported germane by Senate Committee on Committees.

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: Reported from Committees

Status: 02/13/2014 – Senate Finance Committee

History: 02/13/2014 – S Reported Do Pass by Senate Corporations & Transportation.

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: Reported from Committees

Status: 02/16/2014 – Senate Finance Committee

History: 02/16/2014 – S Reported without recommendation as amended by Senate Education.

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: 2nd House: Passed

Status: 02/19/2014 – Passed in the House

History: 02/19/2014 – H Received in the House and referred to House Appropriations & Finance.

02/19/2014 – H Reported Do Pass by House Appropriations & Finance.

02/19/2014 – H Opened for floor debate.

02/19/2014 – H Passed 58-8.

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: 02/13/2014 – Substituted by another bill
History: 02/13/2014 – S Substituted in Senate Public Affairs by SB268. See SB268 for succeeding entries..

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: 02/12/2014 – Senate Finance Committee
History: 02/12/2014 – S Reported Do Pass by Senate Public Affairs.

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.
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: 02/13/2014 – Substituted by another bill
History: 02/13/2014 – S Substituted in Senate Public Affairs by SB268. See SB268 for succeeding entries..

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: 1st House: Reported from Committees

Status: 02/18/2014 – Senate Calendar

History: 02/18/2014 – S Reported Do Pass by Senate Public Affairs.



County Manager's Monthly

From the Santa Fe County Manager

EXHIBIT

5

VOLUME 1, ISSUE 2

FEBRUARY 2014

Board Of County Commissioners Upcoming Schedule

- February 25 at 1pm
- March 11 at 2pm
- March 25 at 1pm
- April 8 at 2pm
- April 29 at 1pm
- May 13 at 2pm
- May 27 at 1pm
- June 10 at 2pm
- June 24 at 1pm
- July 8 at 2 pm
- July, 29 at 1pm

All Meetings are held
on Tuesday in the
County Commission
Chambers

All meetings are
broadcast live at
www.santafecountynm.gov
and on Comcast Ch. 28
or you can listen live on
Que Suave AM810

Caja Del Rio Road Improvement Project Saves Over \$200,000

Santa Fe County recently completed the Caja Del Rio Road Improvement Project and upon the completion had total project savings of over \$200,000 and a reduced completion time. The cost savings and shorter project time came from an extensive coordination between the Public Works Department, Public Safety Department, Public Information Office, City of Santa Fe, local business and homeowners and the Contractor. The coordination allowed for a full road closure and work performed overnight, in place of building temporary roads, which for installing a necessary culvert. Also, without constructing and removing the temporary roads the project was completed six weeks earlier.



"This is a great example of the teamwork across the County and with the Contractor to have a successfully coordinated project and save taxpayer money,"
Said Chuck Vigil, Road Projects Manager.

The Caja Del Rio Road Improvement Project included the rehabilitation of 1.9 miles of existing asphalt surface to withstand current traffic demands and widening the road to accommodate bicycle lanes.

Public Input Needed on Draft Economic Development Plan

Santa Fe County is in the process of adopting a new Economic Development Plan and is seeking public input. The plan will implement the target industries identified in the Economic Development chapter of the Sustainable Growth Management Plan. The adoption of the new policy will replace the previous Community Business Plan of 2005. The draft plan was presented to the Board of County Commissioners at the February 11, 2014 regular meeting.

The Draft Economic Plan is available online at www.santafecountynm.gov under Hot Topics, along with a copy of the proposed appendix. Santa Fe County will be accepting public comment through Friday, February 28, 2014 at 5 p.m.

If you would like to submit a comment please email dgriscom@santafecountynm.gov.

Santa Fe County at the New Mexico Association of Counties Conference



The Santa Fe County Risk Management Division staff completed five years of the New Mexico Association of Counties Risk Awareness Program and reducing Workers' Compensation claims by 27 percent. In addition to the reduction in claims, the Risk Management Division received the Honorable Mention Safety Award for Division V, Class A Counties.

Santa Fe County New Mexico Edge Graduates Enrolled in the New Mexico Certified Public Official Program. Katherine Miller/ County Manager, Lisa Griego/ Public Works, Elsa Ornelas-Segura/ ASD Risk Management, Theresa Romero/ Treasurer's Office (New Mexico Certified Treasury Certification), Gary Perez/ Assessor's Office, Deborah Garcia/ Growth Management (not pictured).



Santa Fe County Adult Corrections Facility Received the New Mexico Local Accreditation Program Certificate From the New Mexico Association of Counties. Santa Fe County's Accreditation was acknowledged during the Closing Session for New Mexico Association of Counties.

COUNTY MANAGER'S MONTHLY MEMO



Stay Connected With SFC



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Follow us on Twitter

Address:
102 Grant Ave
Santa Fe, NM 87501-2061

Phone:
Santa Fe County Main Line

(505) 986-6200

Frequently Called Numbers:

Santa Fe County Assessor's Office – (505) 986-6300
Santa Fe County Clerk's Office – (505) 986-6280
Santa Fe County Treasurer's Office – (505) 986-6245
Santa Fe County Sheriff's Office – (505) 986-2455
SFC Adult Correctional Facility – (505) 428-3861

www.santafecountynm.gov

Other Important Numbers

Building Permits 505-986-6225
Fire Questions/ Burn Permit—505-992-3070
Utilities—505-992-9870
Public Works / Roads—505-992-3010
Human Resources—505-992-9880
Community Services—505-986-6274
Attorney's Office—505-326-6279
Teen Court—505-995-9555
Animal Control—505-992-1626

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Join Santa Fe County Public Safety
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505-992-9880
www.SantaFeCountyNM.gov/Hero



Santa Fe County and Charter School Team Up!

Santa Fe County Volunteer Coordinator, Carol Branch recently submitted a proposal to the Masters Program Charter School, that would eventually lead to the creation of a 10 weeks course. The class meets weekly on Friday afternoons, with the first class started on January 31, 2014. County Staff and 12 students along with their instructor Jody LeFevers are learning about our public lands and helping improve them through several projects.

These projects consist of trail building and maintenance, erosion control, building of dams, identification and removal of non-native trees, fire prevention and actual thinning of trees, building and repairing fences, transplanting trees, planting flower gardens and many other beautification ventures throughout the county.

The total volunteer hours will equal about 300 and save thousands of dollars for Santa Fe County.

The Masters Program is a blended academic program, combining high school level courses and dual credit college courses. Students have the choice of participating in several different community service projects including a public lands course. The Charter School located on the campus of the Santa Fe Community College.

What's Happening in Brief at SFC

Santa Fe County Regional Emergency Dispatch Center (RECC) gets New System

RECC recently started using new system that will allow for faster response times to emergencies. The new system uses GPS devices on police units to identify, where the units are and which one is closest to the scene.

Ken Martinez, RECC director stated the new system will allow dispatchers to send the closest officer, reduce confusion and increase officer safety.

Santa Fe County Suspects Scam

The Santa Fe County Community Services Department

recently sent out notification to residents regarding a suspected scam.

Seniors are reporting receiving phone calls from individuals who claim they were contacted to do chore services for the senior.

What you need to know— These "Chore" services are not being coordinated through Santa Fe County.

If you receive this type of solicitation for services you are asked to call the Santa Fe County non-emergency dispatch number – 428-3720 – to report the incident. Santa Fe County Sheriff's Department has been notified of this suspected scam.

Mobile Health Van

The Santa Fe County Mobile Health Van (MHV) travels around Santa Fe County providing free health screenings including: Blood Pressure Screenings, Blood Glucose Checks, Adult Flu shots, Oxygen Assessments, Cholesterol Checks and medication review. To view a monthly schedule visit

www.santafecountynm.gov and click Mobile Health Van from the Services dropdown or call 505-992-9849.



**County Manager
Katherine Miller**

Resident Says "Thank You" to SFC FIRE

Dear Chief Sperling,

In December I dislocated my hip and had to call 911 for an ambulance. At the time, I did not know if my hip was dislocated or broken, but the pain was intense. The first paramedics to arrive were professional and caring. Their calm demeanor diffused a lot of anxiety experienced by both my husband and myself. The second paramedics to respond with the ambulance were equally as professional and caring.

Upon arrival at Christus St. Vincent's Emergency, we discovered that they were extremely busy that evening and our wait was about two hours before we got a room. During this entire time, J. Black, J. Dominquez, C. Moya stayed with me, always checking on my comfort and kept my husband informed about the delay.

I know that the paramedics could have been doing

other things besides waiting with me until a room was assigned, but they never made me feel like they were being inconvenienced.

Firefighter R. Martinez also responded to the call and deserves equal praise and gratitude. He drove the truck back to the station, while the others were in the ambulance with me.

My husband and I just wanted you to know how much it meant to us to have such capable young men taking care of this situation. Santa Fe County Fire Department should be proud of them, we are.

Sincerely,
JT

**this letter was modified for privacy and shortened for publication*

Congrats County Treasurer Varela



Treasurer Varela was recently elected the chairman of the New Mexico Association of Counties Treasurers affiliate. Santa Fe County has not had a Treasurer chair this committee in almost 25 years!

County Attorney Writes Feature Article for Winter Newsletter

Our very own Santa Fe County Attorney, Stephen Ross recently had an article titled *The Unusual Role of Elected County Clerks in Resolving the Question of Same-Sex Marriage in New Mexico* published in the Winter State and Local Law News Newsletter. If you want to read a copy of the article, you can find one in the Santa Fe County Attorney's Office.

Santa Fe County has joined 16 states that permit same-sex marriage. Santa Fe County Clerk, Geraldine Salazar began issuing marriage licenses to same-sex couples on August 23, 2014. The first same-sex marriage took place within an hour after receiving the license from the County Clerk.

Santa Fe County Adult Detention Facility Receives Accreditation

The New Mexico Local Government Accreditation Program Adult Detention Professional Standards Council (ADPSC) recently announced the Santa Fe County Adult Detention Facility attained accreditation by the ADPSC. The accreditation is based on the facilities demonstration to

"The Adult Facility staff works hard and it is an honor for their hard work to be recognized through an accreditation. The Accreditation Process is a three year process and SFCADF achieved this within 20 months," said Pablo Sedillo III, Public Safety Director.

implement and adhere to ADPSC accreditation standards, which serve to enhance the functioning and professionalism of detention facilities in New Mexico. There are 209 New Mexico Association of County Standards that must be complied with for the accreditation. The accreditation is a three year award.

Upcoming Aamodt Workshops and Office Hours

Santa Fe County is sponsoring workshops and office hours to inform the public of the Pojoaque Valley Pueblos' water right settlement and the options which the Court has asked non-Pueblo water right owners to make.

Upcoming Workshops (registration is required) To register contact Darcy Bushnell 505-277-0551 or bushnell@law.unm.edu

All workshops will be held from 6 p.m. to 8 p.m.

Tuesday, Feb. 25 – Nambé Community Center, 180 A State Rd. 503
Thursday, Feb. 27 – Rio en Medio/ Chupadero Community Center, 1 El Alto Road
Tuesday, March 4 – El Rancho Community Center, 394 County Road 84, El Rancho
Thursday, March 6 – Pojoaque Satellite Office, Next to True Value
Tuesday, March 11 – Nambé Community Center, 180 A State Rd. 503
Thursday, March 13 – Tesuque Elementary School Library, 1555 Bishop's Lodge Road
Tuesday, March 18 – El Rancho Community Center, 394 County Road 84
Thursday, March 20 – Pojoaque Satellite Office, Next to True Value
Tuesday, March 25 – Nambé Community Center, 180 A State Rd. 503
Thursday, March 27 – Tesuque Elementary School Library, 1555 Bishop's Lodge Road
Tuesday, April 1 – El Rancho Community Center, 394 County Road 84
Thursday, April 3 – Pojoaque Satellite Office, Next to True Value

Office Hours

Office Hours will be held at the Santa Fe County Pojoaque Satellite Office, 5 West Gutierrez, Suite 9, Pojoaque, NM (in the Pojoaque Pueblo Plaza) Every Wednesday between Feb. 26 – April 2 from 6 p.m. to 8 p.m.

Every Saturday between March 1 – April 5 from 10 a.m. – 2 p.m.

For More Information Visit www.santafecountynm.gov and click Aamodt Settlement Information under Hot Topics

The Wall That Heals

The Traveling Vietnam Veterans Memorial and Museum

March 20—24, 2014

Admission is FREE

**On Display at the Fort Marcy Ball Park
(just north on the Old Taos Highway on
Morales Road)**

March 20 at 11 a.m. – Welcoming Ceremony
March 22 at 3 p.m. – Reading of 398 New Mexico Names on the Wall followed by a Candlelight vigil
March 23 at 11 a.m. – Honoring Ceremonies

Viewing is permitted 24/7 from March 20- March 24

WWW.SANTAFECOUNTYNM.GOV