



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 108

I Hereby Certify That This Instrument Was Filed for
Record On The 1ST Day Of May, 2013 at 12:22:51 PM
And Was Duly Recorded as Instrument # **1704204**
Of The Records Of Santa Fe County

Deputy *Marcella [Signature]* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETINNG

March 26, 2013

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

REC SEEN RECORDED 05/01/2013

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

March 26, 2013

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

Employees of the Housing Division Sandy Lucero and Deanna Lopez led the Pledge of Allegiance and State Pledge, following roll call by Deputy County Clerk Vicki Trujillo, which 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]

V. MOMENT OF REFLECTION

The Moment of Reflection was led by Tracey Young of the Housing Division.

CHAIR HOLIAN: And now Commissioner Anaya would like to speak in remembrance of Alex Juan Contreras, son of Socorro Ojeda from our GIS Department.

COMMISSIONER ANAYA: Madam Chair, thank you. In this moment we think about the passing of a young man with a lot of spirit, the son of Socorro, Nick, the grandson of Zulema, leaving behind his brother Carlos, many, many friends and family. Let's reflect upon life, let's reflect upon his good deeds, let's reflect upon our own family and our own friends, and please have in your prayers and in your minds and in your hearts the phase of life that goes on now, and then the lives of Socorro, Nick, Carlos and the rest of the family. Another moment of silence for Alex Juan, in your honor. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Commissioner.

VI. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, the agenda is as published as of last Thursday.

CHAIR HOLIAN: Any changes, Commissioners?

COMMISSIONER STEFANICS: Madam Chair, do you have somebody here for IX. A?

CHAIR HOLIAN: I don't believe so. Is anybody here for the Glorieta proclamation?

COMMISSIONER STEFANICS: Well, I'd like to request that IX. C be put up because I do have a guest here.

CHAIR HOLIAN: Okay. And what about IX. D?

COMMISSIONER STEFANICS: IX. D can happen at any time because they're not coming.

CHAIR HOLIAN: Okay. Any other changes?

COMMISSIONER CHAVEZ: Do you want to make that as an amendment?

COMMISSIONER STEFANICS: Yes. I'd like to amend the agenda to move IX. C and renumber according.

COMMISSIONER CHAVEZ: If that's a motion I'll second.

CHAIR HOLIAN: Okay I have a motion and a second for approval of the amended agenda.

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

VII. APPROVAL OF CONSENT CALENDAR

A. Consent Calendar Withdrawals

CHAIR HOLIAN: Are there any withdrawals that the Commissioners would like to make?

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Yes.

COMMISSIONER CHAVEZ: I'd like to pull off the Consent Calendar, I'd like to pull off CDRC Case #5-12-5060, the Jay Shapiro Variance.

CHAIR HOLIAN: Okay. Any other withdrawals?

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: I'd like pull off B. 1 please.

CHAIR HOLIAN: Okay. XII. B. 1. Any others? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, C. 1

CHAIR HOLIAN: Okay, now there are resolutions on the Consent Calendar, so first I will ask is there anyone here from the public who would like to speak to the Board on any of the resolutions? Seeing none, is there a motion for approval of the rest of the Consent Calendar?

COMMISSIONER ANAYA: So moved, Madam Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Okay, I have a motion and a second.

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

OFFICE OF THE COUNTY CLERK
RECORDED BY 21/2013

SFC CLERK RECORDED 03/27/2013

VIII. APPROVAL OF MINUTES

A. Approval of February 26, 2013 BCC Meeting Minutes

COMMISSIONER MAYFIELD: I will take these one at a time. Any changes?

COMMISSIONER ANAYA: Move for approval, Madam Chair.

CHAIR HOLIAN: We have a motion.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: I have a motion and a second.

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

VIII. B. Approval of BCC Orientation Session Minutes, February 8, 2013

COMMISSIONER ANAYA: Move for approval, Madam Chair.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Okay, we have a motion and a second.

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

VIII. C. Approval of BCC Affordable Housing Meeting Minutes, November, 27, 2012

CHAIR HOLIAN: Are there any changes?

COMMISSIONER STEFANICS: I'd move for approval.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: I have a motion and a second.

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

IX. PROCLAMATIONS AND PRESENTATIONS

C. Recognition of Santa Fe Public Schools Board of Education Outgoing Members, Barbara Gudwin, District 3 and Frank Montaño, District 5

COMMISSIONER STEFANICS: Thank you very much, Madam Chair, and I know that this certificate of appreciation is not just coming from me but from the entire Board of County Commissioners. We know that to be elected to public office and to serve on a board and to take care of all the constituents of the district and the entire school district is a challenge, and we truly appreciate it. We do have a certificate of appreciation for Barbara Gudwin, who is here this afternoon, and Frank Montaño, who was invited but I believe chose – he had some other conflicts.

Both of them indicate the Santa Fe Board of County Commissioners hereby acknowledges Barbara Gudwin and Frank Montañó, respectively, Santa Fe Public Schools Board of Education, recognizing their public service to the students and families of Santa Fe County and safeguarding the educational process, and preparing youth in making decisions about their future. Therefore, the Board of County Commissioners presents these certificates on this 26th day of March 2013, with everyone signed. It's not a motion; it's just certificates.

And I truly do appreciate – there's lots of ups and downs on any board but the budget process for public schools and public education, you want to do the best thing. You've gone through some changes in the administration at the school district and we appreciate that it's not always easy, and wanted to commend both of you for your work on this board. And I'd open it up for other comments before we go take a picture.

CHAIR HOLIAN: Commissioner Chavez and then Commissioner Anaya.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. And I know that my former colleague, Frank Montañó was not able to attend but I do want to expand on his contribution just a bit and I say that only because I got to know him during his tenure as a City Councilor and actually worked on probably more than one of his campaigns. And so Frank Montañó grew up here, graduated from St. Mike's and has made a contribution to our community in many different ways – as a City Councilor, as a small business man with Fiesta Tours, providing, I think, a very significant feature in our city with his tours and making sure that the information that he's giving to our visitors is historically accurate. And I know he and his staff go through great pains to make sure that they're telling the story the way that it should be told and that it's accurate.

And so Frank has been committed to the community, he's made that contribution, he's dealt with many of the issues that we are dealing with today as far as growth issues between the City and the County. So I just wanted to highlight that just a little bit and to personally to Frank and his family. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, ditto the comments of Commissioner Chavez, Commissioner Stefanics. Ms. Gudwin, thank you for your efforts and your desire to serve the community. Most importantly to serve the youth in the capacity as school board member and good luck to you as you move forward and thank you also for that desire to sacrifice and also wear a bull's-eye around your neck for a better cause and for our children. So thanks to you and also ditto the comments of Mr. Montañó and his efforts as a Councilor, as a community advocate and as a businessman. I appreciate his efforts in the community and his service. Thank you, Madam Chair. Thank you, Commissioner Stefanics.

CHAIR HOLIAN: Thank you, Commissioner Stefanics, for bringing this forward and I would just like to say thank you, Ms. Gudwin and also thank you to Mr. Montañó. I know that as an elected official it's not easy. It's never easy and I just – your service to the community is really well appreciated. So now I think we will come down for a picture.

[Photographs were taken.]

BARBARA GUDWIN: I would just like to thank the Commissioners for recognizing Frank and myself and I know I can speak for Frank in saying that it's such a great

20130326 10:00 AM

honor to serve the community and the children and their parents in Santa Fe. People often came up to me and thanked me for doing such a thankless job. And to me, again, I'm sure for Frank, it was never a thankless job. It was a work that we did from the heart and hopefully we've contributed to making some positive changes in our school district and for our children. So thank you again for recognizing us both. Thank you.

CHAIR HOLIAN: Thank you, Ms. Gudwin.

IX. A. A Proclamation Recognizing March 26th Through March 28th as Battle of Glorieta Pass Days

CHAIR HOLIAN: The Battle of Glorieta Pass was the furthest west battle in the Civil War and it was so important that it's often called the Gettysburg of the West. Now, the leaders of the Confederacy in the early 1860s had plans and their plans were to go all the way to California. They wanted to take over the goldfields and you can guess why they wanted to that, and they also wanted to take over the ports in California.

Now, at the Battle of Glorieta Pass, the Confederates actually technically won the battle, but fortunately for history, their supplies were burned so they could not go any further west and that was the end of their campaign to take over the riches of California. I will read the proclamation and then Commissioner Chavez would like to tell you a few little interesting tidbits about his family history that are related to this particular battle.

Santa Fe County proclamation, recognizing March 26th through March 28th as Battle of Glorieta Pass Days.

Whereas, during the Civil War, New Mexico became a key arena in the war as the Confederate Army advanced northward through the state, gaining ground in battles from Las Cruces to Santa Fe, and on March 10, 1862, forced the seat of state government to retreat to Las Vegas;

Whereas, on March 26, 1862, the courageous Colorado volunteers and New Mexico soldiers stood together against the Confederate Army in the Battle at Apache Canyon, just 13 miles from Santa Fe, losing only 5 union soldiers, taking 71 confederate prisoners and killing an estimated 32 to 71 soldiers that remain buried at the battlefield today;

Whereas, the battle resumed on March 28, 1862, west of the village of Glorieta at Glorieta Pass, and there the Confederates were defeated as a result of the rear guard wagon train destruction at Apache Canyon;

Whereas, the victory of the battle at Glorieta Pass occurred 1 year, 7 months and 13 days before Gettysburg and became a turning point in the civil war by preventing the Confederates from taking control of gold mines from Colorado to California;

Whereas, for over 150 years, the significance of the battle of Glorieta Pass has been inadequately recognized, and the battlefield, known as the "Gettysburg of the West", remains among the top 10 most endangered civil war battlefields;

Whereas, it is our duty to remember the highest sacrifices made by those soldiers who died on the battlefields in the battles of Glorieta Pass and Apache Canyon, and recognize their crucial role in endorsing the future union of our great country and in preserving the freedom we all enjoy as citizens;

SEE CLERK RECORDED 5/2/2013

Now, therefore, be it resolved that we the Board of Santa Fe County Commissioners do proudly proclaim the 26th through the 28th of March 2013 as: The Battle of Glorieta Pass Days in commemoration and honor of those who gave their lives for the victories won at Glorieta Pass and Apache Canyon.

So I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: And Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Commissioner Holian, and I really want to thank you for bringing this proclamation forward. It was an honor for me to be able to sign this on behalf really of the Chavez Clan. I want to speak to only one individual, and I know there were many that sacrificed in this effort, and think about this: These were two states, Colorado and New Mexico that were both territories at the time, still fighting for what would be the United States. It's safe to say that New Mexico actually generated more volunteers than our counterpart in Colorado. But there was one individual, there is one individual that I would like to speak to and that is Manuel Antonio Chavez, and he is responsible for flanking the Confederate supply weapon and making it impossible for the Confederates to continue on the path to California.

When we talk about history, part of that history is manifest destiny, and that's what manifest destiny said, that we would, the country would go from sea to shining sea and so that's what they were after, even though the debate was about slavery and whether we should continue that or not. There was a lot going on during that period and for those individuals to make that contribution I find it really daunting. They had to leave their homes and their families and pick up arms and fight.

So Colonel Manuel Chavez was born and raised in Las Vegas, New Mexico, spent time here in Santa Fe, and has now become part of our legacy in New Mexico. And I know this because I was fortunate to be introduced to the life and times of Manuel Chavez through my grandfather. Charles Loomis first wrote about Manuel Chavez in a book titled *A New Mexico David*, and this was 1925. And I think he compared Manuel to David of David and Goliath because of the challenges that people here in New Mexico faced at that time. They were Spanish-speaking Hispanos that were in a land that they had settled but it was constantly changing.

More recently, Marc Simmons in 1993 wrote the biography of Manuel Chavez and that's titled *The Little Lion of the Southwest, or El Leoncito*. And so it's been recorded, it's been documented. The Senate actually this session did recognition of Manuel Antonio Chavez as being an authentic Spanish-American hero. And so with that, Sun Dagger Films hopes to be doing a future documentary on Manuel Chavez and hopefully include some of the history that comes with that having to do with the Civil War and our history, New Mexico history, that pre-dates our US history. So that's going to be really looking forward to that documentary.

So I'll leave it at that and I just again really want to thank you for bringing this forward. I think it's a history lesson that is not often taught in our public schools or in our American or US history. It's a big footnote that has just been left out and I think with these efforts that will change little by little. So again, I thank you.

20130326 09:58:11 AM

CHAIR HOLIAN: Thank you very much, Commissioner Chavez.
Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you for bring the resolution forward. Madam Chair, Commissioner Chavez, the name of the book again, please?

COMMISSIONER CHAVEZ: It's *The Little Lion of the Southwest, the Life of Manuel Antonio Chavez* by Marc Simmons.

CHAIR HOLIAN: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate you bringing this forward as you've brought in prior years and for as long as I can remember working around the County the group that works to maintain the history and awareness of the battlefield has been continually working on this issue and continuing to work to keep public awareness up. I think it's been articulated over and over again that it is the Gettysburg of the West and as Commissioner Chavez pointed out there's much history and connection to many, many families in the region.

I think – we've talked about this before but I think absolutely this is a treasure in the community that hasn't risen to the level of importance in the country at a national level but it should. I think that in addition to doing the proclamation that we should, once again reach out to our congressional delegation and the National Park Service and all the other entities that are relevant to re-engage and re-invigorate more discussion and more attention and frankly more resources to preserve this treasure, I'm definitely all in to work with you and do that because I think it's long overdue and it's something that maybe with this proclamation we can continue to re-bring the right people to the table and make it a priority that it should be in preservation in the country.

CHAIR HOLIAN: Thank you, Commissioner Anaya. A good suggestion. This is the fifth time that I've brought the proclamation forward and by far, this is the most interesting discussion that we've had on it and a lot of it's thanks to Commissioner Chavez bringing family history into it, and that always makes it closer to home and speaks to our hearts.

So we have a motion and a second.

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

IX. B. Introduction of the Risk & Safety Division and Recognition of Members of the Santa Fe County Safety Committee for Completing the New Mexico Association of Counties Risk Awareness Program Year 4 and Reducing Workers' Compensation Claims

JEFF TRUJILLO (Risk Management): Thank you, Madam Chair. First of all, I would like to thank you for giving me the opportunity to introduce and acknowledge the Risk Management Division and the Safety Committee. The Safety Committee in Risk Management works very hard to promote the health and safety of Santa Fe County employees and the public. I have dedicated 22 years of my career to the health and safety of Santa Fe

County employees and to the public. When I started here there were approximately 220 employees and I was the only safety person for 220 employees. As the County has grown to 850 employees we have gotten three more positions and I think they're really doing a heck of a job for the amount of people we have for the proximity of most of the departments and the different types of things that each department does.

Risk Management has three main objectives. First, to protect County employees and the public. Second, keep insurance premiums low. Third, keep losses down. In 1991 I put forward a resolution forming a Santa Fe County Safety Committee. At that time the committee would have representatives from each department and each department would have representation. They would bring their ideas to the Safety Committee and let me as a safety person know exactly what kind of challenges in safety and health were they facing and what kind of issues we needed to bring to light to management.

The Risk and Safety Division does many things for Santa Fe County including having the fully functional Safety Committee. Currently, the Safety Committee does not have full participation from all departments which I think we need to try to push that as much as possible. We went out to different departments. Some are willing and some have kind of pushed us a way a little bit but we are still working very hard that we have full participation.

The committee members that are here today have participated in more than 50 percent of all Safety Committee meetings last year. So with that, I would like to introduce the Risk Management Division and introduce the Safety Committee members that, like I said, have participated more than 50 percent in last year's meetings. Please stand as you get announced.

The Risk Management Division Director is Mark Lujan, Safety Coordinator, John Sanchez, and Safety Coordinator Patrick Ortiz. The Safety Committee members are: Margie Romero from Human Resources, Valerie Huerta from Housing, Marie Garcia, Health and Human Services, Socorro Ojeda and Miguel Romero, Growth Management, Ken Barros, Finance, Nancy Calhoun, RECC, Richard Varela, Clerk's Office, Teresa Romero and Leroy Catanach, the Treasurer's Office, Scott Casement and Joseph Martinez, Public Works, and Victoria DeVargas from the Fire Department.

With that I would like to turn the presentation over to the division director, Mark Lujan for a few specifics on exactly the type of stuff that Risk Management works on.

CHAIR HOLIAN: Thank you.

MARK LUJAN (Risk Management): Good afternoon, Madam Chair and Commissioners. Risk Management and Safety deal with many different tasks on a daily basis. We conduct monthly fire safety, fire inspections of all County facilities as well as biannual fire drills. We conduct biannual safety inspections of County buildings to ensure a safe and healthy environment for all County staff as well as members of the public who visit our buildings. We conduct weekly safety inspections of our County road crews to ensure safety compliance while working on County roadways. We provide numerous safety trainings and well as maintaining an active Safety Committee to help us raise awareness within the County, within the employees that work for the County of Santa Fe.

Santa Fe County received the 2012 NMSE award for reduction in Workers' Comp claims by reducing our Workers' Comp by 16.8 percent. Workers' Comp claims are processed through Risk Management as well as insurance issues and billings. Risk Management dealt with 94 tort claims in which more than 80 percent were completed, saving

Santa Fe County a 44 percent reduction in loss. Auto and property liability claims are settled by Risk Management when the claim is below the deductible amount. We also deal with issues that come up unexpectedly such as auto accidents, property damage to County-owned facilities, employee misconduct as well as employee emergencies.

We respond to emergency situations that occur on County property and County facilities and basically, now that I have the opportunity I want to thank our Safety Committee as well as our County staff. It takes our staff and it takes our committee to provide those [inaudible] out to each and every to raise awareness and by these numbers you can tell that we've been accomplishing a lot of goals. We set goals of ten percent reduction annually and we're trying to exceed that. 16.8 does exceed it. So I'm open to any questions.

CHAIR HOLIAN: Any questions, comments? Commissioner Anaya, then Commissioner Stefanics.

COMMISSIONER ANAYA: Madam Chair, thank you, Mr. Trujillo and Mr. Lujan. As the representative of Santa Fe County that sits on the Association of Counties Workmen's Comp board I want to extend my appreciation sincerely for your efforts that you do on a day-in and day-out basis to ensure that there are, as you said it earlier, protecting our employees and the public, keeping premiums low and keeping losses down. So for that I thank each and every one of you, those present here and those that are not present here.

I would also add that, Mr. Trujillo, you made some comments earlier associated with participation and I would say as a Commissioner that it's unacceptable for departments not to be fully committed to safety and the efforts of what this committee and what you're trying to do. We've seen other entities in this state that don't have to be named right now that have faltered and have gaps in their safety program and the end result of that gap was the loss of life, which is the ultimate loss. We want to do everything we can in our power to avoid. So I would say to you, Ms. Miller, that you work closely with Mr. Trujillo to ensure there's 100 percent participation by all departments and if there's individuals that can't go because of other obligations or responsibilities that there's backup individuals that are assigned to coordinate and achieve that objective. But at the end of the day, the appreciation is here for those efforts that you've done. I've seen it on the board, on the Workmen's Comp board, I've seen that Santa Fe County is continually at the top tier of counties across the state of New Mexico in what we do and it's never ending, as you all know. It doesn't stop; it's ongoing.

And it's not a gotcha mentality. I don't sense a gotcha mentality with how you do your business; it's a partnership between your work and the education and the awareness and the employees and what they do. You're welcome to make any comments you want, Mr. Lujan, but I do want to thank you personally and if there's anything I can do to support your efforts or any additional things I need to know, I still have a lot to learn. Jeff was on that board for a long time. Please provide me with whatever tools and resources that I might need so that I can most adequately represent the County on that board. Thank you.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair and thank you, Commissioner Anaya, for those comments. It has been a pleasure to be at the New Mexico of Association of Counties conferences and have Santa Fe County recognized for the work that we do on risk awareness. Just two years ago – and first of all, I want to thank every one of you who are here and continuing to hang in there and work on this, but two years ago we had

SCC BOARD RECORDS 03/26/2013

the entire group here being recognized and we had a group photo. And I think if we went back in the archives we would see how many departments are missing, and that concerns me a bit. Because as we all know, our insurance premiums, our incidents, our accidents, the way we work, are based upon people spread out through every department, paying attention to what's going on here at Santa Fe County.

So I would echo what Commissioner Anaya had to say and hope that we can provide some motivation to get all departments involved but those of you who are sticking with it, thank you very much for your commitment to risk management.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, gentlemen, ladies, thank you for your service and what you're doing. What is your process with budget requests as far as needs for employees? Do you have a process now that we're putting a budget together, Mr. Trujillo? Mr. Lujan? What we need for our employees for safety for our jobs.

MR. LUJAN: Yes, sir.

COMMISSIONER MAYFIELD: Are you working also with our unions to see what they need for their employees?

MR. LUJAN: Yes, sir. Madam Chair, Commissioner Mayfield, each individual department does have a safety budget, we'll call it, where they do provide, where they can purchase personal protective equipment or equipment that's needed per department.

COMMISSIONER MAYFIELD: Okay. And then, Mr. Lujan, going with what Commissioner Anaya said and what Jeff just alluded to, if you have some departments that aren't participating with you, how are they being advocated for. Because that does cause me some concerns also.

MR. LUJAN: Madam Chair, Commissioner Mayfield, we always send out requests and we're asking, we need more participation, and these people have been participating way over 50 percent. And you can see it within the departments. My guys, Patrick and John, they'll go out and they'll do the weekly road crew inspections, so we're assuring that safety is being complied with by road crews, by construction crews of whatever.

COMMISSIONER MAYFIELD: And Madam Chair, Manager Miller, can we get a list of what departments aren't participating? And also, I know we can't take action on this but hopefully it's been heard that departments that are not participating will start participating with this program.

MS. MILLER: Madam Chair, Commissioner Mayfield, the departments under the purview of the Manager do all participate. Obviously some more than others, but I think an area of some discrepancy would be under elected officials' offices.

COMMISSIONER MAYFIELD: Madam Chair, on that, couldn't we just do outreach with our elected officers and talk to them? I think they would be more than willing to oblige. And with that I'll do outreach individually and I know Commissioner Anaya will to our elected officers. But thank you. Thank you all, and be safe.

CHAIR HOLIAN: Thank you, Mr. Trujillo and thank you, Mr. Lujan for your pioneering efforts with the County with the safety program and I really want to thank all the people on the committee or making Santa Fe County a safer place for everybody to work, and congratulations on your RAP award. Most of all, I just want to say how much I – the really

REC CLERK RECORDED 03/27/2013

important thing, even more important than getting an award is that you have made this a safer place to work, so thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Just on that point I wanted to know if a photo would be in order.

CHAIR HOLIAN: A photo? Mr. Trujillo.

MR. TRUJILLO: Sorry, Madam Chair. I forgot a very important person of our Risk Management Division and she actually serves as the administrative assistant to me and my budget person. But she does tons of work with the Workers' Comp billing, with the fixing of vehicles at different body shops and stuff like that and I would like her to be recognized also, and that's Jayme Espinoza.

CHAIR HOLIAN: Thank you.

[Photographs were taken.]

IX. D. Recognition of Santa Fe Community College Governing Board Outgoing Members, Bruce Besser and Carole Brito

COMMISSIONER STEFANICS: Thank you, Madam Chair. Ms. Brito and Mr. Besser couldn't be here today. One is flying in and one is picking up at the airport, but since this is actually their last day at the Santa Fe Community College I wanted to do this presentation today. Both of them are retiring Santa Fe Community College governing board members. They both have given their time and what a lot of people don't know is that when they get elected to the community college board it's six years; it's not four years. So you could be a little surprised if you think you're just running for four years.

But here's what it says. The Santa Fe Board of County Commissioners hereby acknowledges Bruce Besser and Carole Brito, Santa Fe Community College governing board members, recognizing their public service to the residents of Santa Fe County and supporting education that prepares youth for the workforce and acknowledging the needs of the community's future workforce. Therefore the Board of County Commissioners presents these certificates of appreciation on this 26th day of March, 2013, and I just want it to be reflected in the record that we do appreciate their work. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Commissioner Stefanics, for bringing this forward. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Stefanics, I greatly appreciate you bringing forward these two individuals. They've been long-standing community advocates working in the community, serving the community. Mr. Besser and I have had occasion to have several disagreements over the years but I always appreciated his candor and straightforward way of doing business and appreciate both his and Carole's service on the Santa Fe Community College board and commend them for those years of service and dedication. Thank you.

COMMISSIONER STEFANICS: Thank you.

CHAIR HOLIAN: Thank you. Any other comments?

IX. E. Introduction of New Santa Fe County Employees

CHAIR HOLIAN: Our County Manager is back in the room. She's about to run up here and introduce new Santa Fe County employees.

MS. MILLER: Madam Chair, we have quite a few new employees and I'll just introduce the ones that are here in the room, but also in your packet under the HR report is a list, when we get to that later, of all the new employees hired last month. But I wanted to introduce two new employees that are here, one from the Growth Management Department, Planning Division, our new economic development manager. That's David Griscom. He just started and we're very excited to have him. He's got a lot of background in economic development throughout the state.

And then also, in our Public Safety Department, in Corrections, at the adult facility, Renee Fernandez, who's a program manager. So those are the two that could make it today and I welcome them and also urge you to look at the report in the back of the book with all our other new employees.

CHAIR HOLIAN: Thank you, Katherine, and welcome David and welcome Renee. Welcome to our County family.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, welcome to both employees. I'd be remiss, Dave, if I didn't tell everybody that you understand Santa Fe County and what goes on not only in the urban parts of Santa Fe County but what goes on in rural Santa Fe County. Dave and I grew up as young kids together in the Village of Galisteo building dams and running in the river and building forts and doing many other things, but a highly qualified individual that comes to the County with not only education and expertise but a background that comes from his late father and his mother and his family oriented around community and service. So welcome to both of you. Congratulations on your job and we know there will be many good things that will come for the County based on both your efforts. So thank you.

CHAIR HOLIAN: Thank you.

X. MATTERS OF PUBLIC CONCERN – Non-Action Items

CHAIR HOLIAN: We are now at that time in our meeting for Matters of Public Concern and these are non-action items. Is there anyone here from the public who would like to address the Board on a non-action item? Seeing none, we will now move on to Matters from the Commission.

XI. MATTERS FROM THE COMMISSION

A. Commissioner Issues and Comments – These Are Non-Action Items By Commission District Such as Constituent Concerns, Commissioner Recognitions, Requests for Updates or Future Presentations

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. First of all, I wish everyone a holy Passover and Easter celebration and holy days and holidays. For those who are walking to Chimayo I ask you to please be very careful and for those of you driving around those people walking, please be very careful. And I know that children everywhere will be looking for that Easter bunny. Thank you.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. I echo what Commissioner Stefanics said, a blessed Passover and Easter for everybody. We do have a new action plan for the Santuario de Chimayo pilgrimage. Our chief Martin Vigil has that and they'll be taking safety measures for that. Everybody be safe. Happy Easter egg hunting. Also – Madam Chair, that was pretty much all I had. I thought I might speak a little later on on some other issues that will be brought up by Commissioner Anaya. Thank you.

CHAIR HOLIAN: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: I would just like to extend my hope that all members of our community have a safe and healthy Easter and that we look forward to spring and a rebirth of ourselves and the environment and the world that we live in. Thank you.

CHAIR HOLIAN: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, thank you. I have several items. I'll go through them as quickly as I can.

CHAIR HOLIAN: Well, there's plenty of time, Commissioner Anaya, since the others didn't use up theirs.

COMMISSIONER ANAYA: Thank you, Madam Chair. The first item that I have regret to report to the Board of County Commissioners is at the last board meeting for the North Central Regional Transit District I was frustrated to discover that there was a vote taken that isolated specific resources and dollars to the City of Los Alamos as well as the City of Santa Fe for their transit services. And then subsequently the vote was taken that lumped the balance of the budget in with the balance of the partners around the North Central Regional Transit District.

This was an item that was not an item in the packet. It was in the packet added at that last minute and that was articulated by the executive director and reinforced by the chair of the NCRTD, and I voiced great concern over that matter given the fact that Santa Fe County initiates the gross receipts tax and the counties throughout the district. I asked that the item not be voted on at that time and the item was voted on and passed. It's very frustrating given the discussions that we've had and given the desire of Santa Fe County to assure that all transit needs are met including those within the city limits as well as those outside the city limits and the entire district.

So I wanted to publicly articulate these frustrations. I've already had a discussion with our County Manager and our County Manager is working with staff and Legal and our transportation planner to make sure that we're adequately informed in advance of meetings and determinations before votes are taken. The other thing that I think is clearly – that needs to be pointed out is that one entity provides cash infusion into the NCRTD of their own cash dollars directly to the NCRTD and that's Los Alamos. And Los Alamos in that vein I think wants a little extra and more cautious consideration because of that direct contribution that goes to the NCRTD. The fact that the City of Santa Fe dedicates money to them as well is

very frustrating and I articulated that frustration very clearly to our – the representative Patti Bushee, City Councilor, as well as the entire board.

I do want to note for the record that Commissioner Mayfield did advocate very strongly to me to convey to the board the acceptance of Nambe as a new member to the NCRTD and we did that. The City of Santa Fe voted against that inclusion and I was – I'm frustrated that several of the partners, our Native American communities around the table voted or abstained from the vote associated with the carve-outs that I was frustrated with. So I would ask the Board members – I will forward you the minutes of the meeting so that you can review all of the comments that were made by all of the players as well as myself and if you have any specific question, I think this is an agenda item that I'd like to put on for more presentation and discussion.

COMMISSIONER STEFANICS: On this point, Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. Commissioner Anaya, so with the action that was taken, are there Santa Fe routes that will be cut or any new routes that will not be included that we requested?

COMMISSIONER ANAYA: The essence of the action taken was that all of the routes that were put for by the City of Santa Fe would be sustained within their current fashion as they put them forth and any adjustments to our routes of county routes, then we will be essentially negotiating and compromising with Taos County and other representatives around the table. So they got an exclusive carve-out is the best way to put it. The City of Santa Fe, City of Los Alamos in dollars that they can utilize however they deem appropriate.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER ANAYA: So Ms. Miller, or Rachel, if you could make sure we have an agenda item at the next meeting that provides a presentation as to more of the history, speaks to the minutes and the discussion of that meeting and then maybe some discussion and possible action by the Commission.

The next item that I have is something that I know there's been a lot of discussion throughout the country associated with the right to bear arms in the United States of America, something that I believe in, but also something that warrants more discussion and interaction and decisions from leaders in our communities. Commissioner Mayfield and I have extended an invitation to have a discussion with the National Rifle Association in Raton, New Mexico, one of the main hubs of the National Rifle Association and would encourage all of my colleagues to join us in an ongoing discussion and with all community individuals and different advocacy groups to determine what are the essential issues associated with this matter and how might we as leaders in our community figure out a process by which we could initiate some change or some different thought patterns that might help curb some of the violence that occurs associated with this matter.

Commissioner Mayfield, did you want to add anything on that item before I go on?

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, thank you. As Commissioner Anaya alluded, I just think it's important that we help them protect everybody's rights. We have a lot of violence going on right now in our community and our country. What we can do to bring people together and hopefully have a meaningful discussion on this issue. I think it

means a lot with what's going on. I think there is some discussion going on on a federal level and a state level but we need to also address that as a local level in our communities. So that's something that I would – Commissioner Anaya has brought this to my attention and I think it's something that we need to start engaging in right now at a local level. Thank you.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Commissioner Mayfield. The next item is a follow up to an exciting item that I think we've all been working on as Commissioners just in different capacities, but in the spirit of the resolution that passed at the last meeting associated with resolutions, I'm going to bring a resolution in partnership with Commissioner Mayfield forward for the first hearing at the next meeting that's going to talk about water catchment systems in Santa Fe County. We've done some water catchment in Santa Fe County as we all know. I think we need to get more aggressive about doing it further and in District 3 I'm going to work closely to try and do that within our fire stations. I've had some preliminary discussions with our Fire Chief and fire personnel, Mr. Moya and others, and in discussions with Commissioner Mayfield there's some exciting things occurring with solar energy and the ability to link the two together – water catchment and solar energy. So I'm going to bring that up, a resolution.

Commissioner Mayfield is going to co-sponsor it. I would ask anybody who wants to co-sponsor it with us to help us join on, but I'm going to push the water catchment and Commissioner Mayfield, we're going to work together on the solar. Commissioner Mayfield, I defer to you for some additional comments on your project and your additional thoughts as well.

COMMISSIONER MAYFIELD: Again, Madam Chair, thank you. I was fortunate to be at a community project that as a matter of fact the City sponsored this project on some start-up businesses here within the City of Santa Fe and Santa Fe County. It was called the Velocity Project. There were seven or nine start-up businesses throughout the county and the city. Some of them were on catchment systems and others just local businesses. I'll bring that at a later date to the County. But with that, Commissioner Anaya has talked to me about water catchment. We were discussing that and then I also talked to him about some solar projects that I was working on and one of my communities in Tesuque area.

Santa Fe County holds a tremendous solar potential and it's something that I want to start working on with a lot of our public buildings. I know that Commissioner Chavez, I believe Commissioner Chavez is going to be championing a resolution pretty soon as far as what we're going to be doing as far as analyzing some of the maintenance of our buildings. So I'm going to be bringing a resolution forward, Madam Chair, as far as the solar potentials that we could be tapping into with our local buildings – the buildings Santa Fe County owns as a way to recoup some of our savings for our county taxpayers in the short term. I don't even think it's long term. I think arguably within three to five years to recoup it.

So in a resolution I'll be bringing forward. Again, I'll be out next week but I'm going to again just hopefully say that as a resolution that we established last week or two weeks ago, just to get that in title on the agenda and then hopefully bring that forward, because it's a five Tuesday month, so have that for discussion on the 30th, working with some solar panels on local projects at least in the northern part. If everybody else wants to put it on their communities, which I hope they would. So I'll bring that and Commissioner Anaya has a

place where he indicated he would like to co-sponsor that with me so I appreciate that. Thank you.

CHAIR HOLIAN: Thank you. Commissioner Chavez, on that point.

COMMISSIONER CHAVEZ: Yes, well on both of these points, on the notion that we would introduce or employ more solar components to our County buildings I think is great. The water harvesting needs to happen. It seems that this falls under our sustainable land use code and trying to be sustainable and reduce our carbon footprint, deal with global warming and I think when we talk about being sustainable more solar and water harvesting go hand in hand and when you talk about water harvesting and water in general or the lack of I think that we need to recognize that we are in a drought cycle and I hope that we start having more discussion about that. So having said that I would be willing and am interested in both of these topic and would be willing to co-sponsor, so please provide me information early on so that I can review that and be up to speed on what's being proposed and the fiscal impact that we're looking at. And actually I think in some cases there's a fiscal impact but it can be looked at as an investment in our future. So thank you.

CHAIR HOLIAN: Thank you. And I just have a comment on that point as well, and I just want everybody to know that the BDD is putting in a two-megawatt facility to help with the pumping from Booster Station 2-A. And as a matter of fact, talking about fiscal impact, they got a grant to do this, or a partial grant to do this, and they're going to be ahead from day-one, because the amount they're going to be spending on their utility bills is going to be lower than the payments on the loan that they're making for this project. So it can actually be a win right from the beginning.

COMMISSIONER MAYFIELD: Madam Chair, on that point if I may. Our new economic development person was a huge part of that I have since learned. I think his company was involved in that too.

CHAIR HOLIAN: Yes. He helped design it.

COMMISSIONER MAYFIELD: [inaudible]

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: So Madam Chair and Commissioners, I really appreciated the discussion that went on, although I wasn't here physically, I listened to every word associated with the resolution that talks about resolutions, planning and impacts. And so I think this gives us an opportunity even in advance of the first draft to put the concept forward and I think engage other Commissioners and I think we would both gladly take on co-sponsors. What I would say on the fiscal impact side, on the project side, is for District 3, I've already committed to work in partnership with people like the Soil & Water Conservation Districts and utilize my own community funds to help engage and get the ball rolling on a smaller scale in some of the senior centers and fire departments but that as a collective body, if there's a way for us to figure out what makes sense either in this budget cycle or future budget cycles to do this at a more comprehensive level then without a doubt I would be interested in pursuing that. So I appreciate the feedback and the comments on both those items and appreciate Commissioner Mayfield bringing forward the solar aspect.

The next item is for you, Ms. Brown, I guess, as opposed to Mr. Ross today. There's been a lot of legal issues going on in the Estancia Basin associated with water utilities, Epcor, a water utility company that is in the region that is based out of Canada, I believe, has a fairly

large holding in the Estancia Basin and the Town of Edgewood and Thunder Mountain is a water utility that's also engaged in a dispute. I think it's important for us to understand what the parameters are of that dispute because we have a direct relationship with I think both of those utilities within our Fire Department currently and in our proposed Fire Department. So I think it's incumbent on us to research the matter and to understand what the parameters of the water association or the private utilities in this case is and how it might impact Santa Fe County.

Commissioner Holian, our chair, has been having discussion about a task force that I know she's going to be bringing forward a resolution in the coming months that's going to talk about planning and discussions around mutual domestics and other water use. But I think as part of one of the amendments I might offer, we should engage in some discussion about some of the private utility interaction in Santa Fe County and how that does impact water and use within Santa Fe County. So if staff could help us, because it does directly impact our use. Help me and the Commission better understand what's happening and what might be the ramifications of change.

The one thing I want to say publicly as a sidebar to this issue is I have continually been an advocate for mutual domestic water utilities as well as even private utilities that work in a part of our community. I don't think it's one or another and it's all only a large entity that can service an area. I think that having mutual domestics and having private utilities and assuring that we're working all in concert to address the utility needs of the community are important. So I just want to put that forward, especially in this day and age of takeovers and buyouts that we not lose sight of those smaller entities, both public and private.

A couple other items, Madam Chair, if I could. In the Housing meeting this morning I articulated some frustration that I know that the Commission had some frustration over associated with annexation. Ms. Miller, is there anything that you can offer me today that will help me feel a little more confident because right now I feel like we're engaging into a pattern of the annexation being set aside, not by us. But I'm feeling like once again our constituents and people who have been waiting for this transition are going to get left out and I ask my colleagues, I ask you, we need to continue to do something and we need to continue to try and engage the City to mitigate the issue and have it come to realization. So, Ms. Miller, could you just offer some brief comments on what your thoughts are and where we might head from here so that it doesn't get lost?

MS. MILLER: Madam Chair, Commissioner Anaya, actually, we have had some progress. I think after our last City-County meeting the Councilors went back and worked with the City Manager to try to go back through the issues, almost line item by line item on some of the water service issues and wastewater and solid waste. And I think that we've come to a pretty good understanding of where the City would like to be and it portrays what had come out of our orientation meeting with the Commission. I actually did get some agreements on date-specific, for instance, they would agree to turn over county water customers that are out in the county that we've been able to take on. They agreed to that as July 1. They also agreed to solid waste July 1. They agreed to the law enforcement, roads and fire as we had last indicated in our last meeting.

There were some issues and I know that Commissioner Chavez has issues with this relative to Phase 3. They don't want to move forward with certain parts of Phase 3, so we've

REC CLERK RECORDED 03/27/2013

gone kind of back and forth on how we might be able to come to some kind of resolution on that.

That said, we have one more meeting to make sure that the agreements – and it's next week with staff, all the department heads of each area on those agreements that we were still negotiating to verify that we are actually on the same page as far as what we'd bring back to the respective bodies. Oh, and that the actual annexation that they would file by, for all of Phase 2 and some pieces of Phase 3 by January of 2014. So January 1, 2014 or December 21, 2013.

That's the most specific we've been to date, other than what's in the current settlement agreement and phasing agreements, considering that those dates have since passed. So we have reached that agreement and my understanding is that the Mayor and City Council are in general support of that. What the last proposal was is that we go back through the agreements and make sure that we're on the same page and that we take them back to their respective bodies and just have them approved instead of having another joint meeting. So that's where we are right now.

COMMISSIONER ANAYA: Madam Chair, on that last point.

CHAIR HOLIAN: Commissioner Chavez also has a comment on that point.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. Thank you, Commissioner Anaya. Here are a couple of my concerns. If we're being told that we're only going to do a part of Phase 3, we're back to partial annexation, which is part of what got us into the problem that we're in. Piecemeal annexation, not comprehensive annexation, so I have a big concern about that. I feel a little misled because it seems to me that we've been discussing critical points – fire, police, roads and water, not relative or specific only to Phase 2 but to the presumptive city limits. And now I'm being told that well, we're not really doing that; we're only going to do Phase 2 and certain parts of Phase 3.

I don't know if that's in the best interests of the County, local government or the residents that live in the presumptive city limits, and Commissioner Anaya, you touched on that. I think it's a disservice. County Manager, I don't know if in your presentation you touched on the fact that the County has transferred the authority of the planning and platting of the entire presumptive city limits to the City. So how does that work for part of Phase 3? I think again it's piecemeal; it's not comprehensive. It doesn't fully address the issue. It doesn't bring closure to the issue because we'll do maybe Phase 2 and maybe part of Phase 3. So what happens to the part of Phase 3 that's left out? Where do we – how do we bring that in and when? Those are my concerns and I would only hope that we could move forward on some sort of comprehensive annexation. Thank you.

MS. MILLER: Madam Chair, I wanted to go back to Commissioner Anaya's question. So that's just where we are and I was going to put on our next meeting these things to bring back and notice them for discussion in detail and any concerns, direction, anything that you'd like, but you had brought up earlier today: Where are we? I would say they are still of the mind-set to move forward but they have definitely said these are the areas that they're willing to work in or not. And I think our other option is we go back to court.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: On this point, if we're going to put this on for the future I have a legal question to be looked at. If there are any changes to the annexation agreement in relation to Phase 3, will that be a requirement to go back to court. So we can keep that for the next discussion but I just want to clarify what would keep us out of court what will take us back to court. Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, a few comments. I'm encouraged that there's more discussion than what I was aware of. What concerns me, and I'm going to address this to you but more to the Mayor and the Council is we engaged in a collective discussion between two governing bodies that based on my experience and the experience of this Board has been a productive engagement of two governing bodies in a joint meeting. Now, I can fully see some merit in vetting out and having detailed discussions in our respective board meetings, but I absolutely do not want to walk away from the summation of work that's happened between the two governing bodies and the message that it sends to the public about coordination and communication between out bodies, to discuss matters as Commissioner Stefanics just brought out or Commissioner Chavez just brought out where we look across the table at our colleagues across the table and ask specific questions and have a public discussion.

I never witnessed in any of those discussions any grandstanding of any kind. I felt it was a productive opportunity for the public to be able to come and see the governing entities communicating, and also for us to speak directly to one another. So did the Mayor or the Council specifically say that they had no desire in continuing that? Because I would have a concern with that at its root. I think that's productive and I think that's healthy. So did we send that message in any way? Or did they convey back to us that they didn't want to do that any longer or didn't feel it was productive?

MS. MILLER: Madam Chair, Commissioner Anaya, the way I understood it was that basically, they didn't think that the agreements had changed significantly from what had been presented at the last joint meeting. I think it was a matter more of expediency because we already missed the July 1 date for them to file, and so they were trying to – the way I understood it was they didn't really have an issue with the way that things had progressed and I think it was kind of like, well, I don't know for this last piece – this is how I understood it from the Mayor was more of a I think we're pretty close to where we were so we could go ahead and take it to the respective bodies, because it was always so hard for us to get meetings scheduled for everybody. That was feeling that I got. I didn't think it was a reason that they weren't trying to meet with the Commission. I got the impression that they didn't see there was a whole lot left to have a dialogue back and forth about.

COMMISSIONER ANAYA: Well, Madam Chair, respecting those comments, we're sitting here, Commissioner Chavez will articulate for years and years and years and myself sitting on the Commission now on my third year, and we still aren't done. So I think it's important to do both, to have the detailed discussions as governing bodies but to re-meet as a collective body and memorialize those together. I think it's important for those members in the community that have been waiting and waiting and I think it's important for both governing bodies. So that's my perspective. I appreciate the update and

look forward to the more detailed presentation coming in the coming meetings and I don't have any other items for Matters from the Commission. Thank you for the time, Madam Chair.

CHAIR HOLIAN: Right. Thank you, Commissioner. I just have a few items. Actually, they are fairly positive items. One, I just wanted to recognize that Santa Fe County received an A+ from the Sunshine Review non-profit organization that reviews government transparencies, and I want to of course thank our staff but I want to specifically, especially thank Kristine Mihelcic, our PIO for promoting this and I also want to thank Katherine Miller, our County Manager for creating an atmosphere of transparency and openness in our County.

I also want to note on the good news front that President Obama signed into being a new national monument. This is the Rio Grande del Norte National Monument. It's 240,000 acres in Taos County and it includes areas such as the Taos Plateau, Ute Mountain, the Rio Grande Gorge. Importantly, it protects these areas from development but I think also it's important to note that it safeguards the traditional uses of these lands. It safeguards the fact that people have been using these areas for years to hunt, to fish, to graze their animals, to gather pinon and wood, and so it makes sure that future generations can continue to do these activities. And I think that we really owe a huge thanks to the New Mexico Wilderness Alliance, because they are the ones who really worked hard on this for years. And this is really a big achievement for our state.

I also want to note that I attended the opening of the new food distribution and education center for the Food Depot this last weekend and this is also a real gift to our community. It was thanks to a very generous donation that they were able to build a state of the art facility. This facility has way more space, especially for items that need to be refrigerated or frozen than the previous facility did and it also has state of the art classroom space, including a professional kitchen that anybody can contract to use if they want to give cooking lessons. But anybody can use their classroom spaces as well. It's very nice.

I just want to also let you know that the goal of the Food Depot is to eventually provide ten million meals a year to the hungry in our communities. Of course their long-term goal is to completely end hunger in New Mexico.

I also wanted to let you know that I attended a meeting that was organized by the Bureau of Reclamation, and this was for the San Juan/Chama contractors and the reason that I'm noting this is because the BDD is one of the San Juan/Chama contractors, a very important one. There will be no curtailment this year of San Juan/Chama water, which is good news. There was some discussion about voluntary curtailment, so at the beginning of next year, that is in January 2014 there would be more water in storage in case we had continued drought. Unfortunately, Albuquerque wants its full allotment this year and so that sort of killed the deal as far as trying to do voluntary curtailment.

So at the beginning of this year there's about – I think 80,000 acre-feet of water in storage. They expect about 60,000 acre-feet to flow in from the snowfall, which will give us 140,000, but the amount of water that's sent down to be used by the counties and cities that are using it is about 100,000 acre-feet. So next year we'll only have 40,000 acre-feet in storage, and that makes it very likely that if there's continued drought that there will be curtailment next year.

I also wanted to note that last Wednesday there was another public meeting about the Animal Control Ordinance and the topic of this meeting was cats. There was a very spirited discussion about feral cats and I'm guessing that there's going to be spirited discussion among the Board when the Animal Control Ordinance comes up as well about feral cats. But I will say that the meeting went well in the sense that everybody was respectful; everybody behaved themselves but there was definitely no consensus on this topic.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: On this point, in the past two days I've probably received 20 emails that I have passed on to Audrey. But they were not all about feral cats. It was about maybe clarifying the language in the proposed ordinance about animals loose on ones own property. Because people are taking it to great lengths to interpret it as if I have 20 acres I have to keep my dog on a leash for the entire 20 acres. So I think it's more language cleanup.

CHAIR HOLIAN: Yes, I agree. Thank you, Commissioner Stefanics. And I think that we are looking at the concept of having a nuisance animal and it would be only in the case if an animal was identified as a nuisance that people would have to keep their dog tethered or leashed at all times. And so I think there's not only a lot of cleanup in the ordinance but also a lot of explaining to people about what it actually means, what the reality of the situation is. Commissioner Mayfield, you had something to add.

COMMISSIONER MAYFIELD: Well, Madam Chair, a couple follow-up points. As far as the Animal Control Ordinance, I also am going to have a public meeting in the northern part. I'll pass it on to Ms. Brown. It might be on the 14th of April. Staff will be administering that meeting. It's still subject to check on that date but I think it's around the April 14th timeframe. I have many emails that I've also received that I'll be forwarding on for the record and then however we proceed with the last public hearing for the ordinance, however you want to do that, that's fine.

You brought up the curtailment on the San Juan. Kind of refresh my memory I have also had a meeting with one of my community members up in the Tano area, an HOA and I will be having some more meetings up in that area. And I don't know if this has been brought up to the Buckman Direct or not, but there are some concerns with the City of Santa Fe's application with the re-permitting of the northwest well. I think right now they're losing their status of the 900 acre-feet they have and they've put in a new application to extend that capacity up to 900 acre-feet again, and they're asking, if I'm right and I don't see anybody from water staff here and I don't know if Rachel is knowledgeable on this but I was going to bring it up really quick. I'm going to ask for more information on it. I will be meeting with staff on this and also ask that it come to a later meeting, but I think they're asking for an indefinite time period to extend it back up to 900 acre-feet.

So I'm going to talk to the community, but I think the community might be asking our County Commission to take a position of intervention in this application. So I will be meeting with staff, talking with them on this. It does affect the well-users up in that area so I want to look at the hydrological studies up in that area, everything else, how it impacts us with the BDD as we're partners in that organization. So I'm just throwing that out there to the Commission. I'll be meeting with staff on this issue.

CHAIR HOLIAN: Commissioner Mayfield, I do have a little bit of information.

COMMISSIONER MAYFIELD: Sure. Please.

CHAIR HOLIAN: Since I did talk to the community members about the northwest well. My understanding is that it was a backup well while the Buckman Direct Diversion was being constructed for the city water supply. Now they would like to make it a permanent well and the reason that they want to do that is because it has particularly clean water. And so they mix it, when they have a lot of well water going out which has relatively high levels of pollutants like arsenic, they like to mix in this northwest well water because it's cleaner. But in any event, I think it is a discussion we should have.

COMMISSIONER MAYFIELD: Madam Chair, I guess my point to that view is why did we get into a partnership with the BDD and that's the whole purpose of the BDD, where we spent millions of dollars on that system. But that's just – I'll just say that for now.

CHAIR HOLIAN: I'm not passing judgment on this; I'm just trying to clarify what I had heard about this.

COMMISSIONER MAYFIELD: Thank you.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair and Commissioner Mayfield, I have also received a few calls regarding this northwest well and what I remember is that the northwest well was permitted for a specific purpose. I don't remember the length; I don't remember the timeline on that but I do remember specifically that it was for emergency drought only, and now part of the request is to convert that into a full production well and so I think that's where the rub is. I think that it make sense that the City would want that to blend with their other water but I think changing the status of that well is one thing and then the impact of overpumping in the surrounding area I think is another question, and so we have to be aware of that and approach it just the right way. So just keep me informed on where you are in that and I'd like to work on that with you.

COMMISSIONER MAYFIELD: And Madam Chair and Commissioner, it's going through both of our districts so if I set that time up with staff I'd just ask that you join me and then what I'd ask for is a full presentation to come to the Commission formally. Thank you.

COMMISSIONER CHAVEZ: Thank you, Madam Chair.

CHAIR HOLIAN: Okay. Anything further from the Commissioners.

XII. CONSENT CALENDAR (Public Comment for Resolutions)

A. Final Orders

1. CDRC CASE #V 12-5060 Jay Shapiro Variance. Jay Shapiro, Applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 10.21 Acres. The Property is Located at 94 Cloudstone Drive, within Section 5, Township 16 North, Range 10 East. (Commission District 4). Denied 5-0. Vicki Lucero, Case Manager **ISOLATED FOR DISCUSSION**

SFC CDRC RECORDED 05/22/2013

2. **CDRC CASE # V-12-5280 Kimberly Moseley Variance.** Kimberly Moseley, Applicant, (Rubin Katz Ahern Herdman & Macgillivray, P.A.) Frank Herdman, Agent, Request a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 11 Acres. The Property is Located at 24 South Cloudstone Drive, within Section 5, Township 16 North, Range 10 East (Commission District 4). Approved 5-0. Miguel "Mike" Romero, Case Manager

B. Resolutions

1. Resolution No. 2013-___, an Amendment to Resolution 2012-149, a Resolution Establishing the Santa Fe County Corrections Advisory Committee (Corrections/Pablo Sedillo) **ISOLATED FOR DISCUSSION**
2. **Resolution No. 2013-29, a Resolution Requesting a Budget Increase to the Fire Impact Fees Fund (216) to Budget Impact Fees Received for the La Puebla Fire District to Be Used for the Purchase of a Fire Engine (\$5,567.00) (Public Safety/Fire/David Sperling)**
3. **Resolution 2013-30, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget a Donation Received From Law Enforcement Publications (\$8,000.00) (Sheriff's Office/ Ron Madrid)**
4. **Resolution 2013-31, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget (1) Grant Awarded Through the New Mexico Department of Transportation for Highway Safety Projects (\$5,037.00) (Sheriff's Office/ Ron Madrid)**
5. **Resolution 2013-32, a Resolution Requesting a Budget Increase to the Economic Development Fund (224) to Budget a Grant Awarded By the New Mexico Economic Development Department Through the Certified Communities Initiative (CCI) / \$2,500.00. (Finance/Teresa Martinez)**

C. Appointments/Reappointments/Resignations

1. Appoint the Final Member, Captain Adan Mendoza, Per Amended Resolution to 2012-149 to the Santa Fe Corrections Advisory Committee (Corrections/Pablo Sedillo) **ISOLATED FOR DISCUSSION**

Withdrawn Items

XII. A. 1. CDRC CASE #V 12-5060 Jay Shapiro Variance. Jay Shapiro, Applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Two Dwelling Units on 10.21 Acres. The Property is Located at 94 Cloudstone Drive, within Section 5, Township 16 North, Range 10 East (Commission District 4) Denied 5-0. Vicki Lucero, Case Manager

CHAIR HOLIAN: I believe that Commissioner Chavez would like to change some of the conditions on this and so first I would actually like to ask Rachel to tell us what the procedure is for changing a final order.

MS. BROWN: Madam Chair, Commissioner Chavez, the order has to reflect the decision of the Commission and the basis for that decision, and if there are proposed revisions to the language those can be heard now. We can attempt to draft on the fly if that is the wish of the Commission.

CHAIR HOLIAN: Thank you, Rachel. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. It's not my intent and I did have some conversation with the staff about what the next step could be so I would ask Penny to present your language that would be added to the final order.

COMMISSIONER MAYFIELD: Madam Chair, could I just ask a procedural question?

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, respecting Commissioner Chavez' point, but Rachel, is this a public hearing also on this order? Don't we have to afford public hearing? We had those parties on this case and we discussed this case. How can we change an order if we decide to change an order from this bench when we had a full vetted public hearing on the action we took? It just not see that we could do something like this if we elected to make any substantial changes to an order without a full drawn-out public hearing on an order. Unless it's like an errata issue that we're just changing something very simple. I'm just asking that right here right now.

MS. BROWN: Madam Chair, Commissioner Mayfield, provided the order continues to reflect the action that the Board took at the public hearing the language of the order is intended to reflect that decision and there can be no revision to that decision through the order.

COMMISSIONER CHAVEZ: Could I speak to that, Commissioner Mayfield? I'm not proposing to change any of the final order, but I think if you would let staff do their presentation I think you would understand where I'm going with this, so if you could indulge us on that please. Thank you.

CHAIR HOLIAN: Penny.

PENNY ELLIS-GREEN (Land Use Administrator): Madam Chair, Commissioners, at the last meeting there was discussion about this order and what was added is the final paragraph on page 3. It still states that the order, that the application for variance

REC'D BY RECORDS MGR 5/27/2013

is denied but then there's a clarification that was added underneath saying that the applicant will not be required to core-fill the drain-pipes in the accessory structure, basically allowing for if the new code comes into effect and in the future there's an ability for this applicant to actually apply and get an approval for an accessory dwelling unit that they wouldn't have core-filled the drain. So that wasn't a specific condition of approval to core-fill the drain by the BCC. The BCC actually denied the variance request, so this was just kind of added in and I drafted this with the Legal Department with Steve Ross after the last meeting.

CHAIR HOLIAN: So, Penny, if I understand correctly, you're not changing the order you're just changing some of the conditions, or you're clarifying the conditions.

MS. ELLIS-GREEN: Madam Chair, we were just writing into this that the applicant doesn't actually have to core-fill. Usually if someone has constructed something and made it into a home we do ask that it be core-filled so that six months later it's not put back into a dwelling unit. But this would give the applicant the ability to reapply in the future if the code changes and allows him to have a second dwelling unit there, still complying with the other requirements of the code. It wouldn't require the drains to be core-filled. The application for a variance is denied. He does have to take out everything in the kitchen but he doesn't have to core-fill the drains. That was the clarification that was done.

CHAIR HOLIAN: Okay. Thank you, Penny. And I just want to clarify with Rachel. We could vote on this now without having another public hearing?

MS. BROWN: Madam Chair, that is correct.

CHAIR HOLIAN: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Commissioner Mayfield, I know that in the two cases, in one case the applicant was misled by the realtor. In this case the applicant did mislead the County and that was not right. And so the final order stays in place. This would soften it just a bit so that if the Land Use Code does change they don't have to redo the sewer to add the extra unit, or to convert that into a residential unit instead of an accessory dwelling unit. Thank you, Madam Chair.

CHAIR HOLIAN: So, Commissioner Chavez, would you like to make a motion.

COMMISSIONER CHAVEZ: I would go ahead and move for approval and hope for a second and then we can continue discussion.

CHAIR HOLIAN: I'll second that. Any further discussion?

COMMISSIONER MAYFIELD: Madam Chair. Madam Chair, Ms. Ellis-Green, so was this condition of core-filling the drains part of staff recommendation and the Commission voted or was this subsequent after we voted?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, this was not added as a condition of approval. During the discussion the Commission had asked Vicki who was the case planner what is usual in order to remove a kitchen and at that point she said it is usual to core-fill. But then there was no additional condition stating that they had to core-fill the drains and it was not part of the motion that the Board made. The Board made a motion to deny the variance and that is still contained in the findings.

COMMISSIONER CHAVEZ: On that point, Commissioner Mayfield, I will disclose to my colleagues and for the minutes that I did request staff to pursue this. So staff is

SFC BOARD RECORDS 5/27/2013

not acting on their own on this matter. And so I just wanted to let you know that. Thank you, Madam Chair.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Ellis-Green, just so I understand – I need to have clarification for myself. So after this Commission takes final action on a case that's in front of us with staff's conditions as it's presented to us in a land use case, and how we vote up here, do you guys go and add additional conditions? Because that's kind of – it doesn't seem that that should be done and that's how I'm kind of hearing it that you've put additional conditions on something that we – do you have your own rules and do you do additional things after we've taken action up here. [inaudible] case out that we've – there should be no additional administrative actions after we vote on something.

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, no we don't, unless the code allows something that doesn't come back in front of you. When you list the conditions of approval those are the conditions of approval that come forward in the findings. There were no conditions of approval for this case; it was denied. The findings still state it was denied.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Ellis-Green, why would the drains have been core-filled if we did not put it as a condition of approval?

MS. ELLIS-GREEN: Madam Chair, Commissioners, what we usually do when someone gets a denial and as Vicki stated in the minutes, when this case was heard, is that we ask the applicant to core-fill the drains so they can't change it back into a kitchen or a bathroom at a later date. If we don't do that then we are subject to probably having periodic reviews to make sure that the unit is not used as a dwelling. In this case that probably wouldn't be an issue since a neighbor complained and stated that it had been used as a dwelling unit and that's why we found the issue in the first place.

COMMISSIONER MAYFIELD: So Madam Chair, Ms. Ellis-Green, what I'm hearing from you right now is that that was a condition of approval was to have those drains core-filled. That's your standard procedure of what you do. That's what I've heard.

MS. ELLIS-GREEN: That's standard procedure but that's not listed as a condition of approval. And we were asked to reword this condition to make it clear that he didn't have to core-fill, which means that we would have to go back out and inspect on a regular basis that it's not being used as a dwelling unit.

COMMISSIONER MAYFIELD: Madam Chair, Ms. Brown, are we making substantive changes to the record without a public hearing?

MS. BROWN: Madam Chair, Commissioner Mayfield, I do not believe you are.

CHAIR HOLIAN: Okay. We have a motion and a second. Any further discussion?

The motion passed by majority [3-2] voice vote with Commissioners Anaya and Mayfield casting the nay votes.

COMMISSIONER STEFANICS: Madam Chair, I don't believe the recorder can do 3-2 unless the Commissioner is here.

COMMISSIONER ANAYA: [inaudible]

COMMISSIONER STEFANICS: But our transcriber has to have it on record.

COMMISSIONER MAYFIELD: Madam Chair, and I see what we were doing on that last vote but I just want to say this. I just don't feel comfortable, and respecting even what our attorneys say but to me it does seem like it's kind of a substantive change. So I just wanted that to be said for the record.

CHAIR HOLIAN: Okay. I think it's on the record now and we're done with this case.

XII. B. 1. Resolution No. 2013-33, an Amendment to Resolution 2012-149, a Resolution Establishing the Santa Fe County Corrections Advisory Committee

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I didn't respectfully – Director Sedillo, it's not so much a question for Director Sedillo. It's more of a directive question for our attorney, Rachel Brown. This – we passed a resolution two weeks ago establishing procedures for the introduction of resolutions which might have a fiscal impact on Santa Fe County or which create or amend programs or policies. Is this resolution not applicable to that resolution that was passed? And if so, how can we pass this resolution today?

MS. BROWN: Madam Chair, Commissioner Mayfield, this resolution is appearing on the agenda for the first time to address revisions to the Corrections Advisory Board.

COMMISSIONER MAYFIELD: So how can it be on our Consent Calendar? On our Consent Agenda?

MS. BROWN: There has been discussion that I have heard pertaining to whether amendments to resolutions were contemplated for the resolution that requires first presentation and subsequent action, but this could be taken for discussion now and action at a subsequent meeting.

CHAIR HOLIAN: And I would just add at this point, Commissioner Mayfield, that this particular – the resolution to establish the Corrections Advisory Committee have now been heard six times in this venue.

COMMISSIONER MAYFIELD: I understand that, but we passed a resolution and any resolution that we pass subsequent to anything that was passed before which resolution, the last resolution that was passed takes precedence. Is that not correct under procedure? And wouldn't we now need an FIR on this corrections resolution?

MS. BROWN: Madam Chair, Commissioner Mayfield, the resolution that was adopted at your last meeting establishing a process for resolution adoption is in effect at this time.

COMMISSIONER MAYFIELD: So we now would need an FIR on this corrections resolution, correct?

MS. BROWN: If you interpret that resolution to include amendments, that would be correct.

COMMISSIONER MAYFIELD: I think that's how I read this resolution. That's why I did want vetted out discussion on this resolution. I just want to follow the rules that we've established on this Commission.

CHAIR HOLIAN: Katherine.

MS. MILLER: Madam Chair, this resolution was initially passed prior to that former resolution so we don't have an FIR for what the committee costs. If it's the desire of the Board to do that we can go back and do that, but I would say that adding an additional member doesn't add any additional cost for us or changing the composition of it, which is what this resolution does. It just clarifies what the Board actually did when you appointed the members that were appointed. So we can do either and then later on on the agenda and I think it's the item that Commissioner Anaya had pulled off is the appointment of that additional person, which would also make that appointment contingent upon a second hearing of this and an FIR.

It's totally up to the Board. I don't think it prevents us from moving forward with how we have the committee established to date, other than giving clarification to those member, their terms and things like that.

CHAIR HOLIAN: Okay, but I would actually like to ask a question of Rachel. So if we pass this resolution today, given the other resolution that we already passed about hearing a resolution's FIR before we actually pass it, do you think that this would be invalidated if we were to pass this today?

MS. BROWN: Madam Chair, Commissioner Mayfield, because this is not an item that has a financial impact, as I'm understanding it, I don't know that it was contained within the resolution that sets out your process for resolution adoption.

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

COMMISSIONER ANAYA: Madam Chair, this goes to all my colleague Commissioners. I think that the one thing that I brought up on the phone in the last meeting when we had the discussion on the resolutions was that we want to be able to notice resolutions. We want to be able to vet resolutions and have a process by which we have without bringing the wheels of County government to a screeching halt. So I think it's a balance. We have to adhere to the protocols and I think if you will all remember in the discussion, we had a discussion about maybe holding off on the resolution and doing one more comprehensive one and doing it one time, but the resolution was pushed and we're going to utilize it. But I hope that whatever we end up with doesn't end up costing us more time and resources and energy and becoming counterproductive to I think the intent. I don't think that was the intent of the resolution from either Commissioner Chavez or Commissioner Mayfield, but let's just keep that in mind as well. We're all working together to try to rectify this or other situations so we don't end up adding way much more time to the process than needs to be. So those are my comments.

CHAIR HOLIAN: Actually, I'm going to ask for a motion first and then I'll allow further discussion. Is there a motion?

COMMISSIONER CHAVEZ: I'll go ahead and move for approval of the amendment to Resolution 2012-131.

CHAIR HOLIAN: And I'll second that for discussion. Commissioner Chavez.

COMMISSIONER CHAVEZ: If necessary I guess we can go back to the resolution on resolutions and amend that resolution so that amendments to resolutions don't have to go through a second public hearing, because I don't think that's necessary and that was not my intent. In this case I think that there could be a fiscal impact but the fiscal impact is yet to be determined because the advisory committee is not in place. I don't know what staff time, what staff will be assigned to the committee, but that's where we'll incur the fiscal impact on this, the staff time dedicated to the actual advisory committee.

So fiscal impact to date on this resolution, I really don't see any and I don't think staff was able to identify any fiscal impact. That's not to say that moving forward there wouldn't be and I think, having said that, part of what we're trying to do is assess that fiscal impact in hard costs and in staff time, because that's – it all impacts our County budget.

So I hope that the amendments don't hold us back and I hope that we can move forward with this advisory committee, understanding that the committee structure, all of the committees – I don't know how many standing committees we have under County government, but all of those committee will have some fiscal impact on our funds. So I'll leave it at that.

CHAIR HOLIAN: Katherine, did you have something?

MS. MILLER: Madam Chair, what I was saying earlier, the resolution that was originally passed that established the committee has already passed. We're having the committee whether you pass this or not because you've already passed one for a committee, but this was to clarify the changes that you made when we went to make the appointments and make sure that our resolution mirrored what you did with the appointments. So we passed the resolution some time last fall that established the advisory committee. That's already taken staff time; that will continue to take staff time, but when you made the appointments two BCC meetings ago, Commissioner Anaya had requested a member from the Sheriff's Department, but there was no opening on that committee for that and then we also had an opening that was not filled and we filled it with someone from the League of Women Voters.

So all this amendment does is clarify the action that you took at the meeting two BCC meetings ago. So it's to clean up actually what happened and make it so that we could technically appoint the member from the Sheriff's Office. So it does not have an additional fiscal impact at all. We've already passed the resolution that has that, if that helps in any way.

CHAIR HOLIAN: Thank you, Katherine. I think that's a really important point that this is bringing the resolution into conformance with actions that we requested some meetings ago. So with that –

COMMISSIONER CHAVEZ: I call the question, Madam Chair.

CHAIR HOLIAN: You call the question? I'll second that

COMMISSIONER MAYFIELD: Madam Chair, point of order. I had the floor. Everybody was talking on my point and you're calling for a question when I have the floor.

CHAIR HOLIAN: Rachel, would you care to rules on that?

MS. BROWN: Madam Chair, when a call for the question occurs it is in the discretion of the chair whether to move forward with that motion but you do have the discretion to allow Commissioner Mayfield to finish his point.

CHAIR HOLIAN: Okay. I will allow you to finish your point, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Move to table, Madam Chair.

CHAIR HOLIAN: Is there a second? Seeing none, is there another motion?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I have a question for Commissioner Mayfield. Where is your frustration, Commissioner? Because I feel that the essence of this amendment ties to the request to have the Sheriff be on the Corrections Advisory Committee, and that's the essence of the amendment that we have today. And frankly, when I saw it, and I should have caught it sooner, but when I saw it at the meeting I didn't feel it would be appropriate for us to have a Correctional Advisory Committee and not have our chief law enforcement officer on the committee. So I'd just like to know. Because I think you're trying to make sure that there's a fair and appropriate process but on this matter I'm the one who brought it up and we had the discussion so we could have it so if I could, Madam Chair, I don't think it's going to take that much time for him to give us a response if you allow him to respond I'd appreciate it.

CHAIR HOLIAN: Okay. I will allow a short response, but I will note that we have a motion on the floor and a call for the question on the floor. So please respond and then I will ask us to vote on the call for the question point, and then we will vote on the motion.

COMMISSIONER MAYFIELD: Madam Chair, Commissioner Anaya, I have no problem with the addendums to the resolution. As a matter of fact this is my resolution that I pushed forward for the Corrections Advisory Committee. I think it's a very important resolution for Santa Fe County. But we did pass a resolution two weeks ago, a resolution that I don't think was well thought out, and this is the reason. And unfortunately, this resolution is suffering for it. And it's my resolution that's suffering for it. It's not clear-cut in this resolution for the point that was stated. It's not a process for amendments and now any other resolution in the past that somebody wants to pull an amendment, and we want to make any changes to any resolution – because if you look at this resolution that was passed, 2013-26, line 5. This procedure set forth above may be waived by the BCC. We're waiving it right now for this reason and so forth. Unless we have some clear standards set in this resolution that was passed two weeks ago, we're going to make any changes any time we want when we feel we want to.

So unfortunately, this resolution is just a casualty; it's a political casualty of it. I'm going to just say that, how I feel on it. So that's my point. It's not that I do not want an officer from our Sheriff's Department on this. It's not that I don't want an officer from the League of Women Voters on it. Again, it's my resolution that I passed. I think it's very important that this resolution moves forward, but I just don't think that our last resolution was well thought out. There's going to be very many resolutions that suffer this same consequence unfortunately. So that's why I'm bringing this point up, Commissioner Anaya.

CHAIR HOLIAN: Thank you, Commissioner Mayfield. Okay. We now have a call for the question on the floor.

COMMISSIONER STEFANICS: Could I hear the original motion?

CHAIR HOLIAN: The original motion before the call for the question?

COMMISSIONER STEFANICS: Yes.

CHAIR HOLIAN: Okay. What was the original motion?

COMMISSIONER CHAVEZ: The original motion was simply to approve the amendment to Resolution 2012-149.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR HOLIAN: Call the question.

The motion to call for the question passed by unanimous [5-0] voice vote.

CHAIR HOLIAN: Then we will now vote on passing Resolution No. 2013-33. We have a motion and a second.

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

COMMISSIONER ANAYA: Aye, and that's aye on that last vote too.

CHAIR HOLIAN: You're voting against –

COMMISSIONER ANAYA: I'm voting for the resolution and I was giving my aye to the 3-2 vote on the previous.

CHAIR HOLIAN: Resolution No. 2013-33 passes 5-0. Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Can we move on?

COMMISSIONER ANAYA: I just wanted, for the record, I just wanted to explain the vote on the land use case because I think it's something we need – as a Commissioner I think I need more clarification on it. Can I just make an additional comment?

CHAIR HOLIAN: Sure.

COMMISSIONER ANAYA: So, Madam Chair, Ms. Brown, land use cases go through a process and we're essentially adjudicatory officers or judges, I guess is probably the best way to define it. Over and over again, while I was an employee at Santa Fe County and now sitting on the Commission, I fully understand the importance of not engaging in ex parte communication and affording the process to run its course. That process entails an administrative review in the Land Use Department with staff recommendations with a process through a County Development Review Committee that's part of that reviewing process. And then ultimately the final determinations that take place at the Board of County Commissioners. So a long lineage of legal information and binding documents that are tied to our Land Use Code.

So I share some of the same concerns that Commissioner Mayfield was bringing forward. I want to make sure that as we go forward that we don't engage ourselves in a process of ratifying or changing final orders. I've never seen us mess with final orders. I've seen us have re-votes. I've seen us move to reconsider. I've seen Commissioners do that over and over again, but final orders – that's kind of the end, finishing legal document that cleans things up and if we start opening those up then I have some concern. So I'd like for yourself

and Mr. Ross to maybe go back through that process and make sure that as we go forward we don't get ourselves in any binds. Thank you, Madam Chair, for indulging.

CHAIR HOLIAN: Okay. Thank you.

XII. C. 1. Appoint the Final Member, Captain Adan Mendoza, per Amended Resolution to 2012-149 to the Santa Fe Corrections Advisory Committee

COMMISSIONER ANAYA: Madam Chair, I would just highlight that we made this change and made this amendment to reflect that our chief law enforcement officer has the ability to appoint a representative to sit on our Corrections Advisory Committee, somebody who works integrally with what happens in the jail. So I'd move for approval.

COMMISSIONER CHAVEZ: Second.

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

CHAIR HOLIAN: I think that we are at a good stopping point now. It's been two hours and we are now coming to the beginning of Staff and Elected Officials' Items so I'm going to call a ten-minute break and we will reconvene at 3:11.

[The Commission recessed from 3:01 to 3:15.]

XIII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Growth Management

1. Discussion and Direction to Manager on Proposed Amendments to Ordinance 2011-6 and Resolution 2010-190 Relating to the Down Payment Assistance Program

CHAIR HOLIAN: I'd like to call this meeting of the Board of County Commissioners back to order. It's 3:15.

STEVE BRUGGER (Affordable Housing Coordinator): Thank you, Madam Chair, Commissioners. We have a down payment assistance program that's zero percent interest, non-amortizing, deferred payment loans that can be used for down payment, closing cost assistance. It's been a good program to date. We would like to make some changes in program procedures and regulations and the current procedures and regulations, many of them are embedded in the ordinance and resolution so to change the regulations and procedures we need to change the ordinance and resolution.

Before, what we'd like to do is bring this back in amendment ordinance in resolution to the Board. Before we do that we need to seek approval from the Mortgage Finance Authority that has some sway over this issue. So before we work up the ordinance and resolution we wanted to get feedback from you on the proposed changes that we have laid out here in the staff report. I will not go into all of those. We have proposed two basic ordinance changes, about 16 regulation changes attached to the resolution, all of which in our mind

SFC CLERK RECORDED 05/07/2013

would increase utilization of this down payment assistance program or efficiently use the limited funds that we have.

In some cases it reflects current practice that we're doing now. The main ordinance change has to do with staff desire to provide a commitment for down payment assistance following first mortgage loan pre-approval and letter of commitment, essentially follow a standard lending practice. Right now the current ordinance directs us not to provide a firm commitment for down payment assistance until we have a purchase contract in hand and in most cases that we've experienced buyer's financing at the purchase itself presumes the down payment assistance would be provided. If it is not then the purchase agreement goes south and they have to start over. There's a better way to do it.

This change would allow us to provide a letter of commitment earlier in the process following the same commitment timeline provided by a lender with a mortgage commitment from a first mortgage lender and a down payment commitment from us. The client could go shopping within a designated budget. It just makes a lot of sense. The way we envision it the commitment would be good for 180 days. It would be conditional on us getting the final purchase contract. The purchase price being within specified limits and other conditions that we've laid out in the staff report.

The other main regulation changes that we propose is we, in our program, we serve up to 80 percent up to 120 percent of area median income, yet our down payment assistance stops at 100 percent of area median income. We would propose to provide up to \$5,000 for those households falling into the income category between 100 percent to 120 percent. Right now it's \$20,000 up to 65 percent of AMI, \$15,000 up to 80 percent, \$10,000 up to 100 percent. We propose to have \$5,000 up to 120 percent. We also propose that the maximum assistance that could be provided would be the lesser of these amounts of 20 percent of the purchase price, including any gifts or other sources of down payment that come from the buyer's own funds.

We would also propose that the applicant make a minimum contribution at closing of 10 percent of any down payment assistance that we provide. Or looking at it another way, it's a form of leveraging. They have to kick in some money if they want us to kick in some money as well. It's still a generous ratio but it's more of a condition than we have right now. We would have conditions on the maximum purchase price of a home under the program.

There's these changes and about 11, 12, other changes that we've itemized here, some of which, the use of a loan review committee, which is both an ordinance and a regulation change rather than the Affordable Housing Administrator making a decision, we use a loan review committee made up of four people to give a thumbs up or thumbs down on any assistance request. So those are the primary changes. We've tried to lay out this all at one time and again, before putting this together with an ordinance and resolution in going to MFA, I wanted to get feedback from you on this and if it looks good we would proceed with our efforts through MFA and then back to you for final decision. With that I'll stand for questions.

CHAIR HOLIAN: Thank you, Steve. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I've been reading these and they seem okay to me in terms of promoting affordable housing to a broader range of persons, but I wanted to clarify the process and I think you just were doing that. So if we

said we're great with all of them or 13 out of the 16 or whatever, you then would take them to MFA to determine whether they will approve them before you would bring them to us to put into ordinance and regulation?

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

COMMISSIONER STEFANICS: Okay. So today, really, we're just giving you the go-ahead to propose these items to MFA.

MR. BRUGGER: Yes.

COMMISSIONER STEFANICS: Thank you very much, Madam Chair.

CHAIR HOLIAN: Any other questions, comments? Well, thank you very much, Steve, for bringing this forward. I think we want to make sure that our down payment program is fully and effectively utilized. Just out of curiosity, or just for the record, how much funding do we have available or have left in our down payment assistance program?

MR. BRUGGER: We look to spend about \$110,000 this year, so that would leave us with about \$270,000 left and if in the future we would propose to possibly reallocate some money that had been given for developer subsidy to this program because this is one of the best subsidies that could be given is to the end buyer. We found spending more time with down payment assistance, with counseling up front is a good use of time and resources.

CHAIR HOLIAN: Thank you. So just to make things clear, I wonder if I could have a motion.

COMMISSIONER CHAVEZ: Well, let's see. Staff is looking for direction and if I could, Madam Chair, based on Commissioner Stefanics' comments, I'm wondering if, Steve, you have to present this to the Mortgage Finance Authority, MFA. Commissioner Stefanics, would you be comfortable with a motion that would include both the ordinance changes one and two, and all of the regulation changes? So it will provide staff with more of a range to discuss between MFA?

COMMISSIONER STEFANICS: That would be my intent.

COMMISSIONER CHAVEZ: So that would be a motion then.

CHAIR HOLIAN: Okay. We have a motion then, and I would second that. Any further discussion?

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

CHAIR HOLIAN: So I think it's fairly clear about how to proceed. Thank you, Steve.

XIII. B. Assessor's Office

1. Update on Assessor's Data Collection Project

GARY PEREZ (Deputy Assessor): Thank you, Madam Chair, Commissioners, good afternoon. Assessor Domingo Martinez wanted me to provide you a brief update on the data collection project and also an update on a law that was passed last year that requires the notice of value that's sent out by the Assessor to be changed.

So first I'd like to start on the update on the data collection project. If we can take a look at the map. We have a map here of Santa Fe County. Sorry. It's not a very big map, but

MR. CHAIR HOLIAN: 15:57:31

essentially what this shows you is what we are working on which is Phase 2, right here. Phase 1 is completely done. Phase 1, to remind you, was the photo project, taking a photo of the exterior of the property and utilizing one of our phasors inside the Tyler van to collect data from the street view, and that phase of the project is entirely done. That was finished on February 20th.

So now we're into Phase 2 and we are almost complete with Phase 2. Out of 35,700 properties, approximately 29,000 have been completed and those are within the gray area which is essentially the city limits of Santa Fe. They're currently working – the Tyler staff is currently working in the yellow area which is the area surrounding the city limits to the south and to the east and the west. The next phase of the project once they finish the yellow area will be to the green areas, which is the southwest portion of the county and the northern portion of the county.

As of now we have about 7,000 properties, roughly, yet to visit and collect data on. Currently, to remind you, the Tyler staff consists of 18 people. They have 13 field employees and five clerical staff who were all hired locally.

I have a little bit of information here for the first 5,000 parcels we were able to collect the data on 5,000 parcels, verify it with our office, do some quality control on those first 5,000, and they were able to make it into this year's cycle for this year's notice of value. The rest were not able to make it in because of the deadline dates and our time which we have to mail or send our data to the printer so that our notices can go out by next Monday.

So out of the first 5,000 properties that were viewed by Tyler that will be affected on this year's notice of value we had approximately 5,032, 1,742 of those properties are going to see a decrease. The average decrease, or 35 percent of those 5,000 parcels are going to see an average decrease in their value of about 18 percent. 155 properties out of the 5,000 properties are going to probably see an increase. The average increase is about 29 percent. That's about three percent of the 5,000. And that is due to new construction mostly that they've found on the property that is eligible to go on to be assessed for the first time. And the remainder, which is 3,135 properties were unaffected and that's about 62 percent of the 5,000 properties. So that's where we are on the project currently.

We anticipate that they'll be done by mid to late June with the entire project. The rest of the parcels that they've done we will have the remainder of the year after we finish our protests for this year so that we can quality control those parcels and be ready to mail out with any changes that they have found for the 2014 notice of value.

On that part of my presentation is there any questions?

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm sorry. What is the white part of the map?

MR. PEREZ: Madam Chair, Commissioner Stefanics, the white part of the map is just the remainder of the areas that are not yet scheduled to be done but still need to be done.

COMMISSIONER STEFANICS: So they'll be reflected in next year's?

MR. PEREZ: In next year's notice of value.

COMMISSIONER STEFANICS: Thank you.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Perez, thank you for your presentation. The decrease, explain the decrease. Could that maybe be because of tax lightning that the three percent they were receiving every year? Is that maybe a reason why they're receiving decreases now?

MR. PEREZ: Madam Chair, Commissioner Mayfield, a lot of the reasons for the decrease are the fact that we are collecting information that was not already in the computer system. We have the data on our property record card, on paper, in a file. We had a value placed on it and that value was carried over for four or five years since we got the new computer system four years ago. And now that we have data, now that we have when the house was built, the square footage of the house, the sketch of the home, all the characteristics of the home that allow us to put it into the computer-assisted mass appraisal system and allow the computer to generate a value, that is the reason these are coming down. We have better information. We are applying that information to the most recent sales information from last year's market, from 2012 sales that occurred.

COMMISSIONER MAYFIELD: But also, Madam Chair, Mr. Perez, I understand increases and you have to catch up with that, but just going back to the decreases, could you – would there be data that would show up those homes over the last five years or whatever you have, were receiving that three percent automatic increase over the last five years also?

MR. PEREZ: Madam Chair, Commissioner Mayfield, yes, we could do a query on any property and find out if it was receiving a three percent increase or not.

COMMISSIONER MAYFIELD: And on that, what was the average decrease on some of those homes? Do you know? Was there a standard decrease percentage?

MR. PEREZ: Madam Chair, Commissioner Mayfield, the average decrease for the 1,742 homes was about \$39,498 per parcel.

COMMISSIONER MAYFIELD: Per parcel. Percentage-wise maybe?

MR. PEREZ: Well, that would be hard to determine because you have different values of different homes within that range.

COMMISSIONER MAYFIELD: Okay. Thank you.

MR. PEREZ: But the average decrease on the whole for all of those homes was 18 percent.

COMMISSIONER MAYFIELD: Great. Thank you very much.

CHAIR HOLIAN: Any further questions?

XIII. B. 2. Discussion of New Format on Assessor's Notice of Value and Mailing Date

MR. PEREZ: Thank you, Madam Chair. What this shows you is the new notice of value for 2013. *[Exhibit 1]* Our office will be mailing this notice out as required by law by April 1st. We will be mailing it on April 1st which is next Monday. We would like for

2013 MAR 26 10:58 AM

the public to be aware of this because they have 30 days to look at the notice of value, read the back, read the instructions, and protest the value if they disagree with it, or apply for any exemptions such as a family exemption or a veteran's exemption, or the freeze on value or any other thing that they might have a question about they can come in and talk to us. So the deadline for filing a protest would be May 1st.

As I said before the law was changed last year that requires us to show new information on this notice of value. So if you could scroll up a little bit please. Essentially the top third of the form is the same. It's essentially showing – this is a blank form but this is a better looking form than the next one I'm about to show you. Stop right there. Essentially what we had in the prior years was the information to the far right under the black bar which currently says 2013, this year's property value information. We used to show everyone this information below it, other than the estimated tax rate or the estimate tax amount. What the law required us to do is to show the prior year's information as well.

It asked us to show the prior year's total value information, the prior year's tax rate, and the prior year's tax amount, or actually an example of how to calculate that tax. Then we took it a step further with the approval of the Property Tax Division, and we showed all of the information that you see here line by line from last year's to this year's the same so people will be able to compare what last year's was. For example, on line 1, the full value of the land last year, which is under the gray bar, versus the full value of the land for this year, 2013. Also what's new is the estimated tax rate and the estimated tax amount for the current year. So people will be able to see what we estimated their taxes will be based upon any changes in the value.

And we want to be careful to note that the tax rate for the current year is estimated; what it is is actually the tax rate for the prior year. Because we don't know yet at this time of the year what the tax rate will be so we have to rely on last year's rate.

And if you'll scroll down a little bit more please, the bottom part of the form is basically – there's a perforation there above the big white box so that people can sign up for a family exemption and sign it and send it in and they can apply for that by mail. If they just read the back of the form you'll see that it has the instructions there. And Robert's scrolling that just to show you what the instructions look like.

At the top of the back of the form is just a general guide showing people what they need to do really with this form. It has a quick reference guide. But if they read the instructions they'll see that they may qualify for benefits that they're already not receiving. And then the bottom part of the form is for any address changes that a person might have or any changes to the property. They need to check that and mail that into us as well.

Now, if you can go to the next slide. Essentially, this is the same form. It's just a copy with the information already put in it. I redacted some of the information so that although this is public information I didn't want to disclose the owner's name and address on this property. But this is actually the same form as what I just showed you with the information already put in. If you'll scroll up please, Robert. Stop. Right there you can see that the information for this property is the same. Last year, under the full value we had this property valued at \$323,160. If you look over to the right you'll see that this year the value is identical. And at the bottom of the page, the bottom of the box says last year's tax rate was .0183620. If you take that times the next taxable value and you get a tax amount last year of \$1,867. And this

year it will be the same if the tax rate remains the same which we'll know by October 1st, then there will be no change in taxes for these people because we did not change the value.

Now, very rarely does the tax rate stay exactly the same. Some times it goes up very minimally or it goes down minimally, like it did this last year. If you could just scroll up a little bit more you'll see that you have the same information. So with that I'll stand for any questions you might have.

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

COMMISSIONER MAYFIELD: Madam Chair, thank you. Deputy Assessor Perez, thank you. I guess on my past question on this question. Are individuals entitled to a refund if they were overvalued and overtaxed?

MR. PEREZ: Madam Chair, Commissioner Mayfield, not they're not. If a person files a claim for refund, what's called a claim for refund through district court, if they have missed the protest process through the Assessor's Office, once they receive their tax bill later in the year they have – I believe it's 60 days to pay the first half of those taxes in full and they can file what's called a claim for refund through district court. If district court rules on their behalf then they can receive a refund; otherwise, no.

COMMISSIONER MAYFIELD: Okay. Second point, when you're completed with the task or Tyler Technologies has done valuing all the properties throughout Santa Fe County will the Assessor's Office still continue, or if they are doing this, the three percent potential increment every year or will you cease that?

MR. PEREZ: Madam Chair, Commissioner Mayfield, that will depend on what the market is doing and where we're at. For an individual property, as you can this property didn't change because we believe that we are above or close to the market value on this property, so we have not bumped it up three percent nor have we adjusted it down. If properties are at their market value we'll be leaving them alone. If they are below market value, just like I told you at the meeting a month ago when we were talking about tax lightning, there's about ten percent of the properties that are below 90 percent of the market value, those properties may see an increase of three percent in the future. It just depends where we are in the market, where we are in the valuation.

COMMISSIONER MAYFIELD: Right now with this you are bringing them up to market value. Correct?

MR. PEREZ: That's correct.

COMMISSIONER MAYFIELD: So they won't be at 90 percent; they'll be at 90 percent.

MR. PEREZ: Madam Chair, Commissioner Mayfield, we believe this one is close to 100 percent of market value. That's why it received no change.

COMMISSIONER MAYFIELD: Thank you.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. There's probably nothing – I was just looking at this – there's nothing on this form that indicates people who've already been reviewed, photographed, checked in the system. Correct?

MR. PEREZ: Madam Chair, Commissioner Stefanics, that's correct.

COMMISSIONER STEFANICS: Wouldn't that be useful, if people came in you could say this box shows we've already visited your property?

MR. PEREZ: It may be useful, however, it's too late now because this data has already been sent to the printer and they're in the process of printing the forms right now. What we intend to do is to send notices to people that their property was inspected and what we have picked up, what the Tyler group has picked up and what the changes were. We intend to send that to the individuals.

COMMISSIONER STEFANICS: Great. Okay. Thank you.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Madam Chair. I don't have any questions on the two specific items in front of us but if I could I'd like to deviate just a little bit and ask Mr. Perez if he would update us on the legislative efforts in this last legislative session regarding tax lightning and other provisions for taxpayers.

MR. PEREZ: Madam Chair, would that be appropriate since it's not on the agenda?

CHAIR HOLIAN: Actually, I'd like to ask Rachel. That's not noticed.

MS. BROWN: Madam Chair, it is under Matters from the County Manager for legislative update and so I don't see any harm in moving that forward if the Commission would so desire.

CHAIR HOLIAN: Thank you. Then yes, please answer.

MR. PEREZ: Okay. Thank you, Madam Chair, Commissioners. On the matter of House Bill 521 which was the tax lightning issue which I brought forth to you for an approval on a resolution, that one passed actually two committees on the House side and it died on the House floor. It was brought to the floor about a week prior to the last day of the session and there were attempts by both sides of the aisle to make amendments to the bill and the sponsor of the bill was not willing to go along with the amendments and it couldn't be worked out. It was felt that there was insufficient votes to make it pass and therefore he basically let it sit.

There were two other assessor issues that are important that did pass. We are awaiting signature from the Governor on both of them. One of them is Senate Bill 510, and the sponsor of that was Senator Rodriguez. That was a change to the deadline for people to apply on ag status from January 28th to 30 days after the date of mailing of the notice of value. So right now, people will be receiving this year, this notice of value and on the back it tells them that they can apply for ag status, which is a lower valuation, lower than market value, but it's also going to tell them that the deadline is the end of February. And this is the biggest notification that they have of that date, other than a notice that we put into the legal notices in January. So people aren't aware of that.

So the assessors thought it would be a good idea to change that deadline so that when you receive that notice of value, you still have 30 days to apply for that ag status. That one did pass. That passed actually unanimously pretty much through every committee and both the floor of the House and the floor of the Senate. So we are anticipating that the Governor will sign that.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Just on that point, we should probably send a letter ratifying that that's a good thing for the voters and encouraging her to sign it. So I would suggest that come from the chair.

CHAIR HOLIAN: Thank you.

MR. PEREZ: And Madam Chair, there was one other one. It was – I believe it was Senate Bill 289. That one dealt with making some changes to the current law for people who apply for the freeze on value. Right now, if a person is 65 years or older or disabled at any age, and their income in both cases is less than \$32,000 in modified gross income per year, household income, they can qualify for a freeze of their value. So if their value was \$100,000 this year and they applied for the first time we would freeze it. If it's a low value and it would go up three percent in the future, as long as it continued to qualify.

The change to the law, currently it requires that person to fill out an application each year and get qualified each year. The Assessor has to go through hundreds – in our case over 450 applications every year and income information to qualify everyone. Well, the assessors thought that this is kind of a wasted effort on our part because the majority of people do qualify every year. When you get to be a certain age and a lot of people who are on Social Security they don't get much of an increase every year, their income is not increasing that much. So we had the law changed so that after you have applied and qualified for three years in a row you no longer have to apply. So it will provide so that they don't have to come into the office, try to find parking in our case out here, and remember to actually fill out the application and bring it into us.

So that one's also a really good bill and the Deputy Assessor from Sandoval County actually headed that one up.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Perez, I would support any bill that has a freeze in value legislation, just for the record. I think that's a good bill, it's pragmatic, practical for people that need it, so that sounds like something that's beneficial to people in need.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Commissioner Anaya, would you direct the chair in this case to draft a letter to our Governor and encourage her to sign this bill on behalf of low income and senior taxpayers?

COMMISSIONER ANAYA: Absolutely, Commissioner Chavez.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Deputy Assessor Perez, do you know the sponsor of that bill?

MR. PEREZ: Yes. Madam Chair, Commissioner Mayfield, that was Senator Shendo of Sandoval.

COMMISSIONER MAYFIELD: Thank you.

COMMISSIONER CHAVEZ: Madam Chair, I just want to thank our staff for all their work and for advocating on behalf of those that don't have the disposable income that others have and for their efforts during the legislative session. Thank you for that.

MR. PEREZ: You're welcome.

CHAIR HOLIAN: Thank you, Gary, for all the hard work that you do, that the Assessor does, that the staff does.

MR. PEREZ: Thank you, Madam Chair. We have a very good staff and they do work hard. We do take a lot of flack from the people. It's a very tough job but we do it and year after year we do it over and over. We seem to get it done on time.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, just for our listening audience out there and the folks watching TV, Assessor Perez and Assessor Martinez, their doors are open and I know I talk to Gary regularly. Folks are welcome. Parking is troubling but they can come down, they can come into the office and come and talk to them. Their doors are always open so folks can come and talk to them any time and Gary is very accessible for folks to come and talk to him.

COMMISSIONER CHAVEZ: Actually, I want to expand on that because I see that both Gary and Gus Martinez have actually gone out to the public. I know Gus has attended a couple of meetings out at the Agua Fria Village Association. So we're trying to go out to the public and provide them with information as much as possible, not expecting them to come to us all the time. So I just wanted to expand on that just a bit and state that the office has gone above and beyond the call of duty.

CHAIR HOLIAN: Thank you, Commissioner.

MR. PEREZ: Madam Chair, may I answer that real quickly? This year we are as a matter of fact, Gus has set-ups in areas in the county so that people don't have to come to our office before the 30-day deadline to protest and to file for exemptions. We have some areas set up in various community centers on certain dates and we will get a press release out on that so that the public knows. That way they don't have to travel from Edgewood or anywhere in the County to our office. We'll go out there.

COMMISSIONER STEFANICS: On this, Gary, could you tell us now where those dates and places are?

CHAIR HOLIAN: That's what I was going to ask is whether you could send that information to us because then we could send it out to our email list.

MR. PEREZ: Madam Chair, we'd be happy to email it to you today. We didn't bring those dates with us but we can email it to you today and we're going to get that press release out soon, work with Kristine Mihelcic.

CHAIR HOLIAN: Thank you. Thank you very much.

MR. PEREZ: Thank you.

XIII. C. Community Services

1. Request Approval to Amend Professional Service Agreement #2011-0291-DWI-TRV with Capital City Cab for Chauffer and Designated Driver Service (CADDy) in the Amount of \$66,000

LUPE SANCHEZ (DWI Coordinator): Good afternoon, Madam Chair, members of the Commission. We come before you today to seek approval to increase the

contractual amount to the CADDy program in the amount of \$66,000. The increase will take the total contractual amount for FY 13 to \$156,000, and with that I'll stand for questions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the program. I think it goes along with a lot of your strategies that you work on on a regular basis. Are we still primarily focusing on the Santa Fe metro area or have we begun the process of expanding to the north and to the south? I guess the follow-up to that would be have we entered into any discussions with some of our neighboring counties in the north or in the south to maybe collaborate with them on some type of initiative that would expand? So first question, are we just still dealing with the urban area mostly?

MR. SANCHEZ: Madam Chair, Commissioner Anaya, as you may recall, last year we changed the program a little bit and what we did is we increased the distance that we're going into the county now. So we're traveling a total of seven miles into the county. So we have expanded into the county a little bit more. As far as looking out and branching out and working people maybe in the southern part of the county and the northern part we haven't looked at that yet.

COMMISSIONER ANAYA: Madam Chair, I would just ask that you guys have some initial dialogue with Rio Arriba County and Bernalillo County, Torrance County, maybe as an initial dialogue to see if there might be some interest in doing some work together so we can try and reach all the limits of the county. But I appreciate what you're doing and I appreciate that we have a program that is providing an alternative that's better what some would do, drink and drive. So thank you for that and thank the DWI Council for their work. Thank you.

MR. SANCHEZ: Madam Chair, Commissioner Anaya, it's my understanding that Espanola does have a CADDy service now, so we will look into that.

COMMISSIONER ANAYA: I guess what I'm looking to, Madam Chair, is that we maybe augment that through our program budget as we serve people in those areas.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Okay, I have a motion and a second. Any further discussion? Actually, I have a question, Mr. Sanchez. Is there any way to determine what kind of effect this CADDy program has had on either reducing drunk driving or reducing accidents? Do we have any way of being able to quantify that?

MR. SANCHEZ: Madam Chair, that's an excellent question. At this time we're having the program evaluated to help us determine that, so we're hoping to have the evaluation completed by late June. We'll be able to come to the Commission with those results.

CHAIR HOLIAN: Oh, great. That will be very welcome. And the other question I have is it says here that we receive LDWI funds for this, Local DWI. Do you have any idea how much we've received in that program?

MR. SANCHEZ: Madam Chair, per fiscal year, for fiscal year 2013, we received \$1,089,000. The projections for FY 14 are \$1.2 million.

CHAIR HOLIAN: Okay. Thank you, Mr. Sanchez. So I have a motion and a second.

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

XIII. D. Finance Department

1. Request Approval of a Notice of Sale Resolution for Series 2013 General Obligation Bonds

TERESA MARTINEZ (Finance Director): Madam Chair, Commissioners, what you have before you is a notice of sale resolution that is relative to the question the voters approved at the last general election, and I also have here with me today our bond counsel and our financial advisor if you have any questions. But this is for the purposes of the bond issuance would be \$35 million in total, \$6 million for open space projects, \$19 million for road and \$10 million for water and wastewater projects. So I'll stand for questions.

CHAIR HOLIAN: Thank you, Teresa. Actually, I have a question first. Teresa, this is just the first step, right? Approving this resolution. And could you just sort of give us a brief description of how the process goes?

MS. MARTINEZ: Sure, Madam Chair, Commissioners. The first step was coming up with the question and agreeing on amounts, going to the voters, getting the voter approval. What this does will now represent the first sale. So we typically have a question every four years and a bond sale every two years. So this would get the bond sale moving, if you will. We'll do a couple of bond rating presentations so we do standard calls with Moody's and S&P, and they'll evaluate what's the economy, is the County planning – are we fiscally responsible planning forward, moving forward? And then we will probably have a sale some time in May or June. We budget in July and we start moving forward with the projects that we've earmarked.

CHAIR HOLIAN: Thank you, Teresa. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Ms. Martinez, since we're all – this is an aggressive bond sales plan that gets the voters' intent and interest out so that we can move and get the bonds sold and get the projects going, right?

MS. MARTINEZ: Madam Chair, Commissioner Anaya, that's correct. We'll sell them this year and we'll be ready to have them budgeted as part of the FY 14 budget and ready to move.

COMMISSIONER ANAYA: And we've front-loaded as much as we possibly could to be able to do as many possible projects as we could. Correct?

MS. MARTINEZ: That is correct and the focus on this first sale will be for roads, so that's the direction.

COMMISSIONER ANAYA: Thank you, Madam Chair, Ms. Martinez.

CHAIR HOLIAN: Any further questions?

COMMISSIONER STEFANICS: I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: We have a motion and a second for a notice of sale resolution.

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

XIII. D. 2. Request Ratification of a Budget Adjustment Request, Per Capital Outlay Policy, Allocating \$100,000 of District 2 Capital Funds to Renovation of County Human Resources Building

MS. MARTINEZ: Madam Chair, Commissioners, what this does is in the previous capital improvement plan that you approved there was an earmarking for each Commission district to the tune of \$200,000. So this budget action basically transfers from what we call a set-aside to the individual district call center so that it can be spent within each individual district. So this is relative to District 2 for \$100,000.

CHAIR HOLIAN: Any comments or questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I applaud Commissioner Chavez for wanting to approve a County facility and to continue to improve the status and use of our facilities. Thank you.

CHAIR HOLIAN: Thank you. Actually, I have a question for Katherine. For these essentially district-specific capital funds, can we also use them on capital projects that benefit the whole county? They don't have to actually be in the district where the money is coming from? Is that correct?

MS. MILLER: Madam Chair, that's correct. What we did at the beginning of this budget cycle and we'll do it again in 2014, is we just set aside \$1 million - \$200,000 per district for the Commissioners to give us authorization of where you would like that spent. If you choose to have it spent on a non-district item but a countywide item that's fine as well. In addition, I want you to know if those funds are not expended in the current year they will carry over to the following year in your district as well.

CHAIR HOLIAN: Okay. Thank you. Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: [inaudible]

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move for approval.

CHAIR HOLIAN: I'll second that.

COMMISSIONER CHAVEZ: Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I would ask Commissioner Stefanics to recant the motion and second. It's Commissioner Chavez' motion.

COMMISSIONER STEFANICS: Well, I was waiting for him.

COMMISSIONER CHAVEZ: That's fine. I'm okay with it. I just appreciate your support.

COMMISSIONER STEFANICS: I'm happy to withdraw my motion.

COMMISSIONER CHAVEZ: No need to.

CHAIR HOLIAN: We have a motion and a second.

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

COMMISSIONER CHAVEZ: I want to thank my colleagues for their support. I really appreciate Commissioner Anaya's comments, and I want to thank staff for working on this. We did hear from Risk Management earlier and we do want to improve the working environment and the conditions of all of our employees, so maybe this is just a start in that direction. Thank you.

CHAIR HOLIAN: Thank you, Commissioner Chavez, for bringing this forward. It's a good precedent, I think, for our county.

COMMISSIONER MAYFIELD: And Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair and Katherine I think this will – I'll answer my own question. But if we realize some savings out of these projects, the money can arguably revert back and be utilized somewhere else in the prospective Commissioner's district, correct?

MS. MILLER: Madam Chair, yes. So if we allocate something in, for instance, in this one if it ends up being only \$80,000, the \$20,000 would reverse back to Commissioner Chavez.

COMMISSIONER MAYFIELD: Or to the budget and it could be [inaudible] Thank you.

XII. E. ASD/Procurement Department

1. Request Approval of Four (4) Indefinite Delivery/Indefinite Quantity (ID/IQ) Price Agreement(s) for IFB #2013-0186-PW/MS Miscellaneous Heating, Ventilation, Refrigeration, and Air Condition Services

BILL TAYLOR (Procurement Manager): Thank you, Madam Chair, Commissioners. The Purchasing Division, Madam Chair, Commissioners, went out for an invitation for bid to establish price agreements with multiple awards. There were ten vendors that submitted bids and through the selection process there were four firms. B&D Industries, Welch's Boiler Services, Mechanical Control Solutions, and Air Management Services. These firms will be under contract with the County as a price agreement for all County entities to utilize. With that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Any questions? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think this is a progression of work that I know I continually talked about and I know other Commissioners have brought it

up as well, but the more planning that we do and the more bids that we do in advance of potential work items the more time that saves not only the department but the public in getting things rectified and fixed and so that we're able to progress. I just continue, Mr. Taylor, to encourage you to do more of these types of bids, working closely with the departments and the elected offices so that when problems arise there's an immediate opportunity to solicit work that's gone through a due process and a procurement process as I know this has.

With that I'd move for approval.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Taylor, this contract – I haven't read through the whole thing but they do like air filtration for all these pollens and stuff. Food for thought.

MR. TAYLOR: We'll ask these firms if they can address that.

COMMISSIONER MAYFIELD: Thanks.

CHAIR HOLIAN: Any further discussion? I have a motion and a second.

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

XIII. E. 2. Request Approval of Price Agreement #2013-0205-FD/MS Bunker Gear for Santa Fe County Fire Department to Municipal Emergency Services, Inc. for an Indefinite Quantity (IQ)

MR. TAYLOR: Thank you, Madam Chair, Commissioners. The Purchasing Department, together with the Fire Department issued an invitation to bid for bunker gear. These are the helmets, jackets, coats, pants, boots and other equipment safety gear. This RFP was not only low bid but this required specifications that had to be met. We asked all firms to submit six pairs of each so they could be tested. They were rigorously gone through a test by the Fire Department and ranked. There were two firms that submitted: Municipal Emergency Services and L.N. Curtis of Phoenix. Municipal Emergency Services was the only one that submit their material and equipment to be tested. They both submitted bids. We selected the Emergency Services for award.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I support the Fire Department, the supplies and materials they need. It's gone through a due process. Move for approval.

CHAIR HOLIAN: Second.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, by no means do I want to stand in the process that was just approved by we might want to work with the State Fire Marshal. I know that they have a lot of vendors also. They get great prices through their price

list and they buy in volume for all their volunteer departments, also for career fire departments and also for the Firefighter Training Academy. Just food for thought. As a matter of fact they went through you at one time in your former capacity. So just for the future.

MR. TAYLOR: Thank you, Commissioner.

CHAIR HOLIAN: We have a motion and a second.

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

XIII. E. 3. Request Approval of Change Order #2 to Agreement #2013-0145-OS/PL with Meridian Contracting, Inc. for Construction Services for the Santa Fe River Restoration From County Road 62 to San Ysidro Crossing in the Amount of \$146,170.00 for a Total Contract Amount of \$1,343,504.86 Exclusive of GRT

MR. TAYLOR: Madam Chair, thank you. This change order #2 is to address the haul of 1,000 tons of trash that were unearthed and discovered in the Santa Fe Restoration project at the rate of \$146.17 per ton unit price. With that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Was it a dump? Was it an old dump or what?

MR. TAYLOR: Madam Chair, Commissioner Anaya, it's in the arroyos and so we've done – there were some preliminary sampling taken out there but it's sort of a hit and miss on that.

COMMISSIONER ANAYA: Mr. Hogan, did you want to add anything there?

MR. HOGAN: Madam Chair, Commissioner, if I could just add to that a little bit. There was a lot of debris that's been added in that area for bank stabilization over time and so when we were excavating for some detention ponds we discovered several areas where there's a high concentration of that that wasn't detected in the soil tests. So since we were cleaning it up we just started chasing the stuff back up the slope and this is what resulted.

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

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Commissioner Anaya, I'll just add to that a little bit. That section of river channel in many cases, the deeds went to the center of the river bed and so many homeowners would try their best to stabilize the bank and they would use old car parts or metal mattresses or whatever they had at hand to stabilize that bank and so we're unearthing that now and so it's just a course of events that we're having to deal with now. And I think that happened all along that river channel. Thank you, Madam Chair.

REC'D OFFICE RECORDS 5/16/2013

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Commissioner Chavez brings up a good point. As far as the contractor that you're going to use, if there was a lot of – back in the day they used the cars and stuff for erosion. There's still a lot of benefit that you can get for recycling of those materials. So are we going to receive the credit for that or is the contractor going to receive credit for that? Is that kind of broken out in this contract? If there is a lot of lot vehicles that are down there?

MR. TAYLOR: Madam Chair, Commissioner Mayfield, there is a cost for the contractor to remove that and so we anticipate that the cost savings is passed along in their proposal for the amendment, for the amount.

COMMISSIONER MAYFIELD: And then about the riparian repair and stabilization is that included?

MR. TAYLOR: In their original contract.

COMMISSIONER MAYFIELD: In the bidding of this contract and everything else?

MR. TAYLOR: That's correct.

COMMISSIONER MAYFIELD: And what if you get into any environmental hazards underneath?

MR. TAYLOR: They'll have to deal with that with another change order.

COMMISSIONER MAYFIELD: Okay. And then have you looked at – the tipping fees are included in this already? Have they been vetted out with Caja del Rio? I anticipate that we don't know what's under there, right?

MR. HOGAN: Madam Chair, Commissioner, a couple points. There's a list of the material were unearthing. There's busted concrete and asphalt so there hasn't been a high recycle content that we could essentially dispose of separately. The contractor is sorting the materials and taking it out but most of that's just so it goes into different sections at the landfill. The only other credit that will come is that we have a surplus of earth in the project because we're opening up channel area. So there is some savings in that we're replacing some of this material with dirt that we would otherwise have had to haul off.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Hogan, I mean, chips from the old cement can be recycled.

MR. HOGAN: We take all that – the cost of sorting that and sending it out – the contractor is sorting it but he just takes it to the Caja del Rio Landfill. They don't take it to a recycling center.

COMMISSIONER MAYFIELD: So I just want to understand this. We have no idea what's underneath that earth. So we have no idea what we're going to be paying for tipping fees. Is that included in this contract or no?

MR. HOGAN: Madam Chair, Commissioner, we do have a very good idea of what's underneath because we just dug it all up, unfortunately. So we don't have a big opportunity for other environmental contamination at this point. But to your point, the change order that you're seeing includes all the tipping fees.

COMMISSIONER MAYFIELD: Okay. Thank you, Madam Chair.

CHAIR HOLIAN: Okay. Is there a motion?

COMMISSIONER CHAVEZ: Move for approval of change order #2 to our agreement #2013-0145.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER CHAVEZ: With Meridian Contracting for \$146,170.

CHAIR HOLIAN: Okay. We have a motion and second. Any further discussion?

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

XIII. E. 4. Request Approval for a Waiver From Section 1 of Ordinance No. 2012-5 to Upgrade Security Fencing at the Santa Fe County Adult Detention Facility in the Amount of \$311,325.59 Exclusive of GRT, Utilizing the State Price Agreement and Authorizing the County Manager to Sign the Approved Purchase Order

MR. TAYLOR: Thank you, Madam Chair, Commissioners. State Purchasing, working with Corrections is requesting this waiver since it's over the \$250,000 in the State price agreement for fence repair, replacement at the correctional facility. In your packet there is a specified list of the fencing that will be replaced by American Fence Company of New Mexico. And with that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Thank you, Mr. Taylor. My question is, why do we need a waiver?

MR. TAYLOR: Madam Chair, there's an ordinance that requires in our purchasing process that requires BCC approval to utilize another price agreement other than the County price agreement for goods or services.

CHAIR HOLIAN: Okay. Thank you. Any questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I see Mr. Davis here. Can we get a little more update on the project itself that we're going to be doing and is this tied to the accreditation stuff or – just that. Can I get an update on the project and what this is tied to. Is it tied to accreditation?

BASIL DAVIS (Corrections Department): Sure, Madam Chair, Commissioner Anaya. Yes, it is for accreditation and also for – first and foremost for quality of life and to promote public safety. In the previous scope of work it was not implemented or installed at that time, so this is just to add to the safety of the existing fencing.

COMMISSIONER ANAYA: And Madam Chair, Mr. Davis, could you just kind of tell me where is this new fencing going? If I'm driving into the facility, where exactly is the additional fencing going to be?

MR. DAVIS: Madam Chair, Commissioner Anaya, it will go around the whole perimeter of the exterior fencing. Concertina wire above and below throughout the whole perimeter of the fence.

COMMISSIONER ANAYA: Okay. Madam Chair, Mr. Davis, is the fence going to come all the way around to the front side where the parking area is or does it end by one of the sallyports in the back over there?

MR. DAVIS: Madam Chair, Commissioner Anaya, in addition to the sallyports and loading dock areas on the south end and east and west of the facility, and if I'm not mistaken, eventually come to the parking lot area.

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

CHAIR HOLIAN: Any further discussion? Do I have a motion?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: Okay. I have a motion and a second.

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

XIII. E. 5. Requesting Approval for a Waiver From Section 1 of Ordinance No. 2012-5 to Purchase and Engine Fire Apparatus for the La Puebla Fire District/Santa Fe County Fire Department in the Amount of \$438,765.00 Utilizing the Houston-Galveston Area Council Cooperative Purchasing Agreement and Authorizing the County Manager to Sign the Purchase Order

MR. TAYLOR: Thank you, Madam Chair, Commissioners. We have come before you before to utilize the HGAC price agreement. They have vetted out all of these services for this type of equipment. This is within the Fire Department's five-year plan and 80 percent of the funding will be coming from the State Fire Marshal funds. So with that, Madam Chair, I'll stand for questions.

COMMISSIONER MAYFIELD: Move for approval, Madam Chair.

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: Okay. I have a motion and a second.

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

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I follow suit with the question you asked at the beginning associated with waiver. That terminology implies in my mind something that may be construed as negative. I'd like us to take a look at how we've dealt with the verbiage in that document, because I think it's a distinct advantage to utilize a process that is comprehensive, that these are in bidding these vehicles and other equipment. So maybe that's something, Mr. Taylor, to revise and more accurately reflect that we're not

downplaying or downsizing our requirement. We're actually just capitalizing on a comprehensive process that helps the County save money.

MR. TAYLOR: Thank you, Commissioner.

XIII. E. 6. Request Approval to Award Contract #2013-0219-PW/PL to Anissa Construction, Inc. for the Building Addition to the Vista Grande Public Library in the Amount of \$734,000 Exclusive of GRT

MR. TAYLOR: Thank you, Madam Chair, Commissioners. This is a construction contract for the addition, 4,000 square foot addition to the Vista Grande Public Library. There were six contractors that submitted bids. The bids ranged from the \$734,000 as low bid to \$835,000. So bids came in rather well. With that, Madam Chair, I'll stand for questions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, an exciting project for Eldorado and the region. Commissioner Stefanics, what's kind of the main scope of the project? It seems like an exciting opportunity for the individuals in the region.

COMMISSIONER STEFANICS: Thank you, Commissioner Anaya, for the question. It's actually an additional room. The children have been taking over the library and the adults have been trying to seek quiet corners to read or to look at things, so the children are going to have their own separate space now so that adults and young adults can utilize the majority of the library. And we have computer labs out there and I'd like to remind everybody that the Vista Grande Library is open to everyone along the corridor – Pecos, Glorieta, down 285 and we don't have that many libraries in the county so one and all, please come to the library.

CHAIR HOLIAN: Thank you. Is there a motion?

COMMISSIONER STEFANICS: I'll so move.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: Okay, I have a motion and a second.

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

XIII. F. Public Works Department

- 1. Resolution No. 2013-34, a Resolution Requesting an Increase to the Road Projects Fund (311) to Budget a Grant From the Dept. of Transportation to Make Improvements to County Roads in the La Tierra Subdivision and to Budget Funds Contributed By the La Tierra Assoc. for the Project in the Amount of \$200,000**

ADAM LEIGLAND (Public Works Director): Madam Chair, Commissioners, this is an exciting opportunity to do a public/private partnership. The state and the

subdivision have both contributed capital. The County will contribute later to do road improvement in the La Tierra Subdivision.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: So Adam, the subdivision contribution, was that done through an assessment district or how did you get that group of homeowners to contribute to road maintenance?

MR. LEIGLAND: Madam Chair, Commissioner Chavez, there's a homeowners association, so that homeowners association had a capital reserve that they were willing to donate and they have a history of doing that.

COMMISSIONER CHAVEZ: So we didn't have to go the assessment route. They agreed to assess themselves and help us with the maintenance of those roads?

MR. LEIGLAND: That is correct.

COMMISSIONER CHAVEZ: Great. We should be able to do that more often.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Leigland, we also received some legislative funding in our last cycle for some roads addition to this area or within this area?

MR. LEIGLAND: Madam Chair, Commissioner Mayfield, no. For this particular project we received a match from the state.

COMMISSIONER MAYFIELD: But I also thought there was some special carve-outs for \$200,000, \$300,000. Am I wrong on that? I'll look. I just thought there was some money, Commissioner Chavez', associated with one or two roads in this area. If not we don't want to miss it. Do it all at one time so if we have all the trucks out there they could be out there at the same time. Thank you.

CHAIR HOLIAN: So, Rachel, since this is budgeting a grant, we can vote on this at this meeting, correct?

MS. BROWN: Madam Chair, that's correct. Budget resolutions were not included in the resolution process.

CHAIR HOLIAN: Okay. So with that, do I have a motion?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR HOLIAN: Okay, I have a motion and a second.

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

XIII. F. 2. Request Approval of a Grant Agreement 12-L-G-1476 From the Department of Finance and Administration to Make Improvements to the Oscar Huber Memorial Ball Park and Grandstands in Madrid in Santa Fe County in the Amount of \$332,000

MR. LEIGLAND: Madam Chair, as the Commission knows, the County has been working with the community on these ballfields for some time. This is the latest and final stage. We received a grant in last year's session for the amount listed to essentially do the seats and the grandstands. We finally received that grant application. If the grant agreement is approved today we anticipate having the funds available, say, within 45 days and we fully expect this project to be complete by the end of this summer. With that I'll stand for questions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Questions? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, this has been a long-standing project. I know the staff ran into some snags with the property but this is a project that former Commissioner Anaya and former State Representative Rhonda King worked very, very hard on with the community, with us now, myself and this Commission and Ms. Miller and staff, Mr. Leigland. So we need to move it as fast as we possibly can. We're kind of behind the curve on some of the older state legislative dollars. So I very much appreciate that we're to this point and I would move for approval.

COMMISSIONER MAYFIELD: Second, Madam Chair.

CHAIR HOLIAN: Okay. I have a motion and a second.

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

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I know we have our holiday picnic coming up one of these days in the summer but maybe one day we could have an intramural softball game or baseball game out at the Madrid fields. Under the lights. That was the first lighted baseball field out west, wasn't it? West of the Mississippi. So maybe one day we could have, like on a Saturday when we're all off.

CHAIR HOLIAN: Good idea.

COMMISSIONER MAYFIELD: Voluntary. Just so everybody knows. Risk management.

XIII. F. 3. Request Approval of a Joint Powers Agreement Between the Greater Glorieta Community Regional Mutual Domestic Water Consumers and Sewage Works Association and Santa Fe County

MR. LEIGLAND: Madam Chair, Commissioners, at the last Commission meeting you approved a grant from the – a Community Development Block Grant combined with some money the community had received from the Water Trust Board to do sewer and water improvements. This agreement here kind of combines that community and takes advantage of a contract they already have in order to execute all that money as one project in an orderly fashion.

CHAIR HOLIAN: Thank you. And I really want to thank staff and also thank them on behalf of the community. I know that they're just thrilled to be moving forward on this. And also I didn't get a chance last time but I really want to thank Rudy Garcia and Hvtce Miller for putting together all the public meetings regarding the CDBG. So that was really helpful. So actually with that, are there any questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just a comment. I had the privilege of talking with former County Treasurer Phil Trujillo and several of the other Glorieta community members in recent weeks. They're very appreciative of your efforts and the efforts of Santa Fe County and I must say that it was excellent to travel on the now County road to the fire station in Glorieta and that's something I'd like to work with you on to help get that project chip-sealed, that stretch that goes from the tracks to the fire station there. But they're very appreciative of the efforts and asked me to express that to you and to the Commission and to staff. Thank you.

CHAIR HOLIAN: Thank you, Commissioner. Yes, I talked to them recently myself. I was at a St. Patrick's Day party amazingly enough, in the greater Glorieta area. And I don't know if you noticed or not but the County has also adopted the road to the post office. So that's been a huge improvement as well.

COMMISSIONER ANAYA: I did, Madam Chair, and for those older communities throughout Santa Fe County that sometimes we don't have capital dollars to work with the water system and then those road improvements as will be the same case with our bond money, go a long ways to satisfy some of those that maybe feel that they're not as connected to the city. But by choice they're out there. They're very appreciative and thank you for the efforts.

CHAIR HOLIAN: Thank you. Well, with that, I'll move for approval.

COMMISSIONER CHAVEZ: Second, Madam Chair.

CHAIR HOLIAN: Okay. We have a motion and a second.

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

XIII. F. 4. An Update on the Santa Fe, Upper Rio Grande and San Juan Watershed Water Smart Basin Study and Submission of “Climate Change and the Santa Fe Basin: a Preliminary Assessment of Vulnerabilities and Adaptation Alternatives”

KAREN TORRES (County Hydrologist): Good afternoon, Madam Chair. In 2011 Santa Fe County partnered with the Bureau of Reclamation and the City of Santa Fe to embark on a study of climate change impacts on particularly surface water flows. The main thrust of this analysis was looking at the reservoirs the City uses and of course the Rio Grande where the Buckman Direct Diversion is. But the County did have an opportunity to take advantage of this data as well. So the BOR is going to look at the entire upper Rio Grande basin, including areas up north – Santa Cruz, Pojoaque and Tesuque, and also the San Juan basin which is impact for San Juan/Chama water in regards to surface water supply.

The other modeling they are going to do will also look at what happens in a warmer, drier environment based on water demands from plants and those types of things. So step one of this study was to – they had a workshop. The workshop was very well attended. We had a great representation of folks from our agricultural community, from our environmental community, local governments and the report that I am presenting is the proceedings of that workshop. There are a few other steps in this study and I’ll keep the Board apprised as they are developed. With that I’ll stand for some questions.

CHAIR HOLIAN: Thank you, Karen. Any questions? Well, I’ll just make a few comments, as I attended that workshop myself. I noticed that there were a large number of people that were there and those people were very aware of the global climate change issue, and also I think they were all very committed to the idea of working out adaptation and even mitigation strategies for that. And I would really like to thank you and Amy Lewis and Claudia Borchert and Dagmar Llewellyn of the Bureau of Rec for your vision and hard work in putting together such a forum for people to get together and talk about these issues.

I think it’s important to note that climate change is happening and I’ve been following this issue since I was in college, which is more years than I care to admit now and I think that it’s happening a lot faster and I think it’s happening a lot faster than scientist even thought a few years ago. And so what that means is it’s going to change our lives in profound ways as we go forward, and in our region there’s two major issues which I think everybody gets, and that’s water and fire, and we know that we have to come up with some adaptation strategies. And I think it’s a lot better for us to get together as a community, as a region and do planning, rather than lurching from trying to deal with one crisis after the other.

So I really commend you for starting this planning process. And I was talking with Commissioner Chavez earlier, and we are thinking of bringing forward a resolution in the not too distant future – well, not the near future but maybe the intermediate future – as to how we the County can move forward with adaptation strategies. So would anybody like to add anything or make comments?

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much, and thank you, Karen, for being here. One of the things I think a lot of us get from our constituents is they

20130326 09:57:23

would like to see something coming from the Board of County Commissioners on water conservation. And I believe that the ordinance that we're working on is really an opportune place for this. And so what I'd like it your just off-the-cuff reaction because I think the ordinance really only pertains to people who are building or developing. And whether or not from this meeting there might be one or two simple things that Santa Fe County could do to encourage the public. And it's a great report and I know that it will be put on line. Correct?

MS. TORRES: Yes.

COMMISSIONER STEFANICS: But a lot of times people don't read a 70+ page report. So I'm just wondering if you can think of things that might be some action items that we could consider as a County.

MS. TORRES: Absolutely. Would you like me to mention a couple right now?

COMMISSIONER STEFANICS: Well, either that or come back. Madam Chair, what would you prefer? Do you want to get into it? Or should have a whole special –

CHAIR HOLIAN: Well, I was sort of thinking this is the roll-out of the report for people to read through it and sort of get an idea for the types of things that were discussed and then I was thinking that Commissioner Chavez and I would bring back a resolution with some more specific actions and work with Karen to detail those, and then that would be the basis of the discussion about specific, concrete things we could do.

COMMISSIONER STEFANICS: Well, Madam Chair, for example – I think that's great, but I think that all of us have a little different interest based upon the areas that we're in. So for example, the City does some very specific things on composting. We're coming up to the summer where people might be considering some gardening. It might be a great idea to get into some community gardening ideas, or even identifying some plots of land for community gardens. And I k now for example we passed some funds for I think cold framing down in Edgewood, and you were talking about hoping that more than just the seniors would get involved, but I think it's going to be going on in other places too. So for example, I think that some of the public schools are going to be doing little gardens during the summer and I'm wondering if we could have some kind of activity or effort around this. So, yes, spring is coming. Yes, we will eventually get to a growing season, but we might all pitch in some ideas that might be appropriate.

CHAIR HOLIAN: Thank you, Commissioner. I think that's an excellent suggestion, but I think there are much, much larger issues that we should really think about too, and these were touched on in the workshop and that is promoting agriculture. And so we have larger issues that are regional in nature and we have to remember that we have a county that is very complex with all sorts of different conditions throughout the county. So it's not an easy thing and I think this is going to be a continuing effort as we go forward. So I've got Commissioner Mayfield, Commissioner Chavez, Commissioner Anaya.

COMMISSIONER MAYFIELD: And Madam Chair, hearing Commissioner Stefanics also, and just the past resolution that we passed here at that County that was a lead by example resolution. And also I think we talked about some energy conservation and that also was – I hope I included water conservation in that. I think I did. But part of that was the County leading by example. Commissioner Anaya just mentioned to me when I was walking by to get something from the printer of just looking at what initiatives we have taken here at

the County, understanding we need to push this out to our whole community, but what conservation efforts have we taken here at the County on our own buildings with water catchment, with low-flow water toilets, with low-flow spigots in our buildings. So that's what I'd like to see. If not, I'm going to do an amendment to my own resolution that doesn't have to vet the last one we did because we don't have to vet amendments. So we won't need an FIR on that I guess. But that being said, I'll work with you, Ms. Torres to see how I can amend the resolution so that we can start leading by example here at the County on water conservation. I'll just leave it at that. Thank you.

CHAIR HOLIAN: Okay. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, thank you, and I appreciate the comments, and I think to go to the comments that Commissioner Stefanics made as well as Commissioner Mayfield and yourself, Madam Chair. I honestly think there are many things that we're already doing and I think it's those things that we do that are more – larger, as you say and more regional but there's those immediate things like immediately working to do water catchment or immediately working to do cold frames and gardening. And I don't think it's one or the other. I think it's all of us who have made a recognition of its importance and then linking it together as we progress. But I'm excited that we're actually doing things and we're moving past the discussion aspect.

Ms. Torres, one thing I do have a question on that's very specific is earlier in the meeting, Commissioner, you talked about what our flows are going to look like for the upcoming year, but it's not the upcoming year but the year after that. And I think that that's where we're all getting at as far as what can we do immediately in our part within the County structures and other facilities, and then work towards the broader recommendations that I look forward to seeing. That's what I guess I'd like to see is the immediate things that we can do that are small in nature but have a large impact to them, with the longer-term goals. I look forward to seeing more of those.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: I really can't add to what's already been said. I think I can only support what's been said, especially when we talk about leading by example. And if we are going to deal with climate change from a larger perspective I think that we need to lead by example, we need to do things that are do-able, accessible to the public, and so with this effort I think that if we do something comprehensive that applies to our County facilities and how we operate, how we conduct business, that's going to reduce our carbon footprint. We can do that by reducing our waste stream or by doing water harvesting or other ways to compensate. So we are going in that direction. I'm just hoping that we can stay on top of this and be able to compensate in a timely fashion, knowing that especially our surface water could be curtailed. So we have time now to plan for that and maybe we can compensate as much as possible. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. And I do think we also really need to think regionally and in a larger sense too because I know that out in my district, for example, there are places where – most people are on groundwater out there. And there are places where I never would have guessed, but wells are going dry in watersheds that I thought, oh, these people will be fine. And so we are going to have to deal with the situation of people who have wells going dry across our county and this is a really big issue. So in any event, we have

to think in immediate terms but we also have to think big too. Thank you very much for bringing this to our attention.

COMMISSIONER ANAYA: I think you're spot on with your comments about the regional thought process and earlier I asked Ms. Brown to have discussions with some of the other partners that aren't just public but also private entities in the region and in the Estancia Basin because we know for a fact, because I've had my own wells go dry. And we know for a fact that we would need a more comprehensive solution. That doesn't take away a person's ability to have their own well, but provides them an alternative if there's a system that might be public or private and the region that they can tap into. So I agree with you, and I also agree with my own colleagues that we've got the big stuff we need to look at but we also have the stuff like low-flow toilets and other things that we can do to help our community members immediately to conserve.

One last thing I would say. There's a lot of new language when there's discussion about climate change and carbon footprint, but if we go back many, many years to our grandparents and our great grandparents, they all had the same discussions. They just had different terminology associated with it. Many of the traditional people and traditional families throughout Santa Fe County have always wanted to maintain the integrity of their land and care for their water resource and have lived through many, many times of drought and difficult situations. So as we go through the terminology I think we need to be careful to utilize the new terminology but also cross-reference it with the historical patterns and traditions that all families, whether they be ranchers or community members or individuals have used, because they all had that same interest and understood that they had to protect what they had if they really wanted to sustain themselves over the years. So I think we're all on the right track and over time I could see us even more meshing with some more comprehensive plans as a Commission together.

CHAIR HOLIAN: Thank you, Commissioner Anaya. I think you bring up a really good point and that is this has got to be a community effort. We will be most successful if we really do work together effectively as a community. This is the bottom line. Well, thank you, Karen, for stimulating this really stimulating discussion.

MS. TORRES: Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: I just wanted to make a notation for the members of the public that are watching and people that are listening and even those members here. In the last items dealing with capital projects, this Commission just approved \$2.161 million of improvements and capital projects that are based on taxes generated from citizens in Santa Fe County, grants we received from the New Mexico State Legislature and other resources, and grants we received. \$2.16 million of projects that are out in the community and I think that's a good thing that we should highlight and be proud and supportive of the constituents and the citizens that support those taxes and of the staff and of the work of this Commission to roll out those resources.

COMMISSIONER STEFANICS: On that point.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, and on that point,

Commissioner Anaya and everyone, this is how we sold some of our bond packages to the Chamber of Commerce. It really is economic development. As we are putting this money out into the community we are creating jobs and we're putting cash back into the economy. So if the taxpayers – I know they'll be very happy with some of the particular projects that directly affect them but I think that overall, we're putting money back into the economy here in Santa Fe County and it will show up as a positive later. Thank you.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes. In addition to that, I see that as an investment in our community and improving the quality of life for our residents as well. Thank you.

XIV. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

MS. MILLER: Madam Chair, just a quick couple of updates and then to the legislative update. The Bureau of Reclamation is going to be holding seven public scoping and informational meetings on the Pojoaque Basin Regional Water System environmental impact study, also known as the Aamodt system. And I just wanted to say for the record when those meetings are. All the meetings will run from 6:00 to 8:00 pm, and they will be held by the Bureau of Reclamation. The first one is Monday, April 1st in Tesuque. The second one is April 2nd in Pojoaque. The third one is April 3rd in Santa Fe. The fourth one is April 4th in Espanola. The fifth one is Tuesday, April 9th in Taos. The next one is Wednesday, April 17th at Pueblo San Ildefonso, and the last one is in El Rancho on Thursday, April 18th.

And you can go to our website and get the links which will tell you the actual exact locations for that. But I wanted to make sure that we put out there that they are having these meetings and you can go to our website or you can also go to the PB Water EIS website and click on the meeting schedule there.

With that, and I believe you did mention earlier the pilgrimage this Good Friday and over the Easter weekend, the County emergency operations plan and instant action plan. Prepared for that we also will have law enforcement out and have porta-potties and various things along the way.

The County will be closed on Friday afternoon in observance of Good Friday, so the County offices and transfer stations and facilities will be closed.

XIV. B. Legislative Update

MS. MILLER: The next update is the legislative update. I believe you have in front of you some packets that were prepared by the legislative staff. I do want to thank once again Rudy, Hvtce and Lisa for the excellent job they did this session on keeping track of a lot of moving parts over at the legislature and their continued work on these items to bring you summaries as to what happened at the legislature and where we are in the signing process on bills.

The first item you have in front of you is a packet that says 2013 legislation items passed through both houses. [Exhibit 2] There were 350 total items. Those on that list that

MC CLARENCE RECORDS 3/27/2013

are highlighted in green have been signed by the Governor as of yesterday and then items highlighted in red have been vetoed by the Governor, and all the remaining items are those left to be acted on or pocket vetoed by non-action. So that's just there for your information.

We've also provided another list for you that says 2013 legislation passed related to Santa Fe County. *[Exhibit 3]* That's the landscape printed spreadsheets and that's all of the ones that we were tracking throughout the process and the status of those bills and descriptions of them as well.

Then we also handed out to you a list of the substitute, Senate Finance substitute for Senate Bill 60 and House Bill 337, which is the list of capital outlay projects by county. *[Exhibit 4]* We printed out a portion of Santa Fe County. As you know many of those appropriations don't go directly to us, so we also gave you a landscape summary of the ones that would actually be grants coming through Santa Fe County. *[Exhibit 5]* But you can see a list of everything that was appropriated with Santa Fe County and then the ones specific to Santa Fe County government that we would be administering. And we'll be watching those as well as giving you an update once the Governor has acted on that bill and let you know what has actually made it through with that bill, if it is signed and what, if anything would be vetoed.

And then the last thing that was handed out to you, *[Exhibit 6]* as you know, in the last hours of the session the legislature passed a tax bill that most people believe that the Governor will be signing and yet in that bill was a funding mechanism that actually negatively affects counties and municipalities and that is the hold-harmless provision within the bill. It actually has – back in 2003 when the food and medical services became exempt from gross receipts taxes there was a provision in the legislation at the time that the state would repeal their half a percent credit within the municipal boundaries and therefore effectively raising the state's gross receipts tax rate from 4.5 to 5 percent. And that money would fund – that revenue source would fund not only the state's portion of gross receipts that they would be losing from taking it off of the food and medical services, but it would also fund the revenue lost for cities and counties by taking it off of food and medical services.

And the reason for that is that food and medical services comprise anywhere from ten to 15 percent of the base of the gross receipts tax at that time. So over time though, that revenue estimate was shown to be inadequate, or that FIR, the fiscal impact to the state, and there has been discussions over time as no longer holding cities and counties harmless by actually repealing that portion of the statute that said we'll pay you for those taxes that you're losing. And what that means to Santa Fe County losing that is anywhere from \$3.5 to \$4 million at the time that it is fully implemented across all of our funds.

The other thing is, what I did is hand out to you a copy of all of the cities and counties that are affected. Unfortunately, I think for Santa Fe County and the other counties and cities that were affected by this, you can see that the bill was structured in a way that counties with populations of less than 48,000 and cities with populations of less than 10,000 were exempted from that provision. So all of those that you see highlighted will still get their distribution. The ones that are not highlighted are the ones who will effectively paying for the other tax cuts in the bill over time.

One of the problems for Santa Fe County in this is that the bill is not the type of bill that can have a line item veto. There is no appropriation in the bill. So it's an all or nothing

bill. Yet there were provisions in the bill for film tax credits and corporate, big box tax reform on corporate taxes that we had passed resolutions, the Board had passed resolutions supporting those items. So we had a resolution opposing the hold-harmless repeal, but we had other resolutions supporting film production tax credits and also the consolidated reporting for corporations.

So we were unable to actually write a letter that would indicate our position on the bill as a whole from the standpoint of stating some things we like and we don't like this. But we have been in conversation with the Association of Counties and the Municipal League and some of the legislators about whether this was really a fair way to go about the repeal of the hold-harmless. As you probably know just from the newspapers and what not, it happened in the last 15 minutes of the session without any hearings on the actual hold-harmless bill and the counties didn't really have an opportunity to provide alternatives or ways that we could do this without such an impact to the county.

One of the things that the legislators have said is, well, we gave you a provision to raise taxes to make up for that revenue but this won't actually come into effect until 2016. So by the time it's determined whether or not that would be needed I think people will forget what that tax would have been needed to begin with. So that's one of the issues that's been brought forward by the Association of Counties and the Municipal League on the cities and counties that were affected that, that's all well and good but two, three years down the road, or four years when we actually need to do it people will forget why we needed to do it. And secondly, nobody would want to raise taxes if it's not necessary to raise taxes.

So as I said, I think we'll just have to wait and see what happens, but I have been told that it's likely that the Governor will sign it and the other thing is, well, you have next year and the next year to try to do something about it before it comes into play. In any given year it's probably about an average of reduction of revenue across the board of about \$225,000, and that's across all of our GRT funds. The problem is in some of them – so our general fund it's not as large of an impact. It's probably about three percent of the general fund revenues when it's all said and done, but the ones it really hurts are our specialized revenue funds – EMS, indigent, our capital outlay. Those are pure gross receipts funds and they fund very specific services. So our dispatch, our EMS services, our indigent funds, those are the ones that will take the biggest hit and that's about, when it's all said and done, 13 percent of the revenues to those funds will be lost. With that I stand for questions about the – and the staff that worked on the legislature.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. First of all, mine are more comments. The New Mexico Association of Counties, they are planning district meetings. We happen – Santa Fe County is in District 1 and on April 11th there will be a meeting in Sandoval County aimed at elected officials that are in District 1. It's primarily a legislative update. The lobbyists from the New Mexico Association of Counties will be there talking about all the bills that were supported or opposed or that they were watching. All of you hopefully have received an invitation. If not, we'll make sure that you get another one. Katherine, you received an invitation so the invitation is open to managers and other people that counties would decide to send. It costs \$25, primarily for the rental of the room and the meal. But some of you might be interested in that and some of you might be too busy.

The second thing is I would like to send a public thank you to our legislators who did support cities and counties and voted against the bill. Some of our members did vote at the last minute. We were texting back and forth at the last minute to legislators, specifically House members on the floor. Some of them got their texts and listened to the counties and cities and some of them did not. And many of our Santa Fe legislators tried to help us.

But in particular, I was at the North Central Economic Development District this past Saturday morning, and Representative Nick Salazar is the chair of that group, and he rather sheepishly was talking about it to the group, and most of the group that was in attendance weren't going to be affected by the tax because they're too small. And so when we brought up the issue that some of us would be affected quite a bit and we're not the largest – Albuquerque of course is – he went, oh, well, you'll be able to impose a new tax. And then he kind of went, oh, too bad. You're going to have to take the blame for the new tax.

So at that point I said, do you really think that that's fair? And maybe we will be having to say over and over again, if we do enact any new taxes we're doing this because the legislature forced our hand? Or the legislature took away funds? And he say, well, maybe we could look at fixing the issue next year. Now, I don't believe any issue will be fixed next year. Once the state gets their hands on extra money they don't usually give it back, whether it's DWI funds or tobacco settlement funds or food tax or anything. So I don't believe that there's a sincere interest and I do think that some of the legislators around the state are leaving us holding the bag in terms of either cut your budgets, again, because we've already cut our budgets quite a bit over the past years with loss of gross receipts taxes, or raise taxes and you take the blame even though we did it to you.

So I do think that if and when we ever get to that point we're going to want to make sure that the public understands this is a shared responsibility and I'm sure I'll be gone by the time this all happens because of it being phased out over a number of years, but I just think that we need to hold responsibility where it lands. Thank you.

CHAIR HOLIAN: Thank you. Any further comments or questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I appreciate the comments of Commissioner Stefanics. We need to keep it at the forefront, need to keep bringing it up over and over again to make sure that the awareness where it appropriately needs to be placed and that we're not unduly put in the negative spot of taking the brunt of the responsibility or any decisions we might have might – that they are not just cast upon us for full responsibility.

Madam Chair, Ms. Miller, on the legislative bills, I would like it if staff could break out which legislators provided the funding on the projects. We just have the dollar amounts. I'd like to actually see the breakout of the legislators that committed the funds, because I know they each commit them and they designate where they want to go. I think that will be helpful for us to encourage the Governor to sign them but also the awareness of where they place their priorities within Santa Fe County.

MS. MILLER: Madam Chair, Commissioner, on that. It used to be that you could identify which legislators gave – allocated what funds. They actually lump a lot of things together now so there isn't an actual list we can publicly get but we can certainly try to find out from the individual legislators what projects were of interest that they funded.

That was something that changed during the time that I was at DFA, they actually try not to identify themselves in case they're on the wrong side of the Governor.

COMMISSIONER ANAYA: Well, so Madam Chair, Ms. Miller, respecting that, we do know what the final amounts were that they were each allocated. House members were allocated x-total and Senate members x. That breakout is probably enough for me to differentiate where their priorities fell. And then I just think it's important to know and have that understanding so that we could duly acknowledge them for their direct support and also encourage support on other projects that they may have a similar interest in. Thank you, Madam Chair.

CHAIR HOLIAN: Okay. Any further questions, comments? Yes, Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, I just want to thank our legislative staff and Ms. Miller. I think they did a great job. They were working hard. I did see a lot of them there. There was Rudy a lot. I think we had a positive outcome on a lot of things we tried to do, at least our capital initiatives and I just want to thank staff, Ms. Miller. Thanks, guys. You did a great job.

CHAIR HOLIAN: Katherine.

MS. MILLER: Madam Chair, that will lead to the reports. I can have the individual directors come up and give their reports or just stand for questions, whichever you prefer.

CHAIR HOLIAN: Okay, so I will ask the Commissioners whether you have read the reports and whether you want a presentation or not.

COMMISSIONER ANAYA: Madam Chair, I'd like to hear the report from Corrections in particular. I know they have some other work items going on as well as Public Works.

CHAIR HOLIAN: Okay. Pablo.

COMMISSIONER STEFANICS: Madam Chair, could I go back to legislation one second?

CHAIR HOLIAN: Yes.

COMMISSIONER STEFANICS: The capital bills haven't been approved yet. So we should be kept apprised as soon as things are approved or not. Thank you.

XIV. C. Corrections Monthly Report

PABLO SEDILLO (Public Safety Director): Before I stand for questions, Madam Chair and Commissioners, I just want to make a quick comment. Just recently I've been approached by the City representative in regards to the utilization of the ARC at Santa Fe County Youth Development Center. It was a brief discussion in regards to asking the County to help utilize that portion of the facility for the City. I asked them if they could give me a proposal in regards to this. I've yet to have a proposal sent to me, but they have already kind of moved forward and spoken to some judges and some stakeholders and the Juvenile Justice Board in regards to this process. And I'm not sure if any of the City representatives have approached the County Commission but I am having a follow-up meeting on Thursday to see if they have given me a proposal and what their intentions are to

help utilize the ARC for the benefit of the Juvenile Justice System in the State of New Mexico and the City of Santa Fe and Santa Fe County.

So I just wanted to make you aware of that.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: On that point, have you identified a per square foot cost you would accept or not accept?

MR. SEDILLO: Well, they're not talking about – Madam Chair, Commissioner Stefanics, they're not even talking about any kind of reimbursement whatsoever, so this is what my concern is in regards to this, so that's a very good question.

COMMISSIONER STEFANICS: Well, I don't know that you would have the authority to just allow services to go into one of our facilities without our approval anyway. So I would ask the Board of County Commissioners to keep in the back of their mind that we do need to raise funds to keep paying off that building. Thank you.

MR. SEDILLO: With that being said I have our maintenance supervisor here, Basil Davis, who has kind of presented to you about the fencing inside our facilities, and he can answer some of the capital projects that he's been working on and the ones that are pending and the ones we're forecasting at this point. So I'll have Mr. Davis answer any questions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Davis, if you could just – I know you have in here that you did some kitchen replacement. I actually saw some of that work. I think Commissioner Chavez saw some of that work as well, but I know there was some shower work and some other larger capital stuff that we need to do, and I think it's important to get a summary from you and also talk about those projects so that the public's aware that there's always a work in progress at a 24/7 operation and that we're continuously trying to make sure that maintenance and upkeep is what it needs to be and I know that's a priority that Mr. Sedillo and the warden have had. So why don't you just give us a summary of some of those capital project items?

MR. DAVIS: Sure. Madam Chair, Commissioner Anaya, some of the projects – I started here in December this past year and some of the ongoing projects, one was the kitchen floor, which was completed last week. We added an addition 90 mils to the initial spring of the floors which a polyurea spray. Also an anti-bacterial application for remediation of mold, and also just for preventative maintenance.

Also, Madam Chair, Commissioner Anaya, addressing the showers. Right now those are in process. There are scopes of works for ADF and YDP for new toilets and shower heads in addition to the ADA compliance, and also at YDP.

COMMISSIONER CHAVEZ: Madam Chair, could I ask also, I don't know, based on our discussion we had earlier, do we have the ability to install low-flow shower fixtures and toilets in that facility? Do we have that luxury?

MR. DAVIS: Madam Chair, Commissioner Chavez, yes, we do, sir.

COMMISSIONER CHAVEZ: Okay. That's one step in that direction that we want to go in. And then on the tour that I went on and maybe you can touch on this, Mr. Sedillo. You had a structure in place where you're doing what I would call sweat equity, and you have staff working on the building and you have some of what I'll call clients working on the building? And I would only imagine that is going to be a cost savings. So if you could touch on that a little bit.

MR. SEDILLO: Yes, Madam Chair and Commissioner Chavez. We do we have that ability to have the inmates at our facility to assist our maintenance department in a lot of different areas, non-critical areas. And it is a big cost savings in regard to the scope of work that we can do inside our institution.

COMMISSIONER CHAVEZ: I was really impressed with that, so I just wanted to touch on that now. Thank you.

MR. SEDILLO: Thank you.

COMMISSIONER ANAYA: Thank you, Madam Chair, Commissioner Chavez. Mr. Davis, what other capital projects do we have in the pipeline that we're going to be working on? I know we had some security concerns at the entrance and we did the entrance and some security doors which secures the staff as well as the public. Do you want to address that a little bit?

MR. DAVIS: Yes, Madam Chair, Commissioner Anaya. We just had a project completed with the front entry. Originally it had windows, a glass door and we replaced that with expansion metal and electric strike which can be controlled from the front desk and also from master control. So it's a great benefit not only to the officers but also to the staff.

COMMISSIONER ANAYA: And Madam Chair, Mr. Davis or Mr. Sedillo, if you want to address this as well. I know that Commissioner Mayfield, and I shared some of the same concerns. We previously had a very small area for the public to access for visitation and we've made some adjustments to our protocol to better accommodate those visitations in a more dignified and professional manner. Do you want to address that a little bit?

MR. SEDILLO: Yes, Madam Chair, Commissioner Anaya, absolutely. We have a very small holding area, visitation area in the front lobby. It's a very small lobby. Therefore what we did is we have on our second floor we had a lot of empty space so what we do now is we have an area for all the visitors who come in with their family members, and if they have small children they're able to watch videos because we put a TV in there for the kids and some toys in there for the kids. And there's ample enough space for those visitors to wait upon their call when they visit their family member. So we have really made it very personable for the general public when we come in to visit their loved ones.

COMMISSIONER ANAYA: Thank you, Madam Chair. Just a couple other comments that I'd like some feedback on.

COMMISSIONER MAYFIELD: Madam Chair, on that point.

COMMISSIONER ANAYA: Sorry, Commissioner. Go ahead.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Thank you, Commissioner Anaya, for indulging. Madam Chair, Mr. Sedillo, on that point then, just disabled accessible, they can

still stay on the ground floor and they have accommodations on that level? Because I don't think we have an elevator for the second floor?

MR. SEDILLO: Madam Chair, Commissioner Mayfield, yes. We will make accommodations for those individuals who have disability.

COMMISSIONER MAYFIELD: In the first floor waiting area. Thank you.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, the staff is still working with the Community College. We see in the report, in helping to provide those transitional services for GED testing. I see also some faith-based programming that looks to be a new faith program that's going to go in addition to some of the other stuff that we've already done. Do you want to talk a little bit about those two things briefly?

MR. SEDILLO: Madam Chair, Commissioner Anaya, we're very fortunate in that we've been in discussions with Santa Fe Community College in regards to our inmates inside our facility to try achieve their GED. There is going to be a meeting the first week of April to discuss the new mandates for that program. So we're very excited about that. Santa Fe Community College has been very receptive of working with us. And second of all, our programs, we are on the campaign for volunteers to come in our facility. More volunteers come in our facility in all different aspects from dance music, literature, reading programs. So we're getting some positive feedback within our community to participate in that so we're pretty excited about that as well.

COMMISSIONER ANAYA: Thank you, Madam Chair and Mr. Sedillo, Mr. Davis and I know Warden Gallegos was here earlier and had to leave but I appreciate the combination of the responsibility to provide security and safety and maintenance, coupled with the responsibility to provide some appropriate services and transitional services to hopefully reduce recidivism into the facility. So I'm appreciative of the report and the ongoing efforts of the entire staff and even as Commissioner Chavez brought up, the use of the clients to facilitate some of the work and help build upon those skills. There are some artists that have done some painting and some artwork in there that I think is good. So it's a combination of all those things and I think the advisory committee is also going to be the next step in complementing your efforts and the work of the Commission on a 24/7 basis. So I appreciate those efforts. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. The other area that I was impressed with is the scope of work to update the master control, the intercom and the cameras. Because when you talk about safety for employees and safety for the inmates, that was pretty obvious to me that that was a big gap. And I know you're working on that and I don't know all the specifics and it was really new to me, but I was very impressed with how things were set up. I can only imagine how you did things before and you explained that a little bit, and it was pretty dangerous. So maybe you could touch on that a little bit. Because I think that's going to be a pretty expensive piece of equipment and we're going to continually have to update that equipment as well. So that's going to be ongoing. So touch on that for a minute.

MR. SEDILLO: Madam Chair, Commissioner Chavez, there was actually some allocation of money that was in the budget for the past three years which was unutilized. Upon my arrival and with the warden's arrival we discussed with the County Manager, we discussed our action plan to enhance the safety and security inside that institution, not only for the staff but for the inmates and the general public as well. We've done a very good job in regards to expending that money in regards to the upgrade in our security system with our cameras, intercom system so we can have actual communication with the inmates in their cells though the intercom system which was not working at that time. We also put a staff member who is in our control center that oversees those units as well as staff on the floor. So we have really done a very good job in regards to our staffing pattern as well. At one point through the facility, they only had seven staff for about 400 inmates per shift. We now have approximately 17 minimum, 17, 18 staff per shift which increases the security as well. You not only have the surveillance of your monitoring system with the cameras, but you also have your officers on the floor as well responding to the issues inside the facility.

COMMISSIONER CHAVEZ: So then you feel that you have adequate funding in place to do that scope of work?

MR. SEDILLO: We have adequate funding that has been left on the table for the past three years but we're always looking for more funding in regards to securing our facility through cameras, monitoring systems, DVR systems that we can play. If an incident occurs we can replay that and then store it so we can have it for any type of cases that are coming before the facility.

COMMISSIONER CHAVEZ: Okay. And then one other area that was kind of interest to me had to do with the population in the facility, and then you always have sort of a stream of those that you're processing, and that can range up to 100 in a given day. Are those numbers included in the total population or not? And I guess – well, I'll leave it at that.

MR. SEDILLO: Madam Chair, Commissioner Chavez, those numbers are included in the total day population. And we do on weekends, it starts on Thursday night, all the way through Sunday is an influx of individuals who enter our facility and they can range anywhere from 90 to 100, processing them through the weekend.

COMMISSIONER CHAVEZ: So your average population in any given day is what?

MR. SEDILLO: Madam Chair, Commissioner Chavez, our average population thus far has been pretty consistent at 550 inmates.

COMMISSIONER CHAVEZ: So it would be 550 plus the string that would be sort of processed through the facility.

MR. SEDILLO: Madam Chair, Commissioner Chavez, that's inclusive of the

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

CHAIR HOLIAN: Okay. Thank you. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, Director Sedillo, thank you for the report. They're always very comprehensive, and thank you. Are you anticipating any sequestration impact from the feds?

MR. SEDILLO: Madam Chair, Commissioner Mayfield, I have spoken to the United States Marshal last month and we had an extensive conversation with that. At this time we're not expecting anything from the Marshal Service whatsoever or from us.

COMMISSIONER MAYFIELD: Thank you.

CHAIR HOLIAN: Thank you very much, Mr. Sedillo, and I'm looking forward to our tour or inspection, I guess, next week.

MR. SEDILLO: If I may, Commissioner, Madam Chair. I just want to touch upon Mr. Davis. He's been very modest in the job that he does. He's really captured a lot of things we needed to do inside our facility and he's been a hands-on individual and not only with that, with his staff. Our leadership inside the institution has been pretty much one of a vested interest in Santa Fe County and I owe that to the staff and to the leadership there, so I want to publicly thank them as well.

CHAIR HOLIAN: Thank you.

XIV. D. Public Works Report

MR. HOGAN: Madam Chair, Commissioners, in addition to information on the Public Works report that's in your packet, there's information about the maintenance connection and the like. I'd be happy to answer any of those questions I can. I thought I'd also skim over a couple of things going on in the Projects Department of Public Works. We're finishing one courthouse and starting the planning of another. I know you're well aware of that. We have our second meeting of the La Bajada Ranch Steering Committee tomorrow afternoon so we're making progress on the planning of that property, and then we're zooming in on a site for the community center on South 14.

There's a steady flow of projects being completed and new ones starting up. To highlight a couple of those projects. We've talked about the San Ysidro River restoration which we saw the change order from earlier. That drainage channel improvement and walkway is proceeding steadily and we're looking for completion of that in the next 90 days or so.

We've got the Arroyo Hondo Trail, the planning of which is underway. That trail connects the Community College to the Rail Runner station at 599 and I-25. And that's important because that connects that currently to the Community College, which then connects it to the Spur Trail, which then connects to the Rail Trail, which connects all the way to Eldorado. So we're making steady progress on those trail loops. One of the other projects that's underway right now is the bidding of sections 2, 3, and 4 of the Rail Trail. Last year we completed the first section. I think a number of you have been out there. The trail head is about to go through its last phase of improvement, and then the addition of the stages 2, 3, and 4 will get us all the way to Avenida Vista Grande in Eldorado from the plaza in the downtown railyard.

Nambe, we've got a design consultant that's being hired to complete that work. Pojoaque field, we've already done interviews and are negotiating with a designer for that project, and in Stanley, we've got a May 2nd delivery of the modular that will serve as the home for that wellness center. In advance of that we're contracted for engineering for that site

20130326155233

as well as infrastructure and fending. So that's just a summary of some of the things we have going on and if there's anything that I can fill you in on specifically I'd be happy to do that.

CHAIR HOLIAN: Mark, I would really like to thank staff for the beautiful job that was done out at the Arroyo Hondo open space. The parking lot and the wetlands restoration was beautiful and it was a real thrill to be at that opening, ribbon-cutting.

MR. HOGAN: Thank you. I enjoyed it as well.

CHAIR HOLIAN: Any questions?

COMMISSIONER MAYFIELD: Yes, Madam Chair. Thank you, Madam Chair. I know I've had some discussions with Mr. Hogan, also Mr. Leigland about signage. At least in northern Santa Fe County, I'm assuming all of Santa Fe County, but we do not have adequate signage on our public facilities. I don't know what the costs would be but just something that's designating that this is a Santa Fe County public facility that anybody can use. We have a beautiful logo. And I guess I'm specifically talking about some of our tennis recreational areas that are also at the highways. People have even asked me, whose is this facility? How do we even get to it? I know that specifically there's one that's off of 503, 285/84. It's just sitting there right off of the highway. They don't even arguably know – they don't even know how to get into that facility. How do you get into it? There's no signage. Maybe we can just start putting some signs up on the top. This is Santa Fe County's property. Please come and use it. Please help keep care of it. Please try to watch over it. Maybe we can even have trashcans at these facilities. I know that that might be an extra expense though to go pick them up and get rid of the trash, but otherwise the trash could get thrown there. But that's just another suggestion, giving direction just FYI on that please.

MR. HOGAN: Madam Chair, Commissioner Mayfield, I'll just respond on that. Since our tour I actually made note of a couple of areas where we can improve our signage. We have two tennis court projects that are the court resurfacing that are starting up in that area and we added to the scope of work there to the signage to properly identify them and that's going to be a standard on all of our capital projects.

COMMISSIONER MAYFIELD: Great. Thank you.

COMMISSIONER ANAYA: On that point, Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Yes, Madam Chair, Commissioner Mayfield, if I could on that point. I just had a conversation with Mr. Martinez yesterday relative to signage in southern Santa Fe County, some of which is on state right-of-way and some of which is on County right-of-way that goes to exactly your point. Even many times we identify our facilities just by the town name and the facility and I think it's appropriate to make sure that people can, number one, get to the site and know where it is, but also know that there are County facilities that are present and that are paid for by the County citizens and their taxes. So I think it's a good point and it's something that Mr. Martinez is going to work on in the district and in the county associated with state right-of-way as well as County right-of-way. I'm just saying that because I'm supportive of the Commissioner's comments and like I say, just recent as yesterday had a conversation with Mr. Martinez about the very same subject, so thank you, Madam Chair.

COMMISSIONER MAYFIELD: And Madam Chair, still on that point, as far as costs, if we have to incur the costs out of our capital funds or if I do, but could our in-

REC CLERK RECORDED 05/01/2013

house sign shop, Mr. Baca's shop, do that in-house? Do we have to go out for – I know I see Mr. Taylor in the back, if we have to go out for an RFP on that. I don't know what the production fee, just a small, little sign.

MR. HOGAN: I'm not sure, Madam Chair, Commissioner Mayfield. I'm not aware of any procurement issues as far as that goes. Sometimes our sign shop makes the plaques like you see at park and community centers and then we contract for the sign that goes – the information that goes on them. And I think it's sort of a site-specific type of thing. Like you mentioned, the tennis courts. If we do something that's a lower sign it probably won't get as good visibility so a metal sign up on the fence would probably be more appropriate there. But I think we try to use those custom wood signs whenever possible. It's kind of an icon of Santa Fe County in a number of the parks and community centers.

COMMISSIONER MAYFIELD: And Madam Chair, and I don't know, maybe we bring this back for formal action but I just mean our logo, just our standard logo that says property of Santa Fe County, property of the taxpayers. That's just where I was going with this. But thank you.

CHAIR HOLIAN: Thank you. Any further questions. Let me ask the Commissioners this: Do you want the Human Resources report or is it sufficient to read it?

COMMISSIONER CHAVEZ: I'll read mine.

COMMISSIONER MAYFIELD: I'll read mine.

CHAIR HOLIAN: And then we'll move on to do you want to have the monthly financial report or read it in your packet?

COMMISSIONER MAYFIELD: I've already read it. Thank you.

XIV. E. Human Resources Report
F. Review and Discussion of the Monthly Financial Report for the Month Ending February 28, 2013

[See above.]

XV. MATTERS FROM THE COUNTY ATTORNEY
1. Executive Session

COMMISSIONER MAYFIELD: All right. I understand we do not need an executive session.

XVI. Public Hearings

[None were scheduled.]

XVII. ADJOURNMENT

Having completed the agenda and with no further business to come before this body,
Chair Holian declared this meeting adjourned at 5:26 p.m.



Approved by:

Board of County Commissioners
Kathy Holian, Chair

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

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

APR 01 2013 10:58 AM



2013 NOTICE OF VALUE

DOMINGO P. MARTINEZ
SANTA FE COUNTY ASSESSOR
 P.O. BOX 126 • SANTA FE, NM 87504
 Phone (505) 986-6300 • Fax # (505) 986-6316
 E-mail: assessor@santafecountynm.gov
 Website: www.santafecountynm.gov/assessor

Property listed and valued as of January 1, 2013



TAX BILL

Use of value you you are the property for

345662 78601715 REAL PROPERTY

 SANTA FE NM 87508-6656 32364

Location ID
 Official Mailing Date
 April 1st, 2013
 Protest Deadline
 May 1st, 2013
 Key Code
 REAL032364

INSTRUCTIONS FOR PROTESTING AND FILING OF EXEMPTIONS ARE ON THE REVERSE SIDE. FOR ASSISTANCE, CALL (505) 986-6300, BETWEEN THE HOURS OF 9:00 AM - 5:00 PM MONDAY - FRIDAY.

NET TAXABLE VALUES WILL BE ALLOCATED TO GOVERNMENTAL UNITS IN SCHOOL DISTRICT		ALWAYS USE LOCATION ID AS REFERENCE
School District CO-R	UPC # 1-040-007-005-005 000-000	Property Use SINGLE RESIDENTIAL
Location Address [REDACTED], SANTA FE		

Property Legal Description
T15N R 8E S24 [REDACTED]

2012 (Last Year's) Property Value Information These values reflect analysis of 2011 market value		2013 (This Year's) Property Value Information These values reflect analysis of 2012 market value	
Full Value - Land:	\$ 55,120	Full Value - Land:	\$ 55,120
Agricultural Land:	\$ 0	Agricultural Land:	\$ 0
Full Value - Structures:	\$ 268,040	Full Value - Structures:	\$ 268,040
Total Full Value:	\$ 323,160	Total Full Value:	\$ 323,160
Taxable Value: (1/3 of Full Value)	\$ 107,720	Taxable Value: (1/3 of Full Value)	\$ 107,720
Head of Family Exemption	\$ 2,000	Head of Family Exemption	\$ 2,000
Veteran's Exemption:	\$ 4,000	Veteran's Exemption:	\$ 4,000
Net Taxable Value:	\$ 101,720	Net Taxable Value:	\$ 101,720
2012 Tax Rate:	\$ 0.0183620	*2013 Estimated Tax Rate:	0.0183620
2012 Tax Amount:	\$ 1,867	*2013 Estimated Tax Amount	\$ 1,867

- * Disclaimer: The calculation of (the estimated) property tax may be higher or lower than the property tax that will actually be imposed.
- * The "2013 Estimated Property Tax Amount" is calculated by multiplying the "Net Taxable Value" by the "2013 Estimated Tax Rate".
- * The "2013 Estimated Tax Rate" is equal to the 2012 Tax Rate. Tax rates for the current year will be determined in September by the New Mexico Department of Finance and Administration.

This document constitutes a property owner's notice of valuation as required under section 7-38-20 of the New Mexico Property Tax Code.

Retain this portion for your records.

"Full Value" means the value determined for property taxation purposes. "Taxable value" is 33 1/3% of "Full Value." "Net Taxable Value" is "Taxable Value" less exemptions and is the value upon which tax is imposed.

345662 78601715 REAL PROPERTY

 SANTA FE NM 87508-6656 32364

↑ TO DETACH, TEAR ALONG PERFORATION ↑
 RETURN THIS PORTION TO THE ASSESSOR'S OFFICE IF APPLICABLE. SEE INSTRUCTIONS ON BACK.

Location ID

2013 Legislation items passed through both houses (351 total items)

Items highlighted in green have been signed by the Governor as of 3/25/13

Items highlighted in red have been vetoed by the Governor

HB 1	FEED BILL	Rick Mierz
HB 2	GENERAL APPROPRIATION ACT OF 2013	Henry Kiki Saavedra
HB 18	DRINKING WATER SYSTEM FINANCING	Roberto "Bobby" J. Gonzales
HB 21	PUBLIC MEETING AGENDAS 72 HOURS IN ADVANCE	James E. Smith Daniel Ivey-Soto
HB 22	AUTISM COVERAGE IN GROUP HEALTH COVERAGE	James E. Smith Bill B. O'Neill
HB 34	TECOLOTE LAND GRANT MANAGEMENT	Miguel P. Garcia Richard C. Martinez
HB 35	USE OF FUNDS BY LAND GRANT COUNCIL	Miguel P. Garcia Richard C. Martinez
HB 37	ANNUAL DELINQUENT PROPERTY TAX SALES	Rodolpho "Rudy" S. Martinez
HB 40	DESIGNATION OF BENEFIT CORPORATIONS	Zachary J. Cook Timothy M. Keller
HB 45	TRANSFER INSURANCE REGULATION FROM PRC	Thomas C. Taylor Carroll H. Leavell
HB 46	TRANSFER CORPORATIONS FROM PRC TO SOS	Thomas C. Taylor Timothy M. Keller
HB 51	SUMMER SCHOOL ELECTIVE CIVICS CLASSES	Sheryl Williams Stapleton
HB 53	TEACHER LOAN REPAYMENT ACT	Sheryl Williams Stapleton
HB 54	SCHOOL BOARD CYBERBULLYING PREVENTION	Sheryl Williams Stapleton
HB 58	RURAL TELECOMM CARRIER REGULATION	Debbie A. Rodella
HB 61	GAME & FISH SPECIAL EVENT PERMITS	Yvette Herrell
HB 62	ELECTRONIC PROFESSIONAL LICENSE RENEWAL	Yvette Herrell
HB 70	NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS	Patricia A. Lundstrom
HB 72	COMMERCIAL CAR LEASE ADJUSTMENT CLAUSES	Roberto "Bobby" J. Gonzales
HB 73	CONVENTION CENTER FINANCING ACT TO ALL CITIES	Roberto "Bobby" J. Gonzales
HB 76	FRONTIER COMMUNITIES PROGRAM	Patricia A. Lundstrom
HB 83	DRIVER'S ED INSURANCE REDUCTION AGE	Tomás E. Salazar
HB 85	GEOHERMAL RESOURCE LEASING	Brian F. Egolf, Jr.
HB 93	CAMPAIGN FUND TRANSACTION RECORDING	Nathan P. Cote
HB 101	HOISTING OPERATOR LICENSES & PENALTIES	Rodolpho "Rudy" S. Martinez
HB 104	EXPAND REASONS FOR AMBER ALERT	Kelly K. Fajardo
HB 106	INCREASE VALUE OF CITY PROPERTY FOR LEASE	Zachary J. Cook

HB 107	MUNICIPAL COURT FEES FOR LAW ENFORCEMENT	Stephanie Garcia Richard
HB 112	DATA IN SCHOOL ACCOUNTABILITY REPORTS	Jane E. Powdrell-Culbert
HB 120	LOCOMOTIVE FUEL GROSS RECEIPTS	Patricia A. Lundstrom
HB 130	MOVE BRAIN INJURY SERVICE FUND	Larry A. Larrañaga
HB 131	SILVER ALERT FOR ENDANGERED PERSONS	Paul A. Pacheco
HB 133	DISCLOSURE OF CONTRIBUTIONS BY CONTRACTORS	Gail Chasey
HB 146	SALE OF METHAMPHETAMINE PRECURSORS	Antonio "Moe" Maestas
HB 151	ELECTION OF CERTAIN MAGISTRATE JUDGES	Mary Helen Garcia
HB 154	REPEAL MEAT LICENSING PROVISIONS	Larry A. Larrañaga
HB 155	REPLACEMENT FEES FOR CAR DISABILITY PLACARDS	Miguel P. Garcia
HB 164	CLARIFY CERTAIN SPEED LIMIT VIOLATIONS	Eliseo Lee Alcon
HB 171	INSURANCE COVERAGE FOR TELEMEDICINE SERVICES	Stephen Easley
HB 172	LIMIT TAX CREDIT PAID TO ANOTHER STATE	Jim R. Trujillo
HB 173	UNIFORM CHILD ABDUCTION PREVENTION ACT	Mimi Stewart
HB 175	SUSPENSION OF UTILITIES FOR DEPLOYED MILITARY	Jeff Steinborn
HB 178	ELECTRONIC CRIMINAL CITATIONS & FEES	Emily Kane
HB 180	MILITARY & SPOUSES PROFESSIONAL LICENSURE	Rodolpho "Rudy" S. Martinez
HB 186	ORYX HUNTING FOR VETERANS AT RESIDENT RATE	Terry H. McMillan
HB 192	SCHOOL PROGRAM UNITS FOR CERTAIN PERSONNEL	Christine Trujillo
HB 194	AMEND MOTOR CARRIER LAW ACT	Thomas C. Taylor
HB 202	UNLAWFUL ACTS FOR CAR DEALERS	Zachary J. Cook
HB 205	CREATE STATE FINANCIAL REGULATION FUND	Jimmie C. Hall
HB 216	FAIR PAY FOR WOMEN ACT	Brian F. Egolf, Jr.
HB 219	ADEQUATE ELECTION DAY POLLING PLACE STAFF	Nathan P. Cote
HB 225	ELECTRONIC VOTER REGISTRATION UPDATES	James E. Smith Timothy M. Keller
HB 227	MOVE BRAIN INJURY ADVISORY COUNCIL FUNCTIONS	Gail Chasey
HB 232	SCHOOL DISTRICT CAMPAIGN REPORTING ACT	James E. Smith Jacob Candelaria
HB 238	NM CHILE ADVERTISING ACT VIOLATIONS	Rodolpho "Rudy" S. Martinez
HB 247	MILITARY WAR VETERAN SCHOLARSHIP FUND	George Dodge, Jr.

HB 260	ORIENTAL MEDICINE DOCTOR IMAGING LICENSURE	Emily Kane
HB 267	UTILITY ENERGY EFFICIENCY & LOAD MANAGEMENT	James R.J. Strickler
HB 273	PUBLIC SCHOOL CAPITAL OUTLAY LEASE PAYMENTS	Sheryl Williams Stapleton
HB 274	MANUFACTURED HOME COMMITTEE & LICENSING	Zachary J. Cook
HB 275	VOLUNTEER FIREFIGHTER RETIREMENT BENEFITS	Dennis J. Roch
HB 279	SOLAR COLLECTOR RULES FOR PERMITS	Mimi Stewart
HB 282	ALBUQUERQUE ISOTOPES LICENSE PLATE	Antonio "Moe" Maestas
HB 299	TAX ADMINISTRATION ACT CHANGES	Thomas C. Taylor
HB 300	SCHOOL EXCUSED ABSENCES FOR PREGNANCY	Doreen Y. Gallegos
HB 304	HUMAN TRAFFICKING CIVIL REMEDIES & SERVICES	Gail Chasey
HB 310	K-3 PROGRAM ELIGIBILITY	Mimi Stewart William Soules
HB 315	TAX PAYMENT & MANUFACTURER GROSS RECEIPTS	James R.J. Strickler
HB 327	PHYSICAL EDUCATION CREDIT HOURS FOR FUNDING	Brian F. Egolf, Jr. Phil A. Griego
HB 329	RECOVERY OF CERTAIN UNEMPLOYMENT BENEFITS	Cathrynn N. Brown
HB 334	COUNTY CLASSES & OFFICER SALARIES	Bob Wooley
HB 343	HEALTH GROUP BENEFITS FOR NONPROFITS	George Dodge, Jr.
HB 347	TRUST COMPANY CERTIFICATE FEES	Debbie A. Rodella
HB 348	STATEWIDE CONSTRUCTION INSPECTOR LICENSING	Debbie A. Rodella
HB 352	LOCAL CAPITAL OUTLAY PROJECT CONTRIBUTION	Jason C. Harper Timothy M. Keller
HB 353	CAPITAL OUTLAY PROJECT REAUTHORIZATIONS	Jim R. Trujillo
HB 358	ADD JUDICIAL STANDARDS COMMISSION MEMBERS	Zachary J. Cook
HB 368	RENUMBER SAN JUAN PRECINCT NUMBERS	James R.J. Strickler
HB 371	PUBLIC IMPROVEMENT DISTRICT BONDS & LEVIES	Jason C. Harper
HB 374	SAFE HAVEN FOR INFANTS SITE DEFINITION	Emily Kane
HB 379	FILM PRODUCTION TAX CREDIT INCREASE	Antonio "Moe" Maestas
HB 392	PUBLIC EDUCATION COMMISSION AS INDEPENDENT	Mary Helen Garcia
HB 393	DANGEROUS DRUG DISPOSAL BY PHARMACISTS	Terry H. McMillan
HB 401	STATE INVESTMENT IN TECH TRANSFER COMPANIES	Carl Trujillo
HB 415	PUBLIC WATER SUPPLY CONTAMINANT TESTING	George Dodge, Jr.

FILED
 CLERK
 RECORDED
 05/21/2013

HB 416	ANESTHESIOLOGIST ASSISTANT SUPERVISION	Gail Chasey
HB 417	CULTURAL AFFAIRS DEPT. ENTERPRISE FUND	Luciano "Lucky" Varela
HB 438	NO MANDATORY PAROLE FOR CERTAIN SENTENCES	Mimi Stewart
HB 443	UNPAID UNEMPLOYMENT CIVIL ACTIONS	Phillip M. Archuleta
HB 448	REMOVAL OF LANDS FROM WATERSHED DISTRICTS	George Dodge, Jr.
HB 460	SCHOOL MANAGEMENT CONTRACTS & CHARTER BOARDS	Mimi Stewart Timothy M. Keller
HB 462	SCHOOL DISTRICT SOLVENCY FLEXIBILITY	David M. Gallegos
HB 481	EVIDENCE OF TEACHER COMPETENCY	Sheryl Williams Stapleton
HB 483	PUBLIC DEFENDER COMMISSION	Antonio "Moe" Maestas
HB 493	GEOSPATIAL DATA CLEARINGHOUSE AT UNM	Stephen Easley
HB 494	PIPELINE LOCATION NOTICES FOR EXCAVATORS	Stephen Easley
HB 497	ELECTRONIC VOTER REGISTRATION UPDATES	James E. Smith
HB 503	GO BOND NEGOTIATED SALES & INTEREST RATES	Antonio "Moe" Maestas
HB 506	BED & BREAKFAST BEER & WINE LICENSE	Dona G. Irwin
HB 513	CERTAIN SCHOOL TESTS AS COMPETENCE	Mimi Stewart
HB 522	CHARTER SCHOOLS FEDERAL GRANT REQUIREMENTS	Mimi Stewart
HB 540	POLICE ATHLETIC LEAGUE LICENSE PLATE	Rick Miera
HB 541	TEACHER LANGUAGE PROFICIENCY & COUNCIL	Rick Miera
HB 542	COMMUNITY SCHOOLS ACT	Rick Miera
HB 546	COMPILATION OF CERTAIN AMENDMENTS INTO LAW	W. Ken Martinez Michael S. Sanchez
HB 562	CREATE TECHNOLOGY RESEARCH COLLABORATIVE	Stephanie Garcia Richard
HB 569	GAME & FISH LICENSE TIME PERIOD	Edward C. Sandoval
HB 570	SEX OFFENDER TIERS, REGISTRATION & INFO	Antonio "Moe" Maestas
HB 580	NMFA BONDS FOR HOSPITALS	Rodolpho "Rudy" S. Martinez
HB 581	LOCAL ECONOMIC DEVELOPMENT PROJECT ENTITIES	Rodolpho "Rudy" S. Martinez
HB 588	COMMUNITY ENGAGEMENT TEAMS	Rick Miera
HB 593	COUNTY HIGHER ED FACILITY PROPERTY TAX	Nick L. Salazar
HB 608	BERNALILLO CRIMINAL JUSTICE & REVIEW	Rick Miera
HB 615	VOLUNTEER FIREFIGHTER STIPENDS	Rodolpho "Rudy" S. Martinez

HB 623	SCHOOL COUNSELOR LEVEL 3 LICENSURE	Christine Trujillo
HB 628	SPECIAL EDUCATION FUNDING	W. Ken Martinez
HB 641	FILM PRODUCTION TAX CREDIT CHANGES	Antonio "Moe" Maestas
HB 654	GROUP INSURANCE PREMIUMS & FUND TRANSFERS	Henry Kiki Saavedra
HB 658	REGISTRATION OF CERTAIN FETAL DEATHS	Eliseo Lee Alcon
HCR 1	DISCLOSURE OF LEGISLATIVE INFORMATION	Donald E. Bratton
HJM 1	NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY	Sheryl Williams Stapleton
HJM 2	"BETTER HEARING & SPEECH MONTH"	Sheryl Williams Stapleton
HJM 3	USE APPROVAL AGENCIES FOR VETERANS' BILLS	Dianne Miller Hamilton
HJM 4	"VIETNAM VETERANS DAY"	Rodolpho "Rudy" S. Martinez
HJM 5	LOS ALAMOS AREA G CLEANUP	Carl Trujillo Carlos R. Cisneros
HJM 7	WATER DEVELOPMENT ACT REAUTHORIZATION	Mimi Stewart
HJM 9	MORA REGIONAL WATER PLAN AS A PRIORITY	Tomás E. Salazar
HJM 10	RENEWABLE ENERGY STORAGE INCENTIVES	Stephanie Garcia Richard
HJM 12	PEER-TO-PEER SUBSTANCE ABUSE APPROACHES	Debbie A. Rodella
HJM 13	SUPPORT NEW MEXICO GENERAL AVIATION	James P. White
HJM 14	"MULTIPLE SCLEROSIS DAY"	Gail Chasey
HJM 18	"BEHAVIORAL HEALTH DAY AT THE LEGISLATURE"	Edward C. Sandoval
HJM 20	ASSISTANCE TO FARMS THAT GROW CHILE	Candy Spence Ezzell
HJM 21	"MINING SAFETY MONTH"	Don L. Tripp
HJM 22	INDIAN WATER RIGHT DISPUTES FUNDING	James Roger Madalena
HJM 23	STUDY TELECOMMUNICATIONS REGULATION	Luciano "Lucky" Varela
HJM 24	SAN JUAN-CHAMA WATER PROJECT INFRASTRUCTURE	Carl Trujillo
HJM 26	"SANTA FE COMMUNITY COLLEGE DAY"	Jim R. Trujillo
HJM 28	FERAL HOG ERADICATION TEAM	Candy Spence Ezzell
HJM 30	STUDY USES OF STANDARDIZED TEST SCORES	Mimi Stewart
HJM 31	"SOIL & WATER CONSERVATION DISTRICT DAY"	W. Ken Martinez
HJM 32	OLDER ADULT FALLS TASK FORCE	Elizabeth "Liz" Thomson Bill B. O'Neill
HJM 33	SANTA FE WATER RELEASE FOR DOWNSTREAM AREAS	Stephanie Garcia Richard

HJM 34	FEDERAL VIOLENCE AGAINST WOMEN ACT	Elizabeth "Liz" Thomson
HJM 35	PURCHASE NEW MEXICAN & AMERICAN GOODS	Edward C. Sandoval
HJM 38	"COMMUNITY SCHOOLS DAY"	Antonio "Moe" Maestas
HJM 39	PRESIDENTIAL YOUTH COUNCIL	Antonio "Moe" Maestas
HJM 43	CONGRESSIONAL MEDAL FOR DR. VICTOR WESTPHALL	Patricia Roybal Caballero
HJR 2	SCHOOL ELECTION TIMING, CA	James E. Smith Daniel Ivey-Soto
SB 2	STATE AVIATION FUND USES	Michael S. Sanchez
SB 4	DIALYSIS FACILITY GROSS RECEIPTS	Carlos R. Cisneros
SB 5	SAN ANTONIO LAND GRANT POLITICAL STATUS	Carlos R. Cisneros Miguel P. Garcia
SB 7	TAX EXPENDITURE & REVENUE BUDGET & REPORTING	Timothy M. Keller Luciano "Lucky" Varela
SB 8	PRC COMMISSIONER QUALIFICATIONS	Timothy M. Keller Paul C. Bandy
SB 9	STATE INVESTMENT COUNCIL CHANGES	Steven P. Neville
SB 10	NOTICE FOR SURVEYS ON LAND GRANTS	Sander Rue Miguel P. Garcia
SB 12	NMFA CHANGES	Timothy M. Keller James P. White
SB 14	EXTEND SUSTAINABLE BUILDING TAX CREDIT	Peter Wirth Carl Trujillo
SB 16	PUBLIC CAMPAIGN FINANCING CHANGES	Peter Wirth
SB 20	RAISE PROBATION COSTS FOR DEFENDANTS	Steven P. Neville
SB 24	LOCAL GOV'T INVESTMENT POOL	George K. Munoz
SB 25	JUDICIAL RETIREMENT CHANGES	George K. Munoz
SB 27	PUBLIC EMPLOYEE RETIREMENT CHANGES	George K. Munoz Luciano "Lucky" Varela
SB 35	NO CONVICTION FOR CERTAIN MOTOR OFFENSES	Richard C. Martinez
SB 36	PENALTIES FOR CERTAIN MOTOR OFFENSES	Richard C. Martinez
SB 37	CLARIFY DRIVER'S LICENSE SUSPENSIONS	Richard C. Martinez
SB 38	TRANSFER COMMUNITY LAND GRANT REGISTRY	Richard C. Martinez Miguel P. Garcia
SB 39	COLLEGE DISTRICT BONDS FOR HARD & SOFTWARE	Sander Rue
SB 40	NO ELECTRONIC COMMUNICATIONS IN JAILS	Sander Rue
SB 41	BACKGROUND CHECKS FOR CYFD PLACEMENTS	Sander Rue
SB 43	REQUIRE HEALTH SERVICES FOR PREGNANT WOMEN	Linda M. Lopez
SB 51	PROTECTIVE & UNDERCOVER LICENSE PLATES	Sander Rue

SB 54	LOCAL GOVERNMENT PLANNING FUND	Sue Wilson Beffort
SB 58	REPORTS TO IMMUNIZATION REGISTRY	Sue Wilson Beffort
SB 60	SEVERANCE TAX BOND PROJECTS	Carlos R. Cisneros
SB 65	PRE-RELEASE MEDICAID FOR INCARCERATED PERSONS	Gerald Ortiz y Pino
SB 69	INSURANCE COVERAGE FOR TELEMEDICINE COVERAGE	Gerald Ortiz y Pino
SB 70	STATE MONUMENTS TO HISTORIC SITES	Pete Campos Don L. Tripp
SB 72	RACEHORSE TESTING STANDARDS	Mary Kay Papen
SB 73	GAME & FISH LICENSE SUSPENSION PERIODS	George K. Munoz
SB 79	ELECTRONIC PROFESSIONAL LICENSE RENEWAL	Sander Rue
SB 81	LIQUOR TAX MICROBREW VOLUME LIMIT	Sue Wilson Beffort
SB 90	LOCAL GOVERNMENT CAMPAIGN REPORTING ACT	Michael Padilla
SB 91	NEW MEXICO COMMERCIAL FEED ACT	Michael Padilla
SB 93	CITY WATER STORAGE TANK CONTRACTORS	Steven P. Neville
SB 94	PENALTIES FOR NO BOAT FLOATATION DEVICES	William E. Sharer
SB 99	DENTAL AMALGAM WASTE ACT	Peter Wirth
SB 101	ENERGY CONSERVATION BONDS	Peter Wirth
SB 106	SPECIAL TEMPORARY FISHING LICENSES	Pete Campos
SB 107	UNIFORM REAL PROPERTY TRANSFER ON DEATH	Peter Wirth
SB 113	TOBACCO FUND FOR CYFD PROGRAMS	John Arthur Smith
SB 114	LEGISLATIVE RETIREMENT QUALIFICATION	Stuart Ingle
SB 115	EDUCATIONAL RETIREMENT CHANGES	Stuart Ingle
SB 116	LIQUOR TAX SMALL WINEGROWER VOLUME LIMIT	John Arthur Smith
SB 118	ECONOMIC DEVELOPMENT FUND REPORTING	George K. Munoz
SB 128	PROSPECTIVE EMPLOYEE CREDIT PRIVACY	Bill B. O'Neill
SB 131	TRAFFIC TICKET PAYMENT & REPORTING	Joseph Cervantes
SB 132	UNIFORM ENFORCEMENT OF DOMESTIC VIOLENCE ACT	Joseph Cervantes
SB 138	REPEAL FRUIT & VEGETABLE STANDARDS STATUTES	Stuart Ingle
SB 139	DISPOSITION OF STATE-OWNED ANIMALS	Mark Moores
SB 140	NM POISON & DRUG INFORMATION CENTER	Mark Moores

SB 141	PROTECTIVE VESTS FOR POLICE DOGS	Howie C. Morales
SB 143	INTENSIVE PROBATION & PAROLE OFFICER CASELOAD	Bill B. O'Neill
SB 145	COMMUNITY CORRECTIONS PANELS	Bill B. O'Neill
SB 146	UNIFORM COMMERCIAL CODE SECURED TRANSACTIONS	Daniel Ivey-Soto Zachary J. Cook
SB 147	EDUCATION TECHNOLOGY DEFINITIONS	Jacob Candelaria
SB 149	DNA ADMINISTRATIVE CENTER	Cisco McSorley
SB 152	OFFICE OF GUARDIANSHIP FUND	Michael Padilla
SB 154	HOURS OF SUNDAY ALCOHOL SALES	John C. Ryan
SB 156	FORMULARY CHANGES IN HEALTH LAWS	Jacob Candelaria
SB 158	UNIFORM CONSEQUENCES CONVICTION ACT	Joseph Cervantes
SB 159	CIVIL CASE RECIPROCAL ATTORNEY FEE AWARDS	Joseph Cervantes
SB 160	BIODIESEL DEFINITIONS	Stuart Ingle
SB 163	CHANGE BOARD & COMMISSION SUNSET DATES	Carlos R. Cisneros
SB 164	EQUALIZATION GUARANTEE AT SCHOOL FOR THE ARTS	Nancy Rodriguez
SB 171	DISABILITIES CONCERNS COMMITTEE	Nancy Rodriguez
SB 172	SIGNED LANGUAGE PRACTICES BOARD	Nancy Rodriguez
SB 173	STATE FINANCIAL REGULATION FUND	Mark Moores
SB 176	SUBDIVISION ACT DEFINITIONS	Sue Wilson Beffort
SB 180	TRUST COMPANY CERTIFICATE FEES & REQUIREMENTS	Steven P. Neville
SB 181	PROFESSIONAL LICENSURE STANDARDS & BOARDS	Sander Rue
SB 182	PROCUREMENT CODE CHANGES	Sander Rue Luciano "Lucky" Varela
SB 183	REPLACE GED TERMS WITH EQUIVALENCY DIPLOMA	Gay G. Kernan
SB 184	PLANT PROTECTION ACT CHANGES	Joseph Cervantes
SB 185	FRONTIER COMMUNITIES PROGRAM	Pat Woods
SB 190	DWI INTERLOCK LEASING	Phil A. Griego
SB 192	SURETY INSURANCE CONTRACTS COMPLIANCE	Phil A. Griego
SB 195	"BATAAN-CORREGIDOR HERITAGE MONTH"	William H. Payne
SB 196	LONG-TERM CARE INSURANCE PARTNERSHIP PROGRAM	Lee S. Cotter
SB 198	HOSPITALS AS STEMI CENTERS	Howie C. Morales Doreen Y. Gallegos

SB 202	FARM-RELATED INDUSTRIES DRIVER'S LICENSE	Cliff R. Pirtle
SB 203	JUVENILE DETENTION REQUIREMENTS	Gerald Ortiz y Pino
SB 205	REAL ESTATE APPRAISER LICENSES & BROKERS	Phil A. Griego
SB 206	PORTABLE ELECTRONICS INSURANCE REGULATION	Phil A. Griego
SB 212	NONRESIDENT REAL ESTATE BROKER LICENSING	Phil A. Griego
SB 217	AUTHORITY FOR PUBLIC SECURITIES TERMS	Howie C. Morales
SB 221	NM HEALTH INSURANCE EXCHANGE ACT	Benny Shendo
SB 228	NMFA WATER FUND & ACEQUIA PROJECTS	Mary Kay Papen
SB 231	SCHOOL DISTRICT & CHARTER SCHOOL INVESTMENTS	Timothy M. Keller Jimmie C. Hall
SB 232	GENDER-NEUTRAL LANGUAGE IN BILLS	John M. Sapien
SB 233	WORKERS' COMP ATTORNEY FEES	John M. Sapien
SB 234	NEW MEXICO CHILE ADVERTISING ACT VIOLATIONS	George K. Munoz
SB 240	SPACE FLIGHT INFORMED CONSENT APPLICATION	Mary Kay Papen
SB 247	CHILDHOOD DEVELOPMENT SERVICES PROCUREMENT	Sue Wilson Beffort
SB 248	DRIVER EDUCATION INSTRUCTOR REQUIREMENTS	Clemente Sanchez
SB 249	STATEWIDE CONSTRUCTION INSPECTORS	Mary Kay Papen
SB 258	PROFESSIONAL LICENSES FOR MILITARY & SPOUSES	William F. Burt
SB 259	INCREASE ALCOHOL SERVER TRAINING FREQUENCY	William F. Burt
SB 266	ARCHITECTURE MULTIPLE SOURCE CONTRACTS	Phil A. Griego
SB 268	FERTILIZER ACT TERMS & PENALTIES	Pat Woods
SB 269	DURABLE MEDICAL EQUIPMENT GROSS RECEIPTS	Mary Kay Papen
SB 271	EMERGENCY MENTAL HEALTH EVALUATIONS	Mary Kay Papen
SB 274	HORSE SHELTER RESCUE FUND	George K. Munoz
SB 275	WORKERS' COMP CLEANUP	Pat Woods
SB 279	APPRAISAL MANAGEMENT COMPANIES	Sander Rue
SB 283	REMOVAL OF LAND FROM WATERSHED DISTRICTS	Mary Kay Papen
SB 284	VALUATION OF RENEWABLE ENERGY EQUIPMENT	Carroll H. Leavell
SB 285	LOCAL GOV'T HIGHER ED FACILITY PROPERTY TAX	Richard C. Martinez
SB 289	5-YEAR SENIOR PROPERTY TAX FREEZE	Benny Shendo

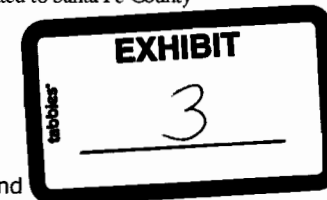
SFC ORDER RECORDED 8/27/2013

SB 294	CRIMINAL RECORD EXPUNGEMENT ACT	Michael S. Sanchez
SB 296	PRESCRIPTION DRUG INSURANCE COVERAGE REVIEW	Mary Kay Papen
SB 297	EXPAND CHILDREN'S TRUST FUND FUNCTIONS	Gerald Ortiz y Pino
SB 299	MARRIAGE LICENSE CLEANUP	Daniel Ivey-Soto Zachary J. Cook
SB 301	NM SCHOLARS ACT SCHOLARSHIP ELIGIBILITY	Craig Brandt
SB 302	HOME & CHARTER SCHOOL STUDENT PROGRAM UNITS	Craig Brandt
SB 307	PUBLIC RECORDS CHANGES	Daniel Ivey-Soto
SB 310	VIRAL HEPATITIS TESTING & CONFIDENTIALITY	Phil A. Griego
SB 311	HIV TESTING DISCLOSURE	Phil A. Griego
SB 312	UNCLAIMED INSURANCE BENEFITS & POLICIES	Carroll H. Leavell Thomas C. Taylor
SB 315	CITY OR COUNTY COMPREHENSIVE PLANS	Bill B. O'Neill
SB 320	ASSISTANCE ANIMAL ACT CHANGES	Nancy Rodriguez
SB 321	UTILITY CHARGES FOR CERTAIN SCHOOLS	William H. Payne
SB 326	ENFORCEMENT OF RAILROAD LIVESTOCK FENCING	Mary Kay Papen
SB 328	MOTOR CARRIER QUALITY OF SERVICE STANDARDS	Phil A. Griego
SB 333	SCHOOL LEASES & INTEREST CONFLICTS	Sue Wilson Beffort
SB 334	UNEMPLOYMENT FUND CONTRIBUTIONS & FORMULA	Stuart Ingle
SB 335	ASSISTED LIVING FACILITY CONTRACT REFUNDS	Stuart Ingle
SB 339	STATE BUILDING SERVICES & PROPERTY CONTROL	Stuart Ingle
SB 340	\$10 MILLION MINIMUM DESIGN & BUILD PROJECTS	Stuart Ingle
SB 341	BUILDING & REMODEL CONTRACT THRESHOLD AMOUNT	Stuart Ingle
SB 342	NURSE-MIDWIFE ULTRASOUND PROCEDURES	Howie C. Morales
SB 345	ELIMINATE SOME OPEN CONTAINER EXCEPTIONS	John M. Sapien
SB 349	PUBLIC SERVICE ATTORNEY LOAN REPAYMENTS	Peter Wirth
SB 352	AIRLINE EMPLOYEE SHIFTS AND HOURS	Michael Padilla Christine Trujillo
SB 353	LOCAL GOV'T RECORD INDEXING & PROTECTION	Howie C. Morales
SB 365	HOME VISITING ACCOUNTABILITY ACT	John M. Sapien
SB 370	SCHOOL RATING MODIFIED ASSESSMENT FORMULA	Michael S. Sanchez
SB 371	NO SOCIAL MEDIA ACCESS FOR EMPLOYERS	Jacob Candelaria

SB 372	BARBER & COSMETOLOGIST CEASE & DESIST ORDERS	Lisa A. Torracco
SB 382	EXCUSED SCHOOL ABSENCES FOR PREGNANCY	Linda M. Lopez Rick Miera
SB 395	PUBLIC WORKS WHISTLEBLOWER CONFIDENTIALITY	Carlos R. Cisneros
SB 396	AMERICAN-MADE VEHICLES IN PROCUREMENT CODE	Steven P. Neville
SB 397	LOCAL LIQUOR TAX PROCEED USES & RATES	George K. Munoz
SB 403	HEALTH ALL-PAYER CLAIMS DATABASE TASK FORCE	Linda M. Lopez
SB 406	DIVIDED & COMBINED PROPERTY TAX COLLECTION	John M. Sapien
SB 415	NO MANDATORY PAROLE FOR CERTAIN SENTENCES	Bill B. O'Neill
SB 416	RAISE MINIMUM WAGE	Richard C. Martinez
SB 422	NO COLLEGE REQUESTS FOR STUDENT SOCIAL MEDIA	Jacob Candelaria
SB 423	BED & BREAKFAST BEER & WINE LICENSES	Phil A. Griego
SB 424	ALCOHOL TASTING PERMITS	Phil A. Griego
SB 431	COUNTY FIREFIGHTING CONTRACTS	John Arthur Smith
SB 438	MUNICIPAL INCORPORATION REQUIREMENTS	Joseph Cervantes
SB 442	DWI INTERLOCKS FOR CERTAIN CRIMES	Ron Griggs
SB 443	GOVERNMENT PROCUREMENT REQUIREMENTS	Sander Rue
SB 444	HORSE RACING LICENSES, TESTING & PENALTIES	Mary Kay Papen
SB 447	NATIVE AMERICAN SUICIDE PREVENTION COUNCIL	Benny Shendo Sandra D. Jeff
SB 448	PROCUREMENT DEBARING & SUSPENSION	Joseph Cervantes
SB 458	DEVELOPMENTAL DISABILITIES SERVICE CHANGES	Nancy Rodriguez
SB 464	SCHOOL DISTRICT SOLVENCY FLEXIBILITY	Gay G. Kernan
SB 479	ADEQUATE SUBDIVISION WATER SUPPLIES	Peter Wirth
SB 480	SUBDIVISION WATER PERMITS	Peter Wirth
SB 485	NOMINATING PETITION FILING & RESOLUTION TIMES	Carlos R. Cisneros
SB 490	ACCURACY OF EYEWITNESS PROCEDURES	Cisco McSorley
SB 491	POST-CONVICTION DNA TESTING ACT	Cisco McSorley
SB 495	NMFA BONDS FOR HOSPITALS	Howie C. Morales
SB 497	HOMEOWNER ASSOCIATION ACT	Timothy M. Keller
SB 510	AGRICULTURAL PROPERTY VALUATION TIMES	Nancy Rodriguez

SB 539	REMOTE SELLERS GROSS RECEIPTS	John Arthur Smith
SB 555	STATE-OWNED RAILROAD PROPERTY DISPOSAL	Gerald Ortiz y Pino
SB 557	RURAL JOB TAX CREDIT DEFINITIONS	Carroll H. Leavell
SB 572	RENOVATION & CONSTRUCTION OF STATE OFFICES	Stuart Ingle
SB 574	SUSPENSION OF UTILITIES FOR DEPLOYED MILITARY	William Soules
SB 586	ADDITIONAL HEALTH CARE SOURCE PAYMENTS	Phil A. Griego
SB 587	STATE SCHOOL GRADES COUNCIL	Howie C. Morales
SB 588	TEACHER & PRINCIPAL EVALUATION SYSTEM COUNCIL	Howie C. Morales
SB 621	PUBLIC UTILITY EFFICIENCY & COST RECOVERY	Joseph Cervantes
SB 630	CLARIFY LENDER REPORTING REQUIREMENT	Clemente Sanchez
SB 638	REGISTRATION OF PRIVATE COLLEGES	Timothy M. Keller
SJM 2	NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY	Mary Kay Papen
SJM 3	"BETTER HEARING & SPEECH MONTH"	Mary Kay Papen
SJM 6	SANTA CRUZ DAM IMPROVEMENTS	Richard C. Martinez Carl Trujillo
SJM 7	"COLONIAS DAY AT THE LEGISLATURE"	Mary Kay Papen
SJM 8	"HEALTH CARE ADVANCE DIRECTIVE DAY"	Gerald Ortiz y Pino
SJM 10	"KITCHEN ANGELS DAY"	Nancy Rodriguez
SJM 12	"BEHAVIORAL HEALTH DAY"	Mary Kay Papen
SJM 16	STATE CAPITOL WOMEN'S HISTORIC MARKER	Gay G. Kernan
SJM 17	"DISABILITY HISTORY & AWARENESS MONTH"	Gerald Ortiz y Pino
SJM 18	"BEN LUJAN MEMORIAL HIGHWAY"	Carlos R. Cisneros
SJM 20	"SANTA FE COMMUNITY COLLEGE DAY"	Nancy Rodriguez
SJM 22	"SOIL & WATER CONSERVATION DISTRICT DAY"	Mary Kay Papen
SJM 29	"RIO ARRIBA COUNTY DAY"	Richard C. Martinez
SJM 30	"CENTRAL NM COMMUNITY COLLEGE DAY"	John M. Sapien
SJM 32	U.N. OBSERVER STATUS FOR TAIWAN	Michael S. Sanchez
SJM 40	ONE BILLION RISING V-DAY	Howie C. Morales
SJM 41	SUPPORT & PRESERVE CODE TALKERS' LEGACY	John Pinto
SJM 43	INCENTIVES FOR RENEWABLE ENERGY	William Soules

SJM 44	STUDY CHILDREN OPPORTUNITIES & OVERMEDICATION	Sue Wilson Beffort
SJM 45	STUDY USE OF LOS LUCEROS PROPERTY	Richard C. Martinez
SJM 50	"MANA DE ALBUQUERQUE DAY"	Linda M. Lopez
SJM 55	EXTREME DROUGHT & WET WATER USAGE COMMITTEE	Mary Kay Papen
SJR 7	NORTHERN NM STATE SCHOOL REGENTS, CA	Richard C. Martinez



Bill: HB2
Sponsors: Saavedra (D10)
Title: GENERAL APPROPRIATION ACT OF 2013
Analysis: the General Appropriation Act of 2013, authorizes funding to various state agencies from the General Fund, Internal Services and Other State Funds and Federal Funds in fiscal year 2013
 House Bill 2 combined with House Bill 1 have FY14 appropriations of 5.89 billion dollars which is an increase of 245.9 million dollars or 4.4% increase over FY13

Bill: HB21
Sponsors: Smith (R22); Ivey-Soto (D15)
Title: PUBLIC MEETING AGENDAS 72 HOURS IN ADVANCE
Analysis: Amends the Open Meetings Act to require that an agenda be available to the public and posted on the public body's web site (if maintained) at least 72 hours, rather than 24 hours, prior to a meeting

Bill: HB37
Sponsors: Martinez, Rudolpho (D39)
Title: ANNUAL DELINQUENT PROPERTY TAX SALES
Analysis: orders the Taxation and Revenue department to conduct a sale of property for back taxes in each county having at least one real property on its delinquent property list. Provides an exception when the director of the Property Tax Division and the county treasurer agree to postpone the sale.

Bill: HB133
Sponsors: Chasey (D18)
Title: DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE AND CURRENT STATE AND LOCAL CONTRACTORS
Analysis: prohibits state and local government entities from entering into contracts with prospective and current state and local contractors whose principal has contributed anything of value for political purposes or otherwise to an applicable state public officer or a local public officer of more than a total of \$1,000

Bill: HB275
Sponsors: Roch (R67)
Title: VOLUNTEER FIREFIGHTER PENSION INCREASE
Analysis: Increases the monthly retirement annuity for a volunteer firefighter age 55 with 25 or more years of serviced credit from \$200 to \$250 per month.

Bill: HB334**Sponsors:** Wooley (R66)**Title:** COUNTY OFFICIALS: SALARY LIMIT INCREASES**Analysis:** (Same as the amended version of 2012's HB188 that was vetoed by the Governor) Increases the limits for the salaries of all elected county officials throughout the state.

increases the salaries of elected county officials in Class A counties (Bernalillo, Doña Ana, Sandoval, Santa Fe and San Juan) as follows: commissioners, from \$29,569 to \$34,500; treasurer, assessor and clerk, from \$65,501 to \$75,327; sheriff, from \$68,308 to \$78,555, and probate judge from \$28,820 to \$33,143.

Bill: HB352**Sponsors:** Harper (R57); Keller (D17)**Title:** REQUIRES SECURITY FOR STATE CONTRIBUTIONS TO ECONOMIC DEVELOPMENT PROJECTS**Analysis:** Known as a "clawback" provision, requires the recipient of public support for a local economic development projects to provide security to the governmental entity providing public support to the project.**Bill: HB615****Sponsors:** Martinez, Rudolpho (D39)**Title:** VOLUNTEER FIREFIGHTERS STIPEND PAYMENTS**Analysis:** to allow the payment of a stipend to volunteer firefighters by a public agency to perform volunteer services and be consistent with the federal Fair Labor Standards Act of 1938. The stipend may represent only the actual expenses of the firefighter, reasonable benefits or a nominal fee. The stipend payment is conditioned on the fact that the volunteer is not employed by the agency that pays the stipend.**Bill: HB641****Sponsors:** Maestas (D16)**Title:** BROAD TAX PACKAGE: FILM TAX CREDIT, LOCAL GRT, CORPORATE TAX CUT, UNITARY TAX & MANUFACTURERS' SALES FACTOR ONLY BASIS**Analysis:** HBIC Committee Substitute 03/15/2013 — (Similar to HTRC substitute for HB379, as amended by SCORC) HBIC substitute for HB641 replaces a dummy bill. It increases the film production tax credit for certain direct production expenditures; allows a maximum of \$10,000,000 of unclaimed credits to be carried forward for three fiscal years; provides for accelerated payments for future scheduled payments of film production tax credits; specifies additional eligibility requirements; and changes the scope of expenditures for which the credit may be claimed. Grants a 30 percent film production credit for qualified expenditures of commercial television series with an order for at least six episodes in a single season with a budget of at least \$50,000 per episode or directly attributable to wages and benefits paid to New Mexico residents employed in industry crew positions, other than performing artists. Applies to productions with budgets less than \$30 million if shooting ten principal photography days in New Mexico, or to any production with a budget of \$30 million or more if shooting 15 days or more in New Mexico. For fiscal years 2013 through 2015 only, allows an amount up to \$10 million of the \$50 million aggregate tax credit authorization not used in one year to carry forward to future fiscal years. For any fiscal year in which total credit claims are less than the total amount authorized to be paid for that year, claims scheduled for payment over two or three years may be accelerated. Requires that productions receiving the film tax credit acknowledge in the end credits that the production was filmed in New Mexico; long-form

narrative film productions are also required to include a state logo. Film production companies are directed to make reasonable efforts to contract with vendors that have a physical presence in New Mexico.

Revises the definition of "direct production expenditure" to exclude subcontracted goods or services from subcontractors that are not subject to state taxation and goods and services provided by certain nonresidents; and to include wages for non-New Mexico performing artists directly employed by the film production company and personal service businesses of non-New Mexico performing artists (which must pay gross receipts tax and withhold and remit income tax at the maximum rate).

Defines "qualified production facility" to mean a building or complex with improvements and associated back-lot facilities, where films are intended to be regularly produced, containing a sound stage of at least 7,000 square feet and a ceiling height of no less than 21 feet. In definition of "physical presence," strikes the prohibition of post office boxes or mail drops.

Changes the definition of "vendor" to exclude services provided by nonresidents hired or subcontracted if the tasks or responsibilities are associated with the standard industry job position of:

- director;
- writer;
- producer, associate producer, co-producer or executive producer;
- production supervisor;
- director of photography;
- driver;
- production or personal assistant;
- designer;
- still photographer; or
- carpenter or utility technician at an entry level.

Also excludes services provided by nonresidents hired or subcontracted if the tasks or responsibilities are associated with nonindustry-standard job positions or personal support services.

Repeals Laws 2011, Ch. 165, Sec. 3, in its entirety, in order to resolve the enactment of two versions of Section 7-2F-1 enacted in 2011.

Bill goes to House Calendar.

- Ends Food, Medical Save-harmless Distributions and Decouples Deductions

Phases out over 15 years the existing save-harmless distributions to municipalities and counties related to the gross receipts deductions for food and certain medical services. Annual six or seven percent cuts start July 1, 2015. If however the distribution cut-back to a county or municipality would impair debt repayment obligations incurred as of July 1, 2013, an amount of distribution sufficient to cover the obligation will be made.

Instead allows each municipality and county to impose up to 0.375 percent "save harmless gross receipts tax", in increments of 0.125 percent to offset the revenue from the reduced save-harmless distributions.

A municipality under 10,000 or a county under 48,000 may continue receiving the save-harmless distribution.

- Phases in corporate income tax rates over five years, starting with taxable year 2014. The top rate will be for taxable years beginning on or after January 1, 2014 - 7.3 percent, 2015 - 6.9 percent, 2016 - 6.6 percent, 2017 - 6.2 percent and 2018 - 5.9%.
- Requires "big box" unitary corporations to file combined tax returns as though their entire combined net income were that of one corporation starting with taxable year 2014. A "big box" retailer sells goods in a facility of more than 30,000 square feet under one roof. Adds a provision that unitary manufacturers with operations in New Mexico and employing at least 750 employees in New Mexico shall not be required to file a combined return.
- Phases in over five years, beginning with taxable year 2014, an option for manufacturers to apportion their net income to New Mexico using a sales factor only. Once the election has been made, the taxpayer may not employ any other apportionment formula absent the department's

approval with a method for making the election and requiring that a taxpayer, once having elected its use, must use the sales apportionment formula for at least three consecutive years.

- Adjusts last year's deduction for sale of consumables to manufacturers to by defining "consumable" as tangible personal property that is incorporated into, destroyed, depleted or transformed in the manufacturing process. "Consumable" includes electricity but excludes tangible personal property used in the generation of power, processing of natural resources (including hydrocarbons) and preparation of meals for immediate consumption on or off-premises.
- High-wage jobs tax credit: Clarifies that the \$12,000 credit maximum applies per job per year. Requires the taxpayer to file for approval of a credit claim within one year following the end of the calendar year in which the qualifying period closes. Disqualifies jobs from the tax credit if:
 - the new job is created due to a business merger, acquisition or other organizational change;
 - the eligible employee was terminated from New Mexico employment by another employer involved in the merger, acquisition or other change; and
 - the new job is performed by the same person who performed it or a functionally equivalent job prior to the merger, acquisition or other change or a person replacing that performer.

Provides some exceptions for applications for credit approval submitted prior to the merger, acquisition or other organizational change.

Also disqualifies jobs created when an eligible employer enters into a contract or subcontract with a governmental entity essentially replacing governmental workers unless the job was not being performed by a replaced governmental employee.

Revises critical definitions:

- "wages" equals all compensation paid through the employer's payroll system, including wages the employee elects to defer or re-direct and employee contributions to 401(k) or cafeteria plans, but excludes "benefits";
- "benefits" means all remuneration for work performed other than wages, such as insurance and health plans, employer contributions to pension plans and employer-provided services (like child care); excluded from "benefits" are employer's share of payroll taxes;
- "eligible employer" is an employer exporting 50 percent or more of its sales of goods or services produced in New Mexico or certified by the Economic Development Department as eligible for development training assistance;
- "eligible employee" must be employed in New Mexico;
- "new high-wage economic-based job" provides that job must be created in New Mexico prior to July 1, 2020 (present cut-off is July 1, 2015). To qualify as "high-wage" a new job created prior to July 1, 2015 must pay wages of at least \$40,000 if the job is in Los Alamos County or a municipality (or within ten miles of its exterior boundaries) of 60,000 or more, or pay more than \$28,000 anywhere else. New Jobs created on or after July 1, 2015 must pay \$60,000 if in Los Alamos County or within a municipality (or within ten miles) of 60,000 or more; and \$40,000 elsewhere.

Bill: HJM5

Sponsors: Trujillo, C. (D46); Cisneros (D6)

Title: CLEANUP OF TRANSURANIC WASTE AT LANL'S AREA G

Analysis: requests the U.S. Department of Energy to fully fund completion of cleanup and remediation of LANL's Area G; and to provide a status report to the Radioactive and Hazardous Materials Committee during the 2013 legislative interim.

Copies of this memorial shall be sent to the New Mexico Congressional Delegation, the U.S. Secretary of Energy, the Director of the Los Alamos National Laboratory, and the Governor.

Bill: HJM33**Sponsors:** Garcia Richard (D43)**Title:** WATER FOR DOWNSTREAM USERS IN SANTA FE AND SANDOVAL COUNTIES

Analysis: Introduced 02/08/2013 — Calls upon the City of Santa Fe to give priority to the release of sufficient reclaimed water during the growing season to downstream users of La Cieneguilla, La Cienega and La Bajada and the Pueblo of Cochiti to sustain historic agricultural traditions. Encourages the city and county to continue to work with the traditional communities to address problems connected with lack of water flow in the lower Santa Fe watershed. Copies of the memorial will be transmitted to members of the Santa Fe City Council and the Santa Fe County Board of Commissioners.

HAGC Committee Report 02/27/2013 — HAGC amendment to HJM33 asks that the request to the City of Santa Fe for release of water be given consideration, rather than given priority. Strikes the word sufficient as it pertains to the amount of water to be released. Bill goes to HGIAC.

HHGIC Committee Report 03/04/2013 — HJM033.hhgiac
HHGIAC amendment to HJM33 softens the tone of the bill's title to request that the City of Santa Fe give consideration (rather than priority) to the release of reclaimed water to certain downstream users.

Bill: SB14**Sponsors:** Wirth (D25); Trujillo, C. (D46)**Title:** EXTEND SUSTAINABLE BUILDING TAX CREDIT

Analysis: SFC Committee Substitute 03/10/2013 — SFC substitute for SB0014 lowers the cap on aggregate annual amount of sustainable building tax credit, loosens restrictions on the amount a single taxpayer may claim annually and extends the tax credits only through 2016, not 2023 as in the original bill. The sustainable building personal and corporate income tax credits apply to the construction of a sustainable residential or commercial building, the renovation of an existing building, or the permanent installation of manufactured housing that is a sustainable building. Lowers the annual cap on the aggregate amount of these tax credits from \$5 million to \$1 million for sustainable commercial buildings and from \$5 million to \$4 million for sustainable residential buildings. Alters the provision that allows unused sustainable commercial building tax credit to be applied to sustainable multifamily units; instead the excess may be applied to sustainable residential buildings. Expands the definition of "sustainable commercial building" to include qualifying multifamily dwelling units. Existing law requires that a sustainable building tax credit over \$25,000 be paid out over four years, at 25 percent per year. Recognizing that taxpayers may be entitled to more than one sustainable building tax credit in a year, the SFC substitute retains this rule if the total sustainable building credit claims of a single taxpayer are over \$100,000. If the total is less than \$100,000, \$25,000 per year may be applied against the taxpayer's liability until the total is exhausted. If the amount that may be applied against liability in any year exceeds the taxpayer's tax liability for that year, the excess may be carried forward for seven years. Retains the existing calculation tables for determining the amount of the tax credit and the certification level of the building under the LEED Green Building Rating System for both commercial and residential buildings.

Senate Floor Amendment 03/13/2013 — Senate Floor Amendment 1 (Senator Keller) to SB14 makes two substantive changes to the bill:

- Specifies that the purpose of the sustainable buildings tax credit is to encourage the construction of sustainable buildings and the renovation of existing buildings into sustainable buildings; and
- Requires the Taxation and Revenue Department to compile an annual report on the sustainable buildings tax credit that includes the number

of taxpayers approved to receive the credit, the aggregate number of credits approved, and any other information needed to evaluate the effectiveness of the credit. Beginning in 2015 and every five years thereafter, the department shall compile and present the annual reports to the Revenue Stabilization and tax Policy Committee and the Legislative Finance Committee along with an analysis of the effectiveness and cost of the credit.

Bill: SB24

Sponsors: Munoz (D4)

Title: STATE TREASURER INVESTMENT AUTHORITY & LOCAL GOVERNMENT INVESTMENT POOL

Analysis: Prefiled 01/04/2013 — (Endorsed by the Investments and Pensions Oversight Committee) Changes the name of the "Participating Government Investment Fund" to the "Local Government Investment Pool" and makes changes in State Treasurer's authority to make short- and long-term investments of general funds, bond proceeds and the investment pool.

The State Treasurer is additionally authorized to invest in securities issued by the State of New Mexico, including its agencies, institutions, counties, municipalities, school districts, community college districts or other subdivisions, or as otherwise provided by law. Similarly, authorization is given to the State Treasurer to invest in securities issued by states or governmental entities in states other than New Mexico.

The state, county or municipal treasurers may not make investments without the prior authorization of their respective supervising entities. The State Treasurer is required to obtain the advice and consent of the state Board of Finance.

Bill: SB27

Sponsors: Munoz (D4); Varela (D48)

Title: PUBLIC EMPLOYEE RETIREMENT CHANGES

Analysis: SFC substitute for SB27 makes a number of revisions to the original measure. The substitute is a 104-page bill that makes numerous changes in provisions for pension benefits and administration of the Public Employee Retirement Act. Makes varied modifications so as to decrease long-range liability for future payment of retirement benefits. Most frequently found are graduated increases in retirement plan contributions by both employer and employee, and increases in either or both the required retirement age and the required years of service credit. Specific changes are as follows:

STATE GENERAL MEMBER COVERAGE PLAN 3

Age and Service Requirements. For a member who is not a peace officer and was not a retired member or a member on June 30, 2013: 65 years of age or older with eight or more years of service credit; or any age with eight or more years of service credit, if the sum of the member's age and years of service credit equals at least 85. For a member who becomes a peace officer on or after July 1, 2013 and who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. For a member who is not a peace officer and was not a retired member or a member on June 30, 2013: 2.5 percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.42 percent. For persons earning more than \$20,000: 8.92 percent.

State Contribution Rate. From July 1, 2013 through June 30, 2014: 16.59 percent. Thereafter: 16.99 percent.

STATE POLICE MEMBER AND ADULT CORRECTIONAL OFFICER MEMBER PLAN 1

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six

or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. Three percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.60 percent. For persons earning more than \$20,000: 9.10 percent.

State Contribution Rate. From July 1, 2013 through June 30, 2014: 25.1 percent. Thereafter: 25.5 percent.

JUVENILE CORRECTIONAL OFFICER MEMBER COVERAGE PLAN 2

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. Three percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 4.78 percent. For persons earning more than \$20,000: 6.28 percent.

State Contribution Rate. From July 1, 2013 through June 30, 2014: 25.72 percent. Thereafter: 26.12 percent.

MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 65 years of age or older with eight or more years of service credit; or any age with 8 or more years of service credit and the sum of the member's age and years of service credit equals at least 85.

Amount of Pension-Form of Payment A. Three percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.0 percent. For persons earning more than \$20,000: 8.5 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 7.0 percent. Thereafter: 7.4 percent.

MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 65 years of age or older with eight or more years of service credit; or any age with 8 or more years of service credit and the sum of the member's age and years of service credit equals at least 85.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: two percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 9.15 percent. For persons earning more than \$20,000: 10.65 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 9.15 percent. Thereafter: 9.55 percent.

MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 65 years of age or older with eight or more years of service credit; or any age with 8 or more years of service credit and the sum of the member's age and years of service credit equals at least 85.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: 2.5 percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 13.15 percent. For persons earning more than \$20,000: 14.65 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 9.15 percent. Thereafter: 9.55 percent.

MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 65 years of age or older with eight or more years of service credit; or any age with 8 or more years of service credit and the sum of the member's age and years of service credit equals at least 85.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: 2.5 percent of the final

average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 15.65 percent. For persons earning more than \$20,000: 17.15 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 11.65 percent. Thereafter: 12.05 percent.

MUNICIPAL POLICE MEMBER COVERAGE PLAN 1

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. Two percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.0 percent. For persons earning more than \$20,000: 8.5 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 10.0 percent. Thereafter: 10.4 percent.

MUNICIPAL POLICE MEMBER COVERAGE PLAN 2

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: two percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.0 percent. For persons earning more than \$20,000: 8.5 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 15.0 percent. Thereafter: 15.4 percent.

MUNICIPAL POLICE MEMBER COVERAGE PLAN 3

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: two percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 7.0 percent. For persons earning more than \$20,000: 8.5 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 18.5 percent. Thereafter: 18.9 percent.

MUNICIPAL POLICE MEMBER COVERAGE PLAN 4

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: 2.5 percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 12.35 percent. For persons earning more than \$20,000: 13.85 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 18.5 percent. Thereafter: 18.9 percent.

MUNICIPAL POLICE MEMBER COVERAGE PLAN 5

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six or more years of service credit; or any age with 25 or more years of service credit.

Amount of Pension-Form of Payment A. For a member who was not a member or a retired member on June 30, 2013: Three percent of the final average salary multiplied by service credit; not to exceed 90 percent of final average salary.

Member Contribution Rate. For persons earning \$20,000 or less per year: 16.3 percent. For persons earning more than \$20,000: 17.8 percent.

Employer Contribution Rate. From July 1, 2013 through June 30, 2014: 18.5 percent. Thereafter: 18.9 percent.

MUNICIPAL FIRE MEMBER COVERAGE PLAN 1

Age and Service Requirements. For a member who was not a member or a retired member on June 30, 2013: 60 years of age or older with six

or more years of service credit; or any age with 25 or more years of service credit (see Welcome Page for complete analysis)

Bill: SB40

Sponsors: Rue (R23)

Title: ELECTRONIC COMMUNICATIONS DEVICES PROHIBITED IN JAILS AND PRISONS

Analysis: Provides that electronic communication and recording devices are contraband and prohibited from being brought into a prison or jail.

Bill: SB60

Sponsors: Cisneros (D6)

Title: SEVERANCE TAX BOND PROJECTS

Analysis: public projects statewide to be funded by proceeds from the issuance of Severance Tax Bonds and by General Fund appropriations in FY2014. Projects include those for water, wastewater, schools, higher education, cities, counties, state agencies, Indians, courts, transportation, public safety, health, aging services and others.

Bill: SB65

Sponsors: Ortiz y Pino (D12)

Title: PRE-RELEASE MEDICAID FOR INCARCERATED PERSONS

Analysis: SPAC Committee Substitute 02/04/2013 — SPAC substitute for SB65 continues the intent of the original bill to require HSD to provide incarcerated individuals with pre-release Medicaid information and enrollment assistance. While retaining all the definitions of the original bill, the substitute sets out with more specificity the action-steps required.

In addition to the measures set out in the original bill, HSD must:

- begin the process of assessing Medicaid eligibility immediately after the release date of an incarcerated person becomes known. If the period of incarceration is 60 days or less, the assessment process must begin immediately upon incarceration. In no event may it be less than 10 days prior to release;
- if the subject is enrolled in Medicaid, assistance must be provided to ensure that the individual continues to receive correspondence from HSD while incarcerated;
- provide assistance for the incarcerated individual to receive necessary application forms and obtain required medical records;
- ensure that available Medicaid benefits will be available immediately upon release.

Senate Floor Amendment 02/19/2013 — Senate Floor Amendment 1 (Sen. Ortiz y Pino) to SPAC substitute for SB65 specifies that HSD shall suspend, and shall not terminate, the Medicaid enrollment of an incarcerated person until one year from the date of entry into incarceration. Clarifies that nothing in the bill shall be construed to alter the time limits for processing Medicaid applications pursuant to existing law. Also includes an effective date of January 1, 2014.

Bill: SB101

Sponsors: Wirth (D25)

Title: ENERGY CONSERVATION BONDS

Analysis: Public Finance: Qualified Energy Conservation Bonds

Provides a process for allocating and issuing Qualified Energy Conservation Bonds under provisions of the federal Internal Revenue Code.

Under the federal Tax Extenders and Alternate Minimum Tax Relief Act of 2008 the Internal Revenue Code, Section 54D (that is referenced in the bill), provides that states may issue Qualified Energy Conservation Bonds.

That act allocates a portion of the over \$3 billion maximum amount of bonds that may be issued to each state, and New Mexico's share is \$202,200,000.

Under the bill the state Board of Finance is designated to administer energy bond issuance. It would allocate portions of the states maximum amount for issuance of bonds by municipalities, counties and Indian tribes. Bonds may not be issued in excess of those allocations without application to, and approval by, the board.

Bond proceeds must be spent entirely for qualified energy conservation purposes and be issued by a state or local government that specifies the purpose.

The bill, following federal law, defines qualified purpose as capital expenditures for reducing energy consumption in buildings that are at least 20 percent publically owned, implementing green community programs, rural development involving the production of electricity from renewable energy resources and other federally qualified facilities.

Other qualified purposes include expenditures for research facilities and grants for the development of ethanol or other nonfossil fuels, technologies for the capture of carbon dioxide, automobile battery technologies that reduce automotive fossil fuel consumption, mass commuting facilities, demonstration projects, and public information campaigns to promote energy efficiency.

Bill: SB176

Sponsors: Beffort (R19)

Title: SUBDIVISION ACT EXCEPTION

Analysis: Senate Floor Substitute 02/27/2013 — Senate Floor Substitute for SB176 continues the intent of the original bill to provide an exception to the definition of what constitutes a "subdivision" in the Subdivision Act. Specifies an exception for the sale, lease or other conveyance of a single parcel from a tract of land, except from a tract within a previously approved subdivision, within any five-year period. A survey must be filed indicating a five-year-holding period for division of both the original tract and the newly created tract.

Specifies that nothing in the Subdivision Act shall prohibit the sale, lease or other conveyance of a tract of land.

HBIC amendment to SB176, as substituted, further refines the definition of what constitutes a subdivision and related exceptions to that definition. Paragraph (13) is amended to provide that the division of a tract of land into two parcels (existing law is one parcel) that conform to applicable zoning ordinances is an exception to the Subdivision Act. However, a second or subsequent division of either of the two parcels would be subject to provisions of the act. It provides further that a survey, and a deed if a parcel is subsequently conveyed, shall be filed with the county clerk indicating that it is subject to the Subdivision Act provisions if that parcel is further divided within five years from the date of the division of the original tract.

Bill: SB182

Sponsors: Rue (R23); Varela (D48)

Title: PROCUREMENT CODE; SOLE SOURCE, PROTESTS, PENALTIES

Analysis: (Endorsed by the Legislative Finance Committee) (Similar to 2012 SB 287) Requires additional procedures for sole source and emergency procurement, expands the group entitled to protest a procurement award, and increases penalties for violating the Procurement Code.

Bill: SB221

Sponsors: Ortiz y Pino (D12)

Title: HEALTH INSURANCE EXCHANGE ACT

Analysis: SCORC Committee Substitute 03/09/2013 — SCORC substitute for SPAC substitutes for SB221 and SB589 continues as a measure to create the New Mexico Health Insurance Exchange. The measure contains elements of both earlier bills, but tracks more closely with SB589.

HEALTH INSURANCE EXCHANGE. Creates New Mexico Health Insurance Exchange as a nonprofit unincorporated public entity for the stated purpose of providing increased access to health care in the state. The Exchange is a government entity for purposes of the Tort Claims Act, and shall not be considered a governmental entity for any other purpose. The Exchange shall not impair, infringe upon or replace any of the powers, duties, or authority of the Insurance Superintendent. All health insurance issuers and HMOs conducting business in the state and meeting the requirements of rules promulgated by the Insurance Superintendent shall be eligible to participate in the Exchange.

HEALTH CARE INSURANCE EXCHANGE BOARD COMPOSITION. The board shall include 13 members as follows:

- Six voting members appointed by the Governor, including the Secretary of Human Services or a designee, a health insurance issuer, and a consumer advocate;
- Three voting directors appointed by the President Pro Tempore of the Senate, including one health care provider and one chosen from a list of three candidates provided by the Minority Leader of the Senate;
- Three voting directors appointed by the Speaker of the House, including one health insurance issuer and one chosen from a list of three candidates provided by the Minority Leader of the House; and
- The Insurance Superintendent or a designee, as a voting ex officio member.

No more than four of the Governor’s appointees may be from the same political party. Members are prohibited from having conflicts of interest, with certain exceptions. The board shall be composed to assure diverse representation of the state’s Native American population, and ethnic, cultural and geographic diversity. Directors shall have expertise in at least one of the following areas: purchasing coverage in the individual or small employer market; health care finance, economic or policy; the enrollment of underserved residents in health care coverage; administration of private or public health care insurance; information technology; small business; or provision of health services. Directors shall serve for terms of three years; except that directors who are health issuers shall serve for terms of two years. Initial terms for all directors shall be staggered.

The board and the Exchange shall be subject to the Government Conduct Act, the Inspection of Public Records Act, the Financial Disclosure Act and the Open Meetings Act but shall not be subject to the Procurement Code or the Personnel Act.

The board is directed to meet at least quarterly, to create advisory committees of stakeholders and of Native Americans, and to designate a Native American liaison.

POWERS OF THE BOARD. The board may:

- Seek and receive funding from federal, state or local governments and private philanthropic organizations;
- Generate funding through assessments;
- Establish a Native American service center;
- Create ad hoc advisory councils;
- Request assistance from other boards, commissions, departments, agencies and organizations;
- Enter into contracts within and outside the state, subject to the conflict of interest provisions;
- Enter into information-sharing agreements with federal and state agencies and other state exchanges;
- Sue or be sued;
- Appoint board committees; and
- Conduct periodic audits.

PLAN OF OPERATION: The Exchange Board must create a plan of operation within 60 days after public notice and hearing and a final plan within six months. The preliminary plan includes:

- Procedures for implementation of the act consistent with state and federal law, including determination of qualified health plans, eligibility requirements, the administration of fees and assessments, enrollment of qualified individuals and qualified employers;
- Procedures for handling and accounting for the Exchange's assets;
- Regular times and meeting places for the board;

The final plan includes:

- A statewide consumer assistance program, including a navigator program;
- Dispute resolution processes;
- Consumer complaint, grievance and conflict of interest policies and procedures; and
- Provisions for effective communication and collaboration between the Exchange and Indian nations, tribes and pueblos.

REPORTING: The board shall:

- Between July 1, 2013 and January 1, 2015, provide quarterly reports to the Legislature, the Governor and Superintendent of Insurance on the implementation of the Exchange-- thereafter, reports shall be provided annually and upon request;
- Keep accurate accounting of the activities, receipts and expenditures and submit this information annually to the Insurance Superintendent and the federal Secretary of Health and Human Services;
- Obtain an annual audit from an independent CPA;
- Publish the administrative costs of the Exchange as required by state or federal law; and
- Discharge those duties required to implement and operate the Exchange in accordance with state and federal law.

COOPERATION. HSD and the Superintendent of Insurance are directed to cooperate with the Exchange to share information and facilitate transitions in enrollment.

TEMPORARY PROVISION. On July 1, 2013 all contracts of the Health Insurance Alliance relating to the development and implementation of a health insurance exchange shall be binding and effective on the New Mexico Health Insurance Exchange.

When the Health Insurance Exchange Act becomes effective, the board of the Health Insurance Alliance will cease to exist. Until then, the Alliance will be governed by the newly appointed board of directors of the Exchange. In exercising its duties however, the Exchange Board cannot apply provisions of the Health Insurance Alliance Act to the Exchange or apply provisions of the Health Insurance Exchange Act to the Alliance.

DELAYED REPEAL. The substitute provides for the delayed repeal of the New Mexico Health Insurance Alliance Act on January 1, 2015.

Note: there is a typographical error on page 8, line 1—the word "insurer" should instead be "issuer."

Goes to SFC.

Senate Floor Amendment 03/10/2013 — Senate Floor Amendment 1 (Senator Ortiz y Pino) to SB221 changes the definition of "health insurance issuer" to mean an insurance company, insurance service or insurance organization, including an HMO, that is licensed to engage in the business of insurance in the state.

Also specifies that Sections 1 through 8 of the bill may be cited as the New Mexico Health Insurance Exchange Act.

Crosses over to the House.

Senate Floor Amendment 2 03/11/2013 — Senate Floor Amendment 2 (Sen. Shendo) to SB221 as twice substituted provides that one of the board of directors appointments by the Senate President Pro Tem and the House Speaker be from a list of two, rather than three candidates provided by the Minority Leader of the Senate and House, respectively.

Bill goes to the House.

HHGIC Committee Report 03/14/2013 — HHGIC amendment to SB221 substitute requires that funding generated under the act be used solely for the reasonable administrative costs of the Exchange. Provides that no assessment or user fee shall be imposed on a carrier that exclusively offers insurance contracts outside the Exchange that are intended to supplement major medical coverage.

Bill: SB289**Sponsors:** Shendo (D22)**Title:** AUTOMATIC APPLICATION OF A PROPERTY VALUATION LIMITATION

Analysis: SJC Substitute for SB289 states that any residential property owner applying for valuation limitation under Section 7-36-21.1 and who has met the income qualifications for three consecutive years immediately prior to tax year 2014 or to the tax year for which the owner is applying need not apply in future years if there is no change in eligibility. County assessor is directed to apply the limitation automatically. Owners who become ineligible must report that fact to the county assessor. A person who claims and receives the benefit of the valuation limitation is liable for any additional taxes due, interest and a civil penalty of three times the amount of the additional taxes due. Unlike the original bill, no penalty is specified against the county assessor or assessor's employee who knowingly permits the limitation to an ineligible person.

Bill: SB299**Sponsors:** Ivey-Soto (D15); Cook (R56)**Title:** CHANGES AND UPDATES IN MARRIAGE LICENSING AND RELATED MATTERS

Analysis: Updates and amends provisions of current statutes pertaining to marriage licenses and other related matters.

Bill: SB307**Sponsors:** Ivey-Soto (D15)**Title:** CHANGES PUBLIC RECORDS REQUIREMENTS

Analysis: The bill makes a number of changes to public recording requirements. Among them are the following: it changes the list of documents that must be acknowledged before filing and recording; removes a notice requirement of the expiration of a tax lien; allows digitization of certain information 50 years after recording; requires standardized county recording indices, forms and procedures; makes government agencies subject to the Uniform Electronic Transactions Act; updates cross-references and reconciles multiple amendments.

Bill: SB315**Sponsors:** O'Neill (D13)**Title:** MUNICIPAL AND COUNTY COMPREHENSIVE PLANS

Analysis: Introduced 01/29/2013 — Revises Chapters 3 and 4 of the state statutes relating to official land-use plans adopted by municipalities and counties. All references to a "general plan" or "master plan" have been changed to "comprehensive plans" and new, detailed requirements are imposed for the adoption of a comprehensive plan by municipalities and counties.

Bill: SB353**Sponsors:** Morales (D28)**Title:** CHANGES PUBLIC RECORDS REQUIREMENTS**Analysis:** SJC Committee Substitute 03/05/2013 — SJC substitute for SB353 truncates the original bill by omitting six sections, leaving only that portion necessary to cite a section of present law that allows counties and municipalities to charge reasonable fees for the use of their computer and network system to retrieve their records, geographic information system and computer databases. Now the substitute stands as only a clarification of existing law.

Gone is a provision that would have allowed database use for political or commercial purposes without approval of the agency that created it. Also gone is language that would have allowed database access without agency approval. Removed are additional provisions regarding the use of databases that record property rights and taxation records. Also omitted are several changes relating to the indexing of records.

Bill: SB406**Sponsors:** Sapien (D9)**Title:** COLLECTING PROPERTY TAX ON DIVIDED OR COMBINED PROPERTY**Analysis:** SJC Committee Substitute 02/21/2013 — SJC substitute for SB406 retains the intent of the original bill to provide for the collection of property taxes on real property that is divided or combined; however, the substitute takes a different approach than does the original.

For real property that is divided or combined, directs a county to:

1. determine the taxes due on the property by using the prior year's tax rate (if the current rate has not been set) and the prior's year's value (if the current value has not been set); and proceed to immediately collect the taxes, penalties and interest due through the taxable year in which the property is divided or combined; and
2. decline to file or process a plat, deed, or other document used to divide or combine real property pending taxpayer compliance.

Requires taxpayers to pay taxes, penalties and interest due through the taxable year in which a property is divided or combined before filing a plat.

Senate Floor Amendment 03/04/2013 — Senate Floor Amendment 1 (Senator Sapien) to SB406 changes the bill by directing counties to collect fees, in addition to taxes, penalties and interest due through the taxable year in which a property is divided or combined.

Senate Floor Amendment 2 03/05/2013 — Senate Floor Amendment 2 to SB406 (Senator Ivey-Soto) (adopted 03/04/13 but released 03/05/13) may render the purported recording of a plat or other instrument used to divide or combine property meaningless if, at the time of filing, the person owed taxes, penalties, interest or fees on that property. Requires that the county assessor record with the county clerk a statement of taxes owed on the property along with a reference to the instrument recorded. Once the assessor's statement is recorded and the county clerk knows that the obligation exists, the county clerk may decline to record an instrument that divides or combines the property.

HTRC Committee Report 03/15/2013 — HTRC amendment to SB406 substitute strikes the Senate Floor Amendment 2 in its entirety, thereby doing away with the proposed requirement that the county assessor record with the county clerk a statement of taxes owed on the property along with a reference to the instrument recorded; and authority for the county clerk to decline to record an instrument that divides or combines the property.

House Floor Amendment 03/15/2013 — House Floor Amendment 1 to SJC substitute for SB406 strikes a provision directing a county to decline to file or process a plat, deed, or other document used to divide or combine real property until it has received payment of taxes, penalties and interest due through the taxable year in which the property is divided or combined.

Bill: SB431**Sponsors:** Smith (D35)**Title:** FIREFIGHTING SERVICES CONTRACTS**Analysis:** Expands the powers of the boards of county commissioners under the Miscellaneous Powers of Counties Act to allow a board to contract with individuals for firefighting services. Currently counties are limited to contracting with municipalities for firefighting services**Bill: SB443****Sponsors:** Rue (R23)**Title:** PROCUREMENT CODE ACT**Analysis:** Requires each state agency and public body to provide the name of its chief procurement officer and information identifying its central purchasing office, if applicable, to the State Purchasing Agent, who is required to maintain a list of these procurement officers that will be available to the public on the webpage of the Purchasing Division of the GSD. Mandates the State Purchasing Agent to provide certification and recertification programs to these officials. Raises the minimum amounts for minor and small purchases under the code and changes the penalties.

Amends the exemptions to the Procurement Code as follows: adds training materials in electronic format and legal subscriptions and research services in connection to an administrative agency proceeding as exemptions; and raises the amount of what is currently called a "minor purchase" from \$5,000 to \$10,000 and includes web-based or electronic subscriptions in this subsection;

Raises the amounts for "small purchases" that the central purchasing office can procure for services, construction or items of tangible personal property from \$20,000 to \$60,000; raises a state agency's or local public body's authorization for these items from \$10,000 to \$20,000; and raises the central purchasing office authorization for professional services from \$50,000 to \$60,000.

Directs the State Purchasing Agent to establish a certification and recertification program for chief procurement officers, effective January 1, 2015. Recertification will occur every two years and the Secretary of the GSD will approve that exam.

Bill: SB479**Sponsors:** Wirth (D25)**Title:** REQUIRES SUBDIVIDERS TO PROVE ADEQUATE WATER SUPPLIES**Analysis:** SJC Committee Substitute 03/04/2013 — SJC substitute for SCONC substitute for SB479 continues the intent of the original bill and the SCONC substitute to provide a new section of law to both the Water Law and the New Mexico Subdivision Act that imposes certain requirements on land developers to prove adequate water supplies before proceeding to final plat approval. The SJC amendment states with greater specificity what proof is required and adds the provision to both water law and subdivision law.

The SCONC substitute required that the subdivider acquire sufficient water rights through a permit issued for subdivision use pursuant to Secs. 72-5-1 (application for permit), 72-5-23 (change of use of water appurtenant to land), 72-5-24 (change of purpose; change of point of diversion), 72-12-3 (application for use of underground water) or 72-12-7 (change of location of well). The SJC substitute requires proof of a service commitment from a water provider and, in addition, an opinion from the State Engineer (SE) that the subdivider is able to fulfill the requirements of Sec. 47-6-11(F)(1) or acquire sufficient water rights in the manner required in the SCONC substitute.

Sec. 47-6-11(F)(1) concerns preliminary plat approval and requires the SE to determine whether the subdivider can furnish enough water to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses. The SE also must sign

off on whether the subdivider can fulfill the proposals in the subdivider's disclosure statement concerning water, excepting water quality.

Senate Floor Amendment 03/07/2013 — Senate Floor Amendment 1 (Senator Wirth) to SB479, twice substituted, specifies that the bill's provisions shall only apply to land from which appurtenant irrigation water rights are severed after the effective date of the bill.

Bill: SB480

Sponsors: Wirth (D25)

Title: SUFFICIENT WATER NEEDED FOR PLAT APPROVAL

Analysis: SJC Committee Substitute 03/04/2013 — SJC substitute for SCONC substitute for SB480 maintains the intent of the original bill and the first substitute to require subdividers of land to possess access to sufficient water to meet the needs of a proposed subdivision before receiving final plat approval.

Like the original bill and the SCONC substitute, the SJC substitute changes the threshold from a subdivision with 20 or more parcels, to a subdivision with 10 or more parcels, any one of which is two acres or less in size, to trigger the requirement for a permit from the State Engineer showing that sufficient water is available to support the development. Bars the board of county commissioners from approving an application based on the use of water from any permit issued pursuant to Sec. 72-12-1.1 (which applies to the domestic use of underground waters for irrigation not to exceed one acre).

Authorizes the board of county commissioners to accept proof of a service commitment from a water provider--in addition to an opinion from the State Engineer that the subdivider can fulfill the requirements of Sec. 47-6-11F(1)--in lieu of a permit from the State Engineer when approving a final plat.

Bill: SB510

Sponsors: Rodriguez (D24)

Title: APPLICATION DEADLINE FOR AGRICULTURAL LAND VALUATION

Analysis: Changes the deadline by which an owner who wishes to have land valued for the first time under the special method of valuation for agricultural purposes (includes ranching) must file the application from the last day of February to 30 days after the date the county assessor mailed the notice of valuation for that property.

Bill: SB539

Sponsors: Smith (D35)

Title: REQUIRES REMOTE SELLERS TO PAY GROSS RECEIPTS TAX

Analysis: Introduced 02/14/2013 — Proposes to amend the Gross Receipts and Compensating Tax Act by changing the definition of "engaging in business" to include selling goods and or products delivered directly or indirectly to a customer in New Mexico. The result is that out-of-state sellers will be responsible for assessing New Mexico gross receipts tax on out-of-state purchases.

SFC Committee Report 03/10/2013 — SFC amendment to SB539 strikes the repeal of Sec. 7-9-13.1, the statute that exempts from gross receipts tax services performed outside the state, the product of which is initially used in New Mexico.

Bill: SJM6

Sponsors: Martinez, Richard (D5); Trujillo, C. (D46)

Title: SANTA CRUZ DAM IMPROVEMENTS

Analysis: Requests that the Dam Safety Bureau of the Office of the State Engineer complete improvements to the Santa Fe Cruz Dam for which the agency "continue(s) to have on the shelf" a design for an 8-1/2 foot rise in the dam wall. Proclaims that approximately 34 percent of the dam is currently full of silt and is rising at the rate of 25 acre-feet per year. Asks the New Mexico congressional delegation to seek federal funding support for the improvements.

Copies of the memorial are to be transmitted to the State Engineer and the congressional delegation.

Capital Outlay Projects
Chart by County

SFC Substitute for SB 60 and HTRC/HB 337

Legisla
51st Legislatu

Project Title	Amount	City	Fund	Track
99 SANTA ANA PUEBLO SENIOR CENTER-IMPROVE CODE	\$5,000	Santa Ana Puebl	STB	
944 SANTO DOMINGO PUEBLO CURBSIDE TRASH TRUCK PURCHASE	\$150,000	Santo Domingo P	STB	
1307 TORREON-STAR LAKE CHP WATER LINE	\$50,000	Torreon Chapter	STB	
636 V. SUE CLEVELAND HIGH SCHL STUDENT PARKING FCLTIES	\$100,000	Rio Rancho PSD	STB	
638 V. SUE CLEVELAND HIGH SCHL VISITOR PARKING FCLTIES	\$88,000	Rio Rancho PSD	STB	
933 ZIA PUEBLO WIRELESS ERECTION	\$75,000	Zia Pueblo	STB	
Summary for Sandoval Co.				
	\$7,384,110			
County: Santa Fe Co.				
1187 1ST JUD DIST INFO TECH WIRING	\$85,000	Santa Fe	STB	
1186 1ST JUD DIST TOUCHSCREEN COMPUTERS	\$45,000	Santa Fe	STB	
1440 ACEQUIA AGUA FRIA SYSTEM IMPROVE	\$46,750		STB	
1097 ACEQUIA DE LA CIENEGA IMPROVE SANTA FE CO	\$82,667	La Cienega	STB	
1098 ACEQUIA DE LA CIENEGA WELL ELEC SYSTEM IMPROVE	\$50,386	La Cienega	STB	
1354 ACEQUIA DE LA OTRA BANDA DIVERSION CONSTRUCT	\$25,000	Pojoaque Pueblo	STB	
1355 ACEQUIA DE LA OTRA BANDA RIVERBANK IMPROVE	\$34,000	Pojoaque Pueblo	STB	
1435 ACEQUIA DE LOS CHUPADEROS IMPROVE	\$40,000		STB	
360 ACEQUIA DE LOS INDIOS IMPROVE	\$50,000		STB	
1595 ACEQUIA DE MORADA IMPROVE	\$9,500	Santa Fe	STB	
1397 ACEQUIA DE SOMBRILLO IMPROVE	\$4,800		STB	
237 ACEQUIA DEL POTRERO IMPROVE	\$10,000	Chimayo	STB	
432 ACEQUIA LARGO DE JACONA IMPROVE	\$16,000		STB	
816 AGUA FRIA ELEM SCHL INFO TECH/SMART BOARDS	\$40,000	Santa Fe PSD	STB	
444 AGUA FRIA WATER DISTRIBUTION SYSTEM	\$50,000		STB	
1569 ARROYO SECO CIRCLE SPEED CONTROL DEVICES	\$20,000		STB	
100 BENNY CHAVEZ SENIOR CTR SANTA FE CO-IMPROVE CODE	\$45,000		STB	
1476 CAPSHAW MID SCHL MARQUEE	\$10,000	Santa Fe PSD	STB	
28 DPS LAW ENFORCEMENT ACADEMY DORMS	\$600,000		STB	
1261 EAST VENUS RD IMPROVE PHASE 1 - EDGEWOOD	\$275,000	Edgewood	STB	
101 EDGEWOOD SENIOR CENTER-IMPROVE CODE	\$100,000	Edgewood	STB	
848 EL DORADO ELEMENTARY PLAYGROUND FENCING REPLACE	\$50,000	Santa Fe PSD	STB	
853 EL DORADO ELEMENTARY SCHOOL ROOFS CONSTRUCT	\$100,000	Santa Fe PSD	STB	
539 ELDORADO AREA WSD WELLS	\$200,000		STB	
1089 ELDORADO ROADS IMPROVE SANTA FE CO	\$151,000	Eldorado at Santa	STB	
1426 GALISTEO CREEK RESTORATION	\$82,000		STB	
82 IAIA FITNESS & WELLNESS FACILITY	\$500,000		STB	
1233 LA CIENEGA COMMUNITY CENTER	\$142,500	La Cienega	STB	
824 LARRAGOITE ACADEMY MARQUEE	\$10,000	Santa Fe PSD	STB	
102 MARY ESTHER GONZALES SR CTR SANTA FE-IMPROVE CODE	\$154,000	Santa Fe	STB	
1484 NAMBE COMMUNITY CENTER PARK WATER SYSTEM	\$5,000	Nambe	STB	
239 NAMBE DAM IMPROVE	\$50,000	Nambe	STB	
1357 NAMBE PUEBLO ACEQUIAS IMPROVE	\$94,000	Nambe Pueblo	STB	
1522 NAMBE PUEBLO ADMINISTRATION BLDG IMPROVE	\$41,700	Nambe Pueblo	STB	
171 NAMBE PUEBLO SENIOR CENTER-MEALS EQUIP	\$5,400	Nambe Pueblo	STB	
60 NMSD INFRA RENOVATE-PSCOF	\$7,000,000	Santa Fe	PSCOF	
61 NMSD MUSEUM/LIBR CONSOLIDATE & DILLON HALL-PSCOF	\$1,000,000	Santa Fe	PSCOF	
720 POJOAQUE PUEBLO POEH CENTER PLASTER/STUCCO	\$100,000	Pojoaque Pueblo	STB	
172 POJOAQUE PUEBLO SENIOR CENTER-MEALS EQUIP	\$8,400	Pojoaque Pueblo	STB	
719 POJOAQUE PUEBLO WELLNESS CTR BASKETBALL/VOLLEYBALL	\$100,000	Pojoaque Pueblo	STB	
6 PUBLIC RECORDS, COMM OF FCLTY EXPAND-SANTA FE	\$600,000	Santa Fe	STB	
819 RAMIREZ THOMAS ELEM SCHL PA SYSTEM	\$30,000	Santa Fe PSD	STB	
103 RIO EN MEDIO SENIOR CENTER-IMPROVE CODE	\$25,000		STB	
173 SAN ILDEFONSO PUEBLO SENIOR CENTER-MEALS EQUIP	\$6,500	San Ildefonso Pu	STB	

**Capital Outlay Projects
Chart by County**

SFC Substitute for SB 60 and HTRC/HB 337

**Legislative Council Service
51st Legislature, 1st Session, 2013**

SFC CLERK RECORDED 05/01/2013

Project Title	Amount	City	Fund	Track
822 SANTA FE AFFORDABLE HOUSING FOR VETERANS	\$50,000	Santa Fe	STB	
439 SANTA FE BOTANICAL GARDENS-MUSEUM HILL	\$140,000	Santa Fe	STB	
799 SANTA FE CHILDREN'S MUSEUM IMPROVE	\$117,336	Santa Fe	STB	
170 SANTA FE CITYWIDE SENIOR CENTERS-MEALS EQUIP	\$82,072	Santa Fe	STB	
866 SANTA FE CO CLERK OFFICE EQUIP/INFO TECH PURCHASE	\$50,000	Santa Fe	STB	
1104 SANTA FE CO DISABILITIES INFO TECH	\$33,333		STB	
1269 SANTA FE CO FAIRGROUNDS IMPROVE	\$450,500	Santa Fe	STB	
1327 SANTA FE CO POJOAQUE VALLEY REC FIELDS	\$225,000		STB	
450 SANTA FE CO WOMEN'S HEALTH SERVICES EQUIP	\$230,000	Santa Fe	STB	
1279 SANTA FE CRISIS TREATMENT CTR & SITE IMPROVE	\$216,000	Santa Fe	STB	
1597 SANTA FE EL MUSEO CULTURAL RENOVATE	\$50,000	Santa Fe	STB	
388 SANTA FE FARMERS MARKET IMPROVE	\$135,000	Santa Fe	STB	
1298 SANTA FE INDIAN SCHL WELLNESS & ED CENTER	\$708,000	Santa Fe	STB	
1212 SANTA FE LA COMUNIDAD HEAD START PLAYGROUND	\$50,000	Santa Fe	STB	
1598 SANTA FE LA FAMILIA ALTO SITE	\$50,000	Santa Fe	STB	
1179 SANTA FE LARRAGOITE PARK IMPROVE	\$20,000	Santa Fe	STB	
1183 SANTA FE MEDIANS & SIDEWALKS IMPROVE	\$35,000	Santa Fe	STB	
1178 SANTA FE POLICE STATION EXPAND	\$900,000	Santa Fe	STB	
592 SANTA FE RODEO ARENA & DISASTER RELIEF FACILITY	\$230,000	Santa Fe	STB	
1189 SANTA FE SW ACTIVITY NODE PARK	\$35,000	Santa Fe	STB	
1372 SANTA FE THEATER & CONVENTION EQUIPMENT	\$65,000	Santa Fe	STB	
1625 SANTA FE WATER HISTORY PARK & MUSEUM PHASE 2	\$150,000	Santa Fe	STB	
348 SFCC HEALTH SCIENCES PGMS EQUIPMENT	\$56,000		STB	
347 SFCC SIGN LANGUAGE EQUIPMENT & INFO TECH	\$48,750		STB	
349 SFCC TRADES & TECH BLDG CONSTRUCT & RENOVATE	\$117,778		STB	
448 SIRINGO RD & OTHER RDS IMPROVE TO HIGHER LEARN CTR	\$54,500	Santa Fe	STB	
1176 STATE CAPITOL COMPLEX SOLAR ARRAY	\$185,000	Santa Fe	STB	
50 STATE LAND OFFICE ELECTRICAL UPGRADES-SLMF	\$375,000	Santa Fe	SLMF	
52 STATE LAND OFFICE ENTRY & SECURITY UPGRADES-SLMF	\$105,000	Santa Fe	SLMF	
51 STATE LAND OFFICE MORGAN HALL RENOVATE-SLMF	\$90,000	Santa Fe	SLMF	
46 SUPREME COURT BUILDING RENOVATE	\$300,000	Santa Fe	STB	
1463 TESUQUE FIRE DEPT SOLAR IMPROVEMENTS	\$15,000	Tesuque	STB	
643 TESUQUE PUEBLO EDUCATIONAL COMPLEX	\$30,000	Tesuque Pueblo	STB	
1554 TESUQUE PUEBLO WASTEWATER INFRASTRUCTURE	\$70,000	Tesuque Pueblo	STB	
47 TRD EQUIPMENT REPLACEMENT	\$1,500,000	Santa Fe	STB	
1480 WOOD GORMLEY ELEM SCHL FIRE SECURITY SYSTEM	\$57,000	Santa Fe PSD	STB	

Summary for Santa Fe Co. \$19,120,872

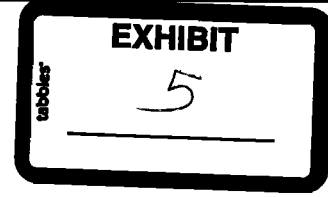
County: Sierra Co.

520 ELEPHANT BUTTE WATER SYSTEM IMPROVE	\$214,000	Elephant Butte	STB	
806 SIERRA CO BUILDINGS INFRASTRUCTURE	\$100,000	Truth or Consequ	STB	
493 SIERRA CO SIERRA VISTA HOSPITAL FACILITIES	\$150,000	Truth or Consequ	STB	
805 SIERRA CO SOLID WASTE TRUCKS/TRAILERS/COMPACTORS	\$250,000		STB	
758 T OR C ANIMAL SHELTER	\$100,000	Truth or Consequ	STB	
104 T OR C SENIOR CTR-IMPROVE CODE	\$25,000	Truth or Consequ	STB	
174 T OR C SENIOR CTR-MEALS EQUIP	\$3,100	Truth or Consequ	STB	

Summary for Sierra Co. \$842,100

County: Socorro Co.

1255 ALAMO CHP WATER SYSTEM PHASE 3	\$100,000	Alamo Chapter	STB	
1006 MAGDALENA WATER SYSTEM IMPROVE	\$50,830	Magdalena	STB	
68 NMIMT GEOLOGY FACILITY	\$6,000,000	Socorro	STB	
1299 NMIMT MAGDALENA RIDGE OBSERVATORY MAINTENANCE RM	\$235,000	Socorro	STB	



Senate Bill 60
Santa Fe County Capital Outlay Listed projects

forty-five thousand dollars (\$45,000) to make improvements for building code compliance, including purchase and installation of equipment, to the **Benny Chavez senior center** in Santa Fe County; Page 14 50. **twenty-five thousand dollars (\$25,000)** to make improvements for building code compliance, including purchase and installation of equipment, to the **Rio en Medio senior center** in Santa Fe county;

one hundred thousand dollars (\$100,000) to make improvements for building code compliance, including purchase and installation of equipment, to the **Edgewood senior center** in Santa Fe county;

INDIAN WATER RIGHTS SETTLEMENTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2 of the 2013 Work New Mexico Act, upon certification by the office of the state engineer that the need exists for the issuance of the bonds, **ten million dollars (\$10,000,000)** is appropriated to the Indian water rights settlement fund; notwithstanding the requirement for a joint resolution of the legislature in Subsection A of Section 72-1-11 NMSA 1978, if corresponding commitments have been made for the federal portion of the settlements in the Navajo Nation, Taos and **Aamodt cases**, the money may be expended by the interstate stream commission in fiscal year 2014 and subsequent fiscal years to implement the state's portion of the settlements, and any unexpended or unencumbered balances shall not revert at the end of a fiscal year.

five thousand dollars (\$5,000) to plan, design and construct water system improvements, including a treatment system and fence, at the **Nambe community center** and park in Santa Fe county;

two hundred twenty-five thousand dollars(\$225,000) to purchase, plan, design, construct, equip and improve the **recreational and baseball fields in the Pojoaque valley** in Santa Fe county;

one hundred forty-two thousand five hundred dollars (\$142,500) to plan, design, construct, renovate, furnish and equip **La Cienega community center**, including site preparation and exterior improvements and equipment, in Santa Fe county;

eighty-five thousand dollars (\$85,000) for wiring for information technology in the **first judicial district courthouse** in Santa Fe in Santa Fe county;

fifty thousand dollars (\$50,000) to purchase and install office equipment and information technology, including scanners, a color copier and related equipment, furniture and infrastructure, for the **county clerk's office** in Santa Fe county;

four hundred fifty thousand five hundred dollars (\$450,500) to plan, design, construct, equip and furnish improvements to the **fairgrounds, including utilities and construction of an extension office, in Santa Fe** in Santa Fe county;

two hundred thirty thousand dollars (\$230,000) to purchase and install medical and security equipment and information technology, including related infrastructure, furniture and equipment, at the **women's health services facility** in Santa Fe in Santa Fe county;

fifteen thousand dollars (\$15,000) to plan, design, construct, renovate, furnish and equip solar improvements at the **Tesuque fire department** in Santa Fe county;

twenty thousand dollars (\$20,000) to plan, design and construct speed control devices and components for **Arroyo Seco circle** in Santa Fe county;

one hundred fifty-one thousand dollars (\$151,000) to plan, design and construct improvements to **roads in Eldorado** in Santa Fe county;

Notable capital outlay projects within Santa Fe County

FIRST JUDICIAL DISTRICT COURT PROJECT-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 2 of the 2013 Work New Mexico Act, upon certification by the first judicial district court that the need exists for the issuance of the bonds, **forty-five thousand dollars (\$45,000)** is appropriated to the first judicial district court to purchase and install touchscreen computers in the first judicial district courthouse in Santa Fe in Santa Fe county.

eighty-two thousand six hundred sixty-seven dollars (\$82,667) to construct improvements, including replacement of valves and pipeline, to the **acequia de la Cienega** in La Cienega in Santa Fe county;

fifty thousand three hundred eighty-six dollars(\$50,386) to improve the electrical system to convey water from the well to the acequia for the **acequia de la Cienega** in La Cienega in Santa Fe county;

thirty-three thousand three hundred thirtythree dollars (\$33,333) to purchase and install **information technology, including related equipment, furniture and infrastructure, for a records system to serve persons with disabilities** in Rio Arriba, Santa Fe, Taos and Colfax counties;

Less than 48K

EXHIBIT
6

**Total Population: 1900 to 2010
New Mexico and Counties**

Subject	1900	1910	1920	1930	1940	1950	1960	1970	1980	1990	2000	2010
New Mexico	195,310	327,301	360,350	423,317	531,818	681,187	951,023	1,016,000	1,302,894	1,515,069	1,819,046	2,059,179
Bernalillo	28,630	23,606	29,855	45,430	69,391	145,673	262,199	315,774	419,700	480,577	556,678	662,564
Catron	-	-	-	3,282	4,881	3,533	2,773	2,198	2,720	2,563	3,543	3,725
Chaves	4,773	16,850	12,075	19,549	23,980	40,605	57,649	43,335	51,103	57,849	61,382	65,645
Cibola	-	-	-	-	-	-	-	-	-	23,794	25,595	27,213
Colfax	10,150	16,460	21,550	19,157	18,718	16,761	13,806	12,170	13,667	12,925	14,189	13,750
Curry	-	11,443	11,236	15,809	18,159	23,351	32,691	39,517	42,019	42,207	45,044	48,376
De Baca	-	-	3,196	2,893	3,725	3,464	2,991	2,547	2,454	2,252	2,240	2,022
Dona Ana	10,187	12,893	16,548	27,455	30,411	39,557	59,948	69,773	96,340	135,510	174,682	209,233
Eddy	3,229	12,400	9,116	15,842	24,311	40,640	50,783	41,119	47,855	48,605	51,658	53,829
Grant	12,883	14,813	21,939	19,050	20,050	21,649	18,700	22,030	26,204	27,676	31,002	29,514
Guadalupe	5,429	10,927	8,015	7,027	8,646	6,772	5,610	4,969	4,496	4,156	4,680	4,687
Harding	-	-	-	4,421	4,374	3,013	1,874	1,348	1,090	987	810	695
Hidalgo	-	-	4,338	5,023	4,821	5,095	4,961	4,734	6,049	5,958	5,932	4,894
Lea	-	-	3,545	6,144	21,154	30,717	53,429	49,554	55,993	55,765	55,511	64,727
Lincoln	4,953	7,822	7,823	7,198	8,557	7,409	7,744	7,560	10,997	12,219	19,411	20,497
Los Alamos	-	-	-	-	-	10,476	13,037	15,198	17,599	18,115	18,343	17,950
Luna	-	3,913	12,270	6,247	6,457	8,753	9,839	11,706	15,585	18,110	25,016	25,095
McKinley	-	12,963	13,731	20,643	23,641	27,451	37,209	43,208	56,449	60,686	74,798	71,492
Mora	10,304	12,611	13,915	10,322	10,981	8,720	6,028	4,673	4,205	4,264	5,180	4,881
Otero	4,791	7,069	7,902	9,779	10,522	14,909	36,976	41,097	44,665	51,928	62,298	63,797
Quay	-	14,912	10,444	10,828	12,111	13,971	12,279	10,903	10,577	10,823	10,155	9,041
Rio Arriba	13,777	16,624	19,552	21,381	25,352	24,997	24,193	25,170	29,282	34,365	41,190	40,246
Roosevelt	-	12,064	6,548	11,109	14,549	16,409	16,198	16,479	15,695	16,702	18,018	19,846
Sandoval	-	8,579	8,863	11,144	13,898	12,438	14,201	17,492	34,799	63,319	89,908	131,561
San Juan	4,828	8,504	8,333	14,701	17,115	18,292	53,306	52,517	81,433	91,605	113,801	130,044
San Miguel	22,053	22,930	22,867	23,636	27,910	26,512	23,468	21,951	22,751	25,743	30,126	29,393
Santa Fe	14,658	14,770	15,030	19,567	30,826	38,153	44,970	53,756	75,360	98,928	129,292	144,170
Sierra	3,158	3,536	4,619	5,184	6,962	7,186	6,409	7,189	8,454	9,912	13,270	11,988
Socorro	12,195	14,761	14,061	9,611	11,422	9,670	10,168	9,763	12,566	14,764	18,078	17,866
Taos	10,889	12,008	12,773	14,394	18,528	17,146	15,934	17,516	19,456	23,118	29,979	32,937
Torrance	-	10,119	9,731	9,269	11,026	8,012	6,497	5,290	7,491	10,285	16,911	16,383
Union	4,528	11,404	16,680	11,036	9,095	7,372	6,068	4,925	4,725	4,124	4,174	4,549
Valencia	13,895	13,320	13,795	16,186	20,245	22,481	39,085	40,539	61,115	45,235	66,152	76,569

Boundary Changes 1900 to 1910:

Parts of Bernalillo County were taken to form part of McKinley County in 1901, Sandoval County and part of Guadalupe County in 1903, and part of Torrance County in 1905.
 Part of Chaves County was taken to form part of Roosevelt County in 1903.
 Part of Dona Ana County was taken to form part of Luna County in 1901.
 Part of Grant County was taken to form part of Luna County in 1901.

less than 10k

New Mexico City Population, 1910-2010

Place	2010 (April 1)	2000 (April 1)	1990r (April 1)	1980 (April 1)	1970 (April 1)	1960 (April 1)	1950 (April 1)
Alamogordo	30,403	35,582	27,986	24,024	23,035	21,723	6,783
Albuquerque	545,852	448,607	386,988	332,336	244,501	201,189	96,815
Angel Fire	1,216	1,048	452	68	na	na	na
Artesia	11,301	10,692	10,775	10,385	10,315	12,000	8,244
Aztec	6,763	6,378	5,239	5,512	3,354	4,137	885
Bayard	2,328	2,534	2,580	3,036	2,908	2,327	2,119
Belen	7,269	6,901	6,555	5,617	4,823	5,031	4,495
Bernalillo	8,320	6,611	5,732	2,988	2,016	2,574	1,922
Bloomfield	8,112	6,417	5,367	4,881	1,574	1,292	na
Bosque Farms	3,904	3,931	3,824	3,353	1,699	na	na
Capitan	1,489	1,443	840	762	439	552	575
Carlsbad	26,138	25,625	25,320	25,496	21,297	25,541	17,975
Carrizozo	996	1,036	1,075	1,222	1,123	1,546	1,389
Causey	104	52	57	81	150	38	na
Chama	1,022	1,199	1,048	1,090	899	na	na
Cimarron	1021	917	763	888	927	997	855
Clayton	2,980	2,524	2,514	2,968	2,931	3,314	3,515
Cloudcroft	674	749	612	521	525	464	251
Clovis	37,775	32,667	31,366	31,194	28,495	23,713	17,318
Columbus	1,664	1,765	669	414	241	307	251
Corona	172	165	215	236	262	420	530
Corrales	8,329	7,334	5,503	2,791	1,776	na	na
Cuba	731	590	750	609	415	na	na
Deming	14,855	14,116	11,672	9,964	8,343	6,764	5,672
Des Moines	143	177	170	178	204	207	282
Dexter	1,266	1,235	900	882	746	885	784
Dora	133	130	171	168	196	113	na
Eagle Nest	290	306	187	202	94	na	na
Edgewood	3,735	1,893	na	na	na	na	na
Elephant Butte	1,431	1,390	193	na	na	na	na
Elida	197	183	322	202	233	534	430
Encino	82	94	131	155	250	346	408
Espanola	10,224	9,688	9,295	6,803	4,528	1,976	1,446
Estancia	1,655	1,584	800	830	721	797	916
Eunice	2,922	2,562	2,700	2,970	2,641	3,531	2,352
Farmington	45,877	37,844	34,588	32,677	21,979	23,786	3,637
Floyd	133	78	117	146	248	423	na
Folsom	56	75	64	73	75	142	206
Fort Sumner	1,031	1,249	1,285	1,421	1,615	1,809	1,982
Gallup	21,678	20,209	19,340	18,167	14,596	14,089	9,133
Grady	107	98	105	122	104	100	130
Grants	9,182	8,806	8,669	11,439	8,768	10,274	2,251
Grenville	38	25	22	39	21	55	102
Hagerman	1,257	1,168	959	936	953	1,144	1,024
Hatch	1,648	1,673	1,318	1,028	867	888	1,064
Hobbs	34,122	28,657	29,445	29,153	26,025	26,275	13,875
Hope	105	107	98	111	90	108	186
House	68	72	96	117	119	139	na
Hurley	1,297	1,464	1,442	1,616	1,796	1,851	na
Jal	2,047	1,996	2,153	2,675	2,602	3,051	2,047
Jemez Springs	250	375	359	316	356	223	na
Lake Arthur	436	432	339	327	306	387	380

less than 10K

Las Cruces	97,618	74,267	62,648	45,065	37,857	29,367	12,325
Las Vegas	13,753	14,565	14,522	14,322	13,835	13,818	13,763
Logan	1,042	1,094	804	735	386	320	na
Lordsburg	2,797	3,379	2,981	3,195	3,429	3,436	3,525
Los Lunas	14,835	10,034	6,135	3,525	973	1,186	889
Los Ranchos de Albuquerque	6,024	5,092	4,893	2,739	1,900	na	na
Loving	1,413	1,326	1,202	1,355	1,192	1,646	1,487
Lovington	11,009	9,471	9,495	9,727	8,915	9,660	3,134
Magdalena	938	913	844	1,022	652	1,211	1,297
Maxwell	254	274	196	316	393	392	404
Melrose	651	736	666	649	636	698	936
Mesilla	2,196	2,180	1,976	2,029	1,713	na	na
Milan	3,245	1,891	1,967	3,747	2,222	2,658	na
Moriarty	1,910	1,765	1,420	1,276	758	720	na
Mosquero	93	120	164	197	244	310	583
Mountainair	928	1,116	926	1,170	1,022	1,605	1,418
Pecos	1,392	1,441	1,012	885	598	584	na
Peralta	3,660	na	na	na	na	na	na
Portales	12,280	11,131	10,788	9,940	10,554	9,695	8,112
Questa	1,770	1,864	1,707	1,202	1,095	na	na
Raton	6,885	7,282	7,566	8,225	6,962	8,146	8,241
Red River	477	484	387	332	185	na	na
Reserve	289	387	319	439	354	na	na
Rio Rancho	87,521	51,765	32,551	9,985	na	na	na
Roswell	48,366	45,293	44,480	39,676	33,908	39,593	25,738
Roy	234	304	362	381	476	633	1,074
Ruidoso	8,029	7,698	4,636	4,260	2,216	1,557	806
Ruidoso Downs	2,815	1,824	917	949	702	407	363
San Jon	216	306	283	341	308	411	362
Santa Clara 1	1,686	1,944	1,828	1,968	1,864	1,075	1,511
Santa Fe	67,947	62,203	57,605	49,160	41,167	33,394	27,998
Santa Rosa	2,848	2,744	2,303	2,469	2,485	2,220	2,199
San Ysidro	193	238	345	199	182	na	na
Silver City	10,315	10,545	10,984	9,887	8,557	6,972	7,022
Socorro	9,051	8,877	8,207	7,173	5,849	5,271	4,334
Springer	1,047	1,285	1,288	1,657	1,574	1,564	1,558
Sunland Park	14,106	13,309	8,357	4,313	na	na	na
Taos	5,716	4,700	4,401	3,369	2,475	2,163	1,815
Taos Ski Valley	69	56	65	na	na	na	na
Tatum	798	683	708	896	982	1,168	688
Texico	1,130	1,065	972	958	772	889	691
Tijeras	541	474	478	311	160	na	na
Truth or Consequences	6,475	7,289	6,224	5,219	4,656	4,269	4,563
Tucumcari	5,363	5,989	6,872	6,765	7,189	8,143	8,419
Tularosa	2,842	2,864	2,753	2,851	3,200	1,642	1,446
Vaughn	446	539	633	737	867	1,170	1,356
Virden	152	143	108	246	151	135	146
Wagon Mound	314	369	304	416	630	760	1,120
Willard	253	240	183	166	209	294	296
Williamsburg	449	527	463	433	367	na	na

na Not available.

1 Formerly known as Central.

SFC CLERK RECORDED 05/02/2013