

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

March 31, 2015

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

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This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 p.m. by Chair Robert Anaya in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

I. B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Adamina Pino, the State Pledge by Roxanne Lujan and the Moment of Reflection by Sam Montoya of the Finance Department. Commissioner Anaya asked for a moment of silence to honor the passing of George Gonzales, former Santa Fe County Commissioner and former City of Santa Fe Mayor and offer condolences to Celine, to Pat, to Estevan and to Mayor Javier Gonzales.

F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR ANAYA: Mr. Vice Chair.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. I'd like to move just one item up on the agenda and I think it could be after, it could be included in Miscellaneous B. 5, and it would be the recognition of Jennifer Manzanares of

Congressman Ben Ray Lujan's office.

CHAIR ANAYA: If we could, Commissioner, we could move that after honoring our veterans, if that's okay.

COMMISSIONER CHAVEZ: That would be fine. Commissioner Stefanics.

COMMISSIONER STEFANICS: Yes. Thank you. Mr. Chair, we are approving a proclamation at an earlier time but if the family of Ms. Linda Pedro come in we have, we're going to present something at item V. B. 3. Commissioner Roybal and myself have a proclamation. If we learn that the family comes in we'd like to move that up to an earlier time as well.

CHAIR ANAYA: That would fine, Commissioner Stefanics. Other comments from Commissioners, and then I'll go to Ms. Miller. Any other items Commissioner Holian or Commissioner Roybal? Seeing none, Ms. Miller, items on the agenda?

KATHERINE MILLER (County Manager): Mr. Chair, under Consent, item II. B. 4 has been tabled, as well as under that same item, V. B. 5 is tabled, and that is the proclamation honoring Norma McClellan. She cannot be here today so we'll present that at another meeting. Also under Action Items, III. B. 2, Presentation and request direction on proposed shuttle service to Santa Fe Ski Area was added to the agenda since last Tuesday. And under Matters from the Commission, the certificate of acknowledgement honoring Jennifer Manzanares was added to the agenda. Under Matters from the County Attorney, Executive session, limited personnel matters, performance evaluation of the County Manager was added. And under item VII. A. 2, Public Hearings, an ordinance establishing weight limits on various County roads, this is just the first public hearing. There will be another public hearing. And then actually one other item under Action Items – sorry to go back and forth – item III. D. 3, the amendment to the Intera-agreement, that has been tabled or withdrawn.

CHAIR ANAYA: What's the pleasure of the Commissioners?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the agenda as amended.

CHAIR ANAYA: Motion from Commissioner Holian.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez. Any further discussion on the agenda?

COMMISSIONER CHAVEZ: Well, I had just one question, Mr. Chair, if I could, to the County Manager. Katherine, on D. 3, that's been tabled indefinitely? Will that work not need to be done?

MS. MILLER: Mr. Chair, Commissioner, no. We will need to do something. That contract actually does not – the current extension doesn't expire till August 30th and there were some issues that Legal wanted to look at before we moved forward with that relative to the procurement process. So we'll be either bringing it back or we will be bringing back a different form of agreement.

COMMISSIONER CHAVEZ: Okay, because I would imagine the

remediation that's being anticipated would be asbestos and things like that.

MS. MILLER: Mr. Chair, Commissioner Chavez, no. This was – this is the remediation of the soils around the new courthouse and we are required by the Environment Department to continue to monitor the gas plume that was under the – in the hole where we put the parking in. So we will be required to continue those services. It was just the procurement method is being reviewed by Legal as to whether we need another method for this particular additional services that we need for another year and three months.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Chair.

CHAIR ANAYA: Any further questions or comments? Seeing none.

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

I. G. Approval of Minutes

1. Approval of February 20, 2015 Joint City/County Meeting Minutes

CHAIR ANAYA: What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the February 20, 2015 joint City/County meeting minutes.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion from Commissioner Holian to approve the February 20, 2015 minutes, second from the Vice Chairman. Any further discussion? Seeing none.

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

I. G. 2. Approval of February 24, 2015 BCC Meeting Minutes

CHAIR ANAYA: What's the pleasure of the Board?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'll move approval of the February 24, 2015 BCC meeting minutes.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Stefanics to approve the February 24th minutes, second from Commissioner Holian. Any further discussion? Seeing none.

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

I. H. Honoring Our Veterans and Service Men and Women

CHAIR ANAYA: We'll now move on to item H. We're honored to have Mr. Roybal with us here sitting in the front row with us today, and thank you for coming, Mr. Roybal and thank you for your service. Mr. Roybal was born on September 22, 1950 and is a Santa Fe High graduate. Another fellow alum. Mr. Roybal is a veteran of the United States Marines where he served active services from October 23, 1969 to October 22, 1971, and reserve July 28, 1975.

Mr. Roybal has received numerous medals and awards. The National Defense Service Medal, the Vietnamese Service Medal, the Vietnamese Campaign Medal, Combat Action Ribbon, the Purple Heart Medal, and the Navy Commendation Medal with Combat V.

Mr. Roybal has served with the community in different organizations such as president of the Lions Club, held offices in the Vietnam Veterans of New Mexico, Northern Chapter, was a commander with the VFW for seven years and held every office before that in the VFW. Mr. Roybal is a veteran helping veterans and their families with anything like going into the VA system to find out their entitlements, if they have any need and to help point them in the right direction. Mr. Roybal worked with Los Alamos National Labs from 1976 to 2000 when he retired. Currently Mr. Roybal is attending the Santa Fe Community College where he's working on his associates degree in fine arts and intends to work on his bachelor's in fine arts and his certificate in jewelry medal arts. Awesome.

So I'm going to go to the Commissioners first. Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: Carlos, I hope it's okay with me calling you on a first name basis. I've always appreciated the fact that you've given back to our community and you've always done it with a smile, everywhere I see you. You don't let anything get you down. And I know it's easy for me to say but that gives me some encouragement to keep on because I don't think I've seen the same struggles you have. So it reminds me that we need to count our blessings. So again, I just want to thank you for the commitment that you've made and that you continue to make and keep that smile, get that smile going. Thank you for being here.

CARLOS ROYBAL: Thank you. That smile you see took a long time to get back and I had to pay my brothers back for helping me get to where I'm at now.

COMMISSIONER CHAVEZ: Yes, well, and I appreciate you mentioned that because we can't do it by ourselves, right?

MR. ROYBAL: That's true.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'd like to thank you for continuing to be an inspiration to those around you and those who come back who don't quite know what to do. We hope that as a County Commission here in Santa Fe that we can start attending to some of the specific needs of veterans returning home such as housing or healthcare, but I think that your modeling, going on to the Community College to do further work is a testament to the fact that you're not letting something get

you down – your age, your disability, your past, and that that should be of inspiration to others. Thank you very much.

MR. ROYBAL: Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Mr. Roybal, your service to our country and to our community is a real inspiration to all of us and I think it's particularly commendable how you have worked so hard to help other veterans get the help that they need. So thank you.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, Mr. Roybal. I'd like to say thank you as well and no words can really express the sense of gratitude and pride and respect that I have for veterans, and I just really appreciate all that you've done and the service that you've provided to the country. Thank you.

CHAIR ANAYA: Thank you, Commissioners. Mr. Roybal, the floor is yours.

MR. ROYBAL: Well, first of all, thank you, Commissioners for this great honor that is bestowed on me. Everything I do I do from the bottom of my heart to help veterans. Those are my first priorities in my life, beside my wife and my family. But it's real important to me that every person I meet and I talk to realize the sacrifice a lot of our servicemen have made and it's very important that if you see a serviceman or one that was in the service to thank them for what they do because they did or they are protecting our rights, our constitution and our rights to be here.

If you go to a different country like I have you'll know the difference and you learn to appreciate it. And again, I thank you for this honor.

CHAIR ANAYA: Thank you, Mr. Roybal, and we thank you very much and if I could if I could have all veterans in the chambers, if you would please stand at this time as we customarily do, and I would like to stand with them and give Mr. Roybal and all of them a round of applause if we could. Commissioners, if we could present Mr. Roybal with a certificate and get a picture that would be great.

[Photographs were taken.]

V. B. 6. A Certificate of Acknowledgement Honoring Jennifer Manzanares of Congressman Ben Ray Lujan's Office for her efforts involving the New Mexico Congressional Delegation on major issues relevant to District 2

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. This is just a small sample of our appreciation for work that one individual has done. The individual is Jennifer Manzanares of Congressman Ben Ray Lujan's office. And what she did for the County is not out of the norm but it sure is helping us to do our job here to address issues along 599, specifically County Road 70. This intersection has become – it's come to our

attention just recently because there was an accident, the first of this year. And what Ms. Manzanares did in talking to Congressman Lujan is she worked with the other congressional delegation, of course, Congressman Ben Ray Lujan, Senator Tom Udall, Senator Martin Heinrich, Congressman Steve Pierce and Congresswoman Michelle Lujan Grishom.

So Ben Ray Lujan's office, Congressman Lujan's office, through the efforts of Ms. Manzanares was able to contact our congressional delegation to identify possible funding sources to construct a grade separated interchange at 599 and County Road 70. So we have possible funding sources. One would be a low-interest loan and the other two would be possible federal grants that are very reasonable. They're about a 14 percent match. And so that's the conversation that we're having right now. This next Wednesday staff will be meeting with the Department of Transportation to start the initial grant applications. We have a deadline of the end of this month, I believe, to have those applications in so we're on a short timeline.

But having said that I do want to acknowledge and present a certificate of acknowledgement from the Santa Fe Board of County Commissioners to Jennifer J. Manzanares of Congressman Ben Ray Lujan's office for her efforts involving the New Mexico congressional delegation on major issues relevant to District 2 thereby gaining support and identifying possible funding sources for safety improvements to the 599 corridor, specifically again County Road 70. Therefore the Board of County Commissioners of Santa Fe County presents this certificate of acknowledgement on this 31st day of March 2015. So Ms. Manzanares, would you please come forward so that we can present this certificate to you and hopefully take a few photographs as well.

CHAIR ANAYA: Thank you. I just want to briefly say thank you so much for your continued efforts and your work in helping communities on this initiative but on the many others that you have as well.

[Photographs were taken.]

JENNIFER MANZANARES: Mr. Chair, Commissioner Chavez, Commissioner Holian, Roybal and Stefanics, I want to say thank you very much. I wasn't expecting such a beautiful certificate. But I will take this back to the congressman, and as I was saying to Commissioner Chavez earlier, it's always in partnership that we do these things, so however we can support you, the delegation in a letter of support for the grants, please count us in and I'll be sure to share this with Congressman Lujan.

COMMISSIONER CHAVEZ: Great. Thank you.

I. I. Employee Recognition
1. Introduction of New Employees

CHAIR ANAYA: Ms. Miller, introduction of new employees.

MS. MILLER: Mr. Chair, Commissioners, we have quite a few new employees. In your packet is a list of several employees, and some of them you've already met, like Ramon Cintron or Alex from the Finance Department, but in the Sheriff's Office we have a new animal control officer, Jeremy Lewis, Erika Lovato, who

is a returning County employee is the business finance manager for Public Safety. Esteban Gallegos, a detention officer, as well as Ramon Quintana. Then we have two emergency communications call takers, Sarah Martinez and Michelle Plummer.

And then from Public Safety, we actually have some of the new employees here that I wanted to introduce. One of the new maintenance technicians, Johnny Gutierrez is here, if he could stand up. And we also have in Public Works a maintenance technician – two new maintenance technicians, Toby Herrera and Norman Mondragon. And then in Public Safety, our medical division director, Mel Olivares is here as well. Then in Public Works, in Utilities as well as in Projects we have Sandra Ely, project manager in Public Works, she's working on the Aamodt project or the Pojoaque regional water system. And then also Jerald Schoeppner, or Jerry, is new. He's our new hydrologist. He took Karen Torres' place. So they're both here today.

And then in the Sheriff's, we have two new Sheriff Deputy IIs, Scott Thoms and Charles Vrugitz. And in Solid Waste we have Charmaine Griego and a volunteer firefighter, Manuel Vigil. So as I said we have quite a few new employees that came on in the month of February was their hire date and some of them just started so I wanted to welcome them and introduce the ones that could be here today.

CHAIR ANAYA: Thank you, Ms. Miller. Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Yes, Katherine, on the animal control officer, was that a vacancy or is that an added position in the Sheriff's Department?

MS. MILLER: Mr. Chair, Commissioner Chavez, that was a vacancy, although I do believe that the Sheriff's Office did get an additional animal control position in last year's budget, but this was one to fill a vacancy. It could have been that vacancy but they would have had, since last July 1st when the Board approves a new position it is effective July 1st unless you give another specific date. So in this one it was probably a vacancy.

COMMISSIONER CHAVEZ: So will that provide then two animal control officers for the County?

MS. MILLER: Mr. Chair, Commissioner, we have several more than two.

COMMISSIONER CHAVEZ: So how many?

MS. MILLER: I don't know. I'll have to go look. I want to say we have quite a few more than that. I know we have more than that. I can get that number for you.

COMMISSIONER CHAVEZ: I wasn't sure on the numbers so that would help.

MS. MILLER: Any other question about employees?

CHAIR ANAYA: Thank you, Ms. Miller. I want to welcome all of these individuals to the Santa Fe County family. We fight, we argue, we compromise, but ultimately we take care of the citizens and work together. But thank you so much for being part of the team and part of the family and welcome to Santa Fe County.

**I. I. 2. Recognition of Years of Service for Santa Fe County
Employees for March 2015**

MS. MILLER: Mr. Chair, as we have brand new employees, hopefully,

before long they will be on the next list, which is recognizing Santa Fe County employees for years of service in five-year increments – five, ten, fifteen, twenty, twenty-five. We have quite a few this past month that hit their five years of service and then we have a couple that hit 20 years of service. So I don't know how many of them are actually here today but if they are here I would welcome them to stand up and be recognized for their dedication to Santa Fe County.

In Public Safety, in the Fire Department, Michael Feulner is one of our wildland captains, and he hit five years of service on March 2nd. Then in the Assessor's Office, Gary Jaesin, an appraiser, also hit five years of service on the 13th of March. Mindy Cunningham, who's our NCIC coordinator in the Regional Emergency Communications Center hit five years on March 15th. In Corrections, detention officer Horacio Pargis also has five years of service as of March 17th.

And then in the Sheriff's Office, Joseph McLaughlin, Sheriff's lieutenant, has 20 years of service on March 17th, and also a battalion chief, Anthony Ruscetti, in our Public Safety Fire Department has 20 years of service as of March 20th.

So I just wanted to recognize them. We send them my letter of appreciation and a pen for their years of service so they did receive that this month and I thank them for all their dedication to the County.

CHAIR ANAYA: Thank you, Ms. Miller and I think you and Bern are working with employee benefits on a date where we could work with the employees and do a comprehensive recognition, a couple dates here. We're talking about in the summer and then maybe in October, but we look forward to working through those recommendations as well. And congratulations to those employees on their tenure and their many years of service to Santa Fe County. It's greatly appreciated.

II. CONSENT AGENDA

A. Resolutions

1. **Resolution No. 2015-46, a Resolution Requesting an Increase to the General Fund (101) to Budget for a Memorandum of Understanding Made with the City of Santa Fe for the 2014 Terrain Mapping and Orthophotography Project /\$75,000 (Finance Department/Teresa Martinez)**
2. **Resolution No. 2015-47, a Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute (Finance Department/Carole Jaramillo)**
3. **Resolution No. 2015-48, a Resolution Accepting Camino Justicia for County Maintenance (Public Works Department/Robert Martinez)**

B. Miscellaneous

1. **Approval of County Health Care Assistance Claims in the Amount of \$52,423.00. (Community Services Department/Rachel O'Connor)**
2. **Request Authorization of the use of District 3 Capital Funds, Per Capital Outlay Policy, Allocating \$8,000 for The Stanley Cyclone Center Project. (Finance Department/Teresa**

Martinez)

3. **Approval of a Proclamation of Celebrating in Honor of Cesar E. Chavez (Commissioner Anaya)**
4. **Approval of A Proclamation Honoring Norma McCallan, Activist, Environmentalist, Santa Fe Living Treasure (Commissioner Holian) TABLED**

CHAIR ANAYA: Are there any items that any Commissioners would like to pull off for a brief discussion? If there are not, is there any comments from the public on the resolutions, relative to Consent items? Any comments from the public? Seeing none, what's the pleasure of the Board?

COMMISSIONER STEFANICS: I'll move approval of the Consent Agenda.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Commissioner Stefanics moves for approval, second by Commissioner Chavez. Any further discussion? Seeing none.

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

[Clerk Salazar provided the numbers for the approved resolutions and ordinances throughout the meeting.]

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. **Acceptance of Resignation from Steve Warshawer Santa Fe Food Policy Council Member**

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. I have before you today a request to accept a resignation from Mr. Steve Warshawer from the Santa Fe Food Policy Council. I've included in the packet his letter of resignation, also the resolutions that established this joint body, and I'm recommending that the Board accept the resignation and direct staff to do a call for applicants. And I stand for any questions.

CHAIR ANAYA: Any questions? What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair, I'll move for approval but I would like to make a comment.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I would really like to thank Mr. Warshawer for his service to the council. He was always outspoken but he often made very good points. He always looked at things from the point of view of a real farmer since he himself is a farmer. And he reminded us always that if we really want to have more fresh local food around here we need for our farmers and ranchers to be able to

actually make a living. And this is something that we're still struggling with. I certainly hope that Mr. Warshawer will still remain engaged as we move forward with the zoning in our new Sustainable Land Development Code and I hope that we can figure out ways – and this is a message to my fellow Commissioners – to use zoning as a tool to actually encourage agriculture in our county. And I think that we also need to look at transfer of development rights as well. That's going to be a very important tool that we use.

There was also a letter that was included in our packet from the chair of the Food Policy Council and I quote. She wrote that “the current version of the code, that is the Sustainable Land Development Code does not reflect the agricultural goals of the Sustainable Grown Management Plan.” So I think that we have to keep this in mind and take this to heart as we move forward and make sure that we figure out how to have our land development code actually encourage agriculture in our community. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you for those remarks, Commissioner Holian. Any other questions or comments? Seeing none.

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

III. B. 2. Acceptance of Resignation from Cindy Racco from the Lodger's Tax Advisory Board

CAROLE JARAMILLO (Finance Director): Mr. Chair, Commissioners, today I have before you a request to accept the resignation of Cindy Racco from the Lodgers' Tax Board. Ms. Racco was the general manager at the Four Seasons Resort, Rancho Encantado, and vacated her position in October of 2014 to move to Kona, Hawaii to another Four Seasons hotel there. The Lodgers' Tax chair, Mr. John Berkenfield had requested names to be brought forward to replace Ms. Racco and that name is the subject of the next agenda item but in this one we would ask that you accept the resignation of Ms. Cindy Racco.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Move for approval of the acceptance of the resignation of Cindy Racco from the Lodgers' Tax Advisory Board.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Holian. Any further discussion? Seeing none.

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

III. B. 3. Appointment to the Lodger's Tax Advisory Board of Rich Verunni, Managing Director of Bishops Lodge, as recommended by the Lodgers' Tax Advisory Board for the Lodging Industry and Hotels/Restaurants Representative

MS. JARAMILLO: So the next item that you have before you, Commissioners, is the request to accept Mr. Rich Verunni into the vacant position for the Lodgers' Tax Board representing the hotels and restaurants industry. Mr. Verunni is the managing director of the Bishop's Lodge resort and has the unanimous support of the current Lodgers' Tax Advisory Board to replace Ms. Racco.

COMMISSIONER STEFANICS: Mr. Chair, I'll move approval but then I'd like a discussion.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Stefanics, second from Commissioner Holian. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and Carole, or I don't know if somebody is here, could somebody speak to the future of Bishop's Lodge and what's happening?

MS. JARAMILLO: Mr. Chair, Commissioner Stefanics, no one is here representing the Lodgers' Tax Board right now. I am with the understanding that they will be undergoing some renovations. They are currently – aspects of the hotel have been shut down like their restaurant and their meeting facilities have been shut down so they're on a very limited number of rooms currently and they will be doing a renovation of the facility.

MS. MILLER: Mr. Chair, Commissioner Stefanics, Bishop's Lodge was sold and the entity that purchased Bishop's Lodge is investing upward of \$30 million in renovations and adding – they're renovating all of the rooms, restaurant, lobby, reception area. They did not close down completely. They are closing sections to renovate it as they're able to renovate in stages. It's estimated the last time that I spoke to Mr. Verruni and the new owner that they would be closed – wouldn't be fully open for about a year. But they do have – they still are operating and will have limited space but they're not at full operations this year.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: I had an opportunity to meet with the new owner as well as the individual being recommended today briefly, but I met with the new owner at a Chamber of Commerce gathering. He's very much interested in upgrading as you said, Ms. Miller, and also continuing to provide the services that they do in the region for years to come. There's a motion and a second. Any further discussion? Seeing none.

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

III. B. 4. Appointment of Resident Member to the Santa Fe County Housing Authority Board

RON PACHECO (Housing Director): Thank you, Mr. Chair, Commissioners, Cathy Hurtado has been recommended as the next Housing Board member to sit on the Housing Board. Cathy has lived with us since 2006. Cathy recently retired from working for us for 30 years at the City with the teen center, the last six as a

manager, and Cathy expressed an interest in joining our board after retiring and has gone above and beyond the call of duty. And I will tell you that Cathy is special in the sense that she meets with me regularly. She walks through the neighborhood as she walks her grandchildren picking up trash in bags that are left for our maintenance crew to pick up.

So Cathy has expressed an interest. He's been incredibly supportive and I think she will make a wonderful Housing Board member, keeping me on my toes and working to keep the board informed.

CHAIR ANAYA: What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I think that Ms. Hurtado will make an excellent new member of the board, so I move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: There's a motion from Commissioner Holian, a second from Commissioner Roybal, Stefanics and I think Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: I would also like to thank Francis Ong for her faithful service on the board. I don't think she ever missed a meeting and I think she tried very hard to represent the views and experiences of the people who live in our public housing. So I would just like to say a big thank you to her.

MR. PACHECO: Thank you, Commissioner, and I will transmit that message to Ms. Ong thanking her for the years of service she's provided to us.

CHAIR ANAYA: Ditto, Commissioner Holian, I'm sure from the Board and also please prepare a certificate for Ms. Ong to be presented at the next meeting, next admin meeting maybe, Ms. Miller. Okay. There's a motion and a second.

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

III. B. 5. Appointment of Member to the County Fair Board

RACHEL O'CONNOR (Community Services Director): Mr. Chair, members of the Commission, I'm going to ask Anna Bransford of the Community Operations Division to present the recommendation of Karen Page.

ANNA BRANSFORD (Community Services): Good afternoon, Mr. Chair, Commissioners. I'm here today to submit a recommendation to the Fair Board of Karen Page. She has previously served on the Fair Board and on January 27, 2015 BCC it was requested that Commissioner Roybal meet Ms. Page. He has since done so and with that we would like to have her approved to be on the Fair Board and this would take the number of Fair Board members up to 11 people.

CHAIR ANAYA: Thank you, Ms. Bransford. Commissioner Roybal.

COMMISSIONER ROYBAL: I would like to move for approval of appointing Ms. Page to the Fair Board and also say that I did meet with her and was very

impressed with the ideas that she had, so thank you.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Thank you, Commissioner Roybal. A motion from Commissioner Roybal, second from Commissioner Stefanics. Under discussion, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Are there any possibilities of getting anybody from District 4 on the Fair Board?

MS. BRANSFORD: Mr. Chair, Commissioner Holian, yes. I am actually working on scheduling a meeting with Carolyn Wilson. I've been working with Tina and I think we had set up a meeting for April 9th but I did find out this morning that that time will not work for Ms. Wilson so I'm going to work with Tina to reschedule that.

COMMISSIONER HOLIAN: Great. Thank you.

CHAIR ANAYA: Thank you and before we vote I want to thank you, Ms. Bransford. I've heard good comments from the County Extension Office and other people in their interactions with you that you're very professional and thoughtful in your work so thank you for those efforts we appreciate it very much.

MS. BRANSFORD: Thank you, Mr. Chair.

CHAIR ANAYA: You're welcome.

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

III. B. 6. Appointment of Jerry Schoeppner, County Hydrogeologist, as County Technical Representative to Jemez y Sangre Regional Water Planning Council, Estancia Basin Water Planning Committee, and Espanola Basin Technical Advisory Group

CLAUDIA BORCHERT (Utilities Director): Good afternoon. Thank you, Mr. Chair. Yes, so I have two items, this one and the next. The first is for the hydrogeologist who was just introduced a moment ago. We are recommending that he take the place representing the County as technical staff for three organizations. Those would be the Jemez y Sangre Water Planning Council, the Estancia Basin Planning Committee, and also the Espanola Basin Technical Advisory Group.

CHAIR ANAYA: I would like to ask Mr. Schoeppner if he'd come forward and I'd give him an opportunity to make any remarks he'd like. He represents the County if we appoint him on this item on very significant committees and groups of people that are trying to not only understand the available water we have but also try and do our best to manage it. So, do you have any thoughts or remarks you would like to offer? I apologize for putting you on the spot, but I think it's important to give you that opportunity if you so choose.

JERRY SCHOEPPNER (County Hydrologist): Mr. Chair, Commissioners, yes. My name is Jerry Schoeppner. I grew up in the Southwest. I'm actually born and raised here from Santa Fe so I know how critical water quality and water quantity issues are. Most of my career I've been focusing on water quality issues. I

come from the New Mexico Environment Department where I worked with the Groundwater Quality Bureau for the last ten years and before that it was the Underground Storage Tank Bureau where I mostly looked at water quality issues. I recognize water quantity issues are a very huge issue in the Southwest, in New Mexico and in the County and I hope to bring the knowledge that I've gained over the last 22 years to this position to ensure that the citizens are covered when it comes to water resources and that we don't over-allocate what we do have and we conserve what we do have.

CHAIR ANAYA: I appreciate you coming forward and making those spot-on remarks. You've been there, done that. Good work. Any comments from Commissioners? What's the pleasure of the Board?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER HOLIAN: Motion from Commissioner Holian, second from Commissioner Chavez.

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

III. B. 7. Appointment of Mary Follingstad to the Water Policy Advisory Committee

MS. BORCHERT: Mr. Chair, thank you. It was my typo. I didn't put in there Mary Helen Follingstad. My mistake. I apologize for that. So I'm very pleased to bring forward another nomination for the Water Policy Advisory Board. This is Mary Helen Follingstad. She would fill the northern planning area seat. In your memo I have listed all the current – the folks who occupy the seats for the advisory council and this is the last vacancy we have so we're very pleased that should you appoint Ms. Follingstad we'll have a full committee. I also just want to mention that the committee has been steadily working this year. They have been working on various pieces of allocation and development and also will be looking at the Aamodt policies in the second half of the year. They meet diligently, they work very hard and we're very happy to have Mary Helen as the applicant for this position.

I also just want to mention that Ms. Winship, Shelley Winship resigned and who also did a very nice job of serving on this committee while she could. She had some personal matters come up that required her resignation, so I would really thank her for her work on the committee too. With that I'll stand for questions.

CHAIR ANAYA: Thank you so much. Commissioner Roybal.

COMMISSIONER ROYBAL: I'd like to move for approval of Mary Helen Follingstad. Is that right? Okay. To the Water Board.

COMMISSIONER STEFANICS: Mr. Chair, I'll second, and I'd like to also acknowledge that many of us have worked with Mary Helen Follingstad as the planner that was assigned to the Regional Planning Authority when it was still in existence and she is a hard worker and I know she'll be one again. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Mary Helen will be an excellent addition to the Water Policy Advisory Committee. I too have worked with her in the past and I would like to acknowledge that not only does she have a really strong background in planning but also in water planning. So she will be a real asset to the committee. And I know that she is, as Commissioner Stefanics said, she's really knowledgeable. She's enthusiastic about coming up with solutions to challenges, and she's a hard worker. I know that too. Thank you.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I just wanted to point out two other details that sort of jumped out at me in her résumé if you will. I think these are both significant. She lives on private property served by a domestic well, and that's always a challenge, and has also been involved in the Aamodt water settlement, and that's ongoing. So to have those two perspectives I think is what we need as part of our thought process in managing and allocating our water resource. So thank you, Mary Helen, for being willing to continue to serve.

CHAIR ANAYA: Ms. Follingstad, would you like to make any remarks?

MARY HELEN FOLLINGSTAD: Hello, everyone, and Commissioner Roybal, I haven't met you, but I think I've met everybody else, known and worked with you and I'm greatly honored to be nominated for this appointment and I hope to do a good job for Santa Fe County's water resources.

CHAIR ANAYA: Thank you so much. There's a motion and a second, a few seconds.

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

III. C. Resolutions

1. Resolution No. 2015-49, a Resolution of a Notice of Sale Resolution for General Obligation Refunding and Improvements Bonds, Series 2015 [Exhibit 1: Presentation]

MS. JARAMILLO: Mr. Chair, Commissioners, I will briefly give you an overview of the resolution that we're requesting here today. I also have with us today Mr. Eric Harrigan from RBC Capital Markets who represents our financial advisor as well as Peter Franklin, our bond counsel. He's from Modrell Sperling. They're going to be available to answer any questions and Eric also has a brief presentation to give you as soon as I give you the overview.

So the resolution that we have for you today is a notice of sale resolution for a refunding and improvement bonds series for 2015. The purpose of this bond would be the refunding, refinancing and paying and redeeming of three of our previously issued GO bonds. That would be our 2005-A Series and our 2007-A and B Series bonds, as well as to issue new bonds based on the bond questions that were approved by the voters back in 2012.

The 2012 questions covered road projects for \$19 million, water and wastewater projects for \$10 million, and open space projects as well. These bonds, the \$8 million that

we are requesting to issue would be \$3.4 million for roads, \$2.6 million for water and wastewater, and \$2 million for open space projects. The refunding of the previously issued bonds would also result for us in a savings on interest over the course of the bonds of approximately \$4 million. I at this point would like to turn your attention to Mr. Eric Harrigan. I'll hand out his presentation and he can go over it briefly with you.

ERIC HARRIGAN: Good afternoon, Chairman, members of the County Commission. Again, my name is Eric Harrigan with RBC Capital Markets so we are the County's financial advisor and happy to go over the brief presentation that is in front of you. Ms. Jaramillo did an excellent job of providing an overview. This is a combination of new money and of refunding of three outstanding general obligation bonds for present value savings. Those present value savings are expected to generate approximate \$4 million on a nominal basis and on a present value basis about \$3.7 million.

We look at that from a percentage basis on the amount that's actually being refunded to understand if we're actually generating enough savings to make sure that it's economically beneficial. That minimum threshold that we're targeting is about three percent. The savings that we're looking at for the combined 2005, 2007-A and 2007-B is 8.87 percent, well above the three percent threshold. If approved today the sale for the bonds would be on April 14th. We would notify underwriters from around the country who will be able to bid on those bonds on the day with the award going to the lowest bidder on April 14th and we would be back before the Commission to award the sale of those bonds to the lowest bidder. Closing would be on May 28th. Funds would be available for the County from the new money and the bonds to be refunded would be paid off.

The bonds also will be marketed with a nine-year optional call, meaning that in the event that interest rates are at a level in the future the County would have the option, just like it's doing with the 2005 and 2007 A and B bonds to refinance those bonds at lower rates if it is possible.

On page 2 of the presentation, we listed the County's outstanding debt. We've highlighted the three series of bonds that will be refunded – expected to be refunded with this financing and we've also included some information in the back on just the general market. If we are still at – amazingly so – very low interest rates. If you look at interest rates going back to 1960, interest rates have been higher 90 percent of the time than we are today. We're really at very, very low interest rates and that's one of the reasons that the County is able to take advantage of that and lower the interest rate on those bonds. The combined interest rate on the 2005, the 2007-A and B bonds is 4.33 percent. The projected rate on the refunding will be about 2.55 percent and obviously the difference between those two rates is what's generating the present value savings for the County.

CHAIR ANAYA: Commissioner Chavez.

CHAIR ANAYA: So on that point, the average annual savings is \$310,000. Is that the \$4 million that you mentioned earlier? Do those two correlate or are those two different numbers?

MR. HARRIGAN: It does. Those two numbers correlate with each other on average over the life of the refunding. The County's generation about \$300,000 in annual savings.

COMMISSIONER CHAVEZ: So there's a little variable there depending on what the market's doing.

MR. HARRIGAN: That's correct. Also the annual debt service, because of the structure of the previous bonds, in some years you have slightly higher savings in some years, in other years you have slightly lower savings but on average, over the life of those bonds the savings is about \$310,000.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR ANAYA: Do you have any other items?

MR. HARRIGAN: That's it, except if there are any other questions.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Just a comment before we go to motion. It looks like the prudent avenue, saving money for the taxpayers and being able to use those savings for further projects. Thank you very much. And with that I would move for approval, if you're ready.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Stefanics, second from Commissioner Holian. Thank you for your presentation. Appreciate it. Thank you, Mr. Franklin.

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

III. C. 2. Resolution No. 2015-50, a Resolution Authorizing the County to Submit an Application to the Department of Finance and Administration Requesting Funds from the Juvenile Alternative Adjudication Program, and Delegating to the County Manager the Authority to Execute and Submit the Application and any Documents Related to the Funding as May be Required by the Department of Finance and Administration

JENNIFER ROMERO (Teen Court): Mr. Chair, Commissioners, good afternoon. The resolution before is for the Juvenile Adjudication fund. It was created in 2009 to fund alternative adjudication programs for teens charged with misdemeanor crimes. It is funded through fees assessed on traffic citations. The Local Government Division of the Department of Finance is charged with administering the funds and awards competitive grants to local governments to fund programs throughout the state.

Established programs such as our teen court that provide alternatives to traditional court procedures for the resolution of misdemeanor charges are eligible for the funding.

CHAIR ANAYA: Are there any questions or comments? What's the pleasure of the Board?

COMMISSIONER HOLIAN: Move for approval, Mr. Chair.

CHAIR ANAYA: Motion from Commissioner Holian.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second from Commissioner Roybal and Chavez. Any further discussion? Seeing none.

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

III. C. 3. Resolution No. 2015-51, a Resolution Supporting New Bureau of Land Management (BLM) Rules aimed at Protecting Taxpayers and New Mexico's Cultural Assets from the Wasteful and Unnecessary Practices of Increased Methane Flaring and Venting in the State [Exhibit 2: Resolution Text; Exhibit 3: Sierra Club Letter; Exhibit 4: Western Values Handout]

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all I have to apologize. Due to last minute revisions in the resolution it did not get put in your packet in time. However, it is in front of you, the most recent version of the resolution. I think that we have discussed this issue before in the context of providing support as the BCC to Senate Memorial 29, which was sponsored by Senator Benny Shendo. And this is about methane flaring in this state. And there are a number of important points. One is that there's a huge loss of revenue for the state when methane is flared rather than put on the market and sold. They estimate that there has been \$42.7 million in lost royalties to the state since I think about 2007.

Also, flaring methane, or not flaring methane, or flaring it irresponsibly also creates a lot of air pollution. There's a huge methane cloud over the Four Corners region and it is felt that it is because of the flaring that goes on that has created the cloud. And that's not good for people's health or for anybody else's health for that matter. Also, this methane could actually be used for people's benefit, that is heating homes, things like that.

Now, it's also a fact that New Mexico is particularly wasteful compared to other states. They figure that 45 percent of all the applications that go to the BLM to flare rather than to sell methane are coming from New Mexico alone. And that's across the United States.

So what this resolution is requesting is that the County of Santa Fe support the strong new rules to reduce wasteful flaring of methane gases that is currently occurring in our state. Also, it supports standing united with tribal entities across the states to protect sacred sites such as Chaco Canyon and others that are threatened by flaring activities, and also that this resolution be shared with our federal delegation and also with the Bureau of Land Management so that we can have stricter rules from the BLM to reduce this wasteful flaring. And Mr. Chair, there are a couple of people I believe, who are here who would like to speak about this resolution.

CHAIR ANAYA: Okay, Commissioner. You can acknowledge those at this time if you'd like.

COMMISSIONER HOLIAN: Mr. Shiffbauer, head of the Green Chamber of Commerce, I might add.

GLENN SHIFFBAUER: Good afternoon, Mr. Chair and Commission. My name is Glenn Shiffbauer. I'm the executive director for the Santa Fe Chapter of the New Mexico Green Chamber of Commerce. Last October we were asked to do a series of flyovers of the Chaco Canyon area. The reason we were asked is because at this point in time, the Bureau of Land Management's Farmington field office does not have a master leasing plan in place, so anybody who comes in and asks for a permit is basically given a permit. And what you see in this area near Chaco Canyon is how a lack of plan has led to a willy-nilly road system. It looks like a spider web rather than any sort of grid.

The other part of that that we were brought in for is to take a look at how that is endangering Chaco Canyon which as most of you know is a vital tourism destination in the state of New Mexico. It's one of only 23 UNESCO World Heritage sites in the United States. So if you take a look at it from that standpoint it would be like allowing oil rigs to come in close to the Statue of Liberty which is also a UNESCO World Heritage site and flare and interrupt the dark sky nights.

That is the other thing is that Chaco Canyon is one of only four national parks that has the dark sky designation here in the country.

After that we were asked to go with a group to Washington, DC to address our delegation as well as the Bureau of Land Management at the federal level and the Council for Economic Quality in the White House. And everything that they told us there was the rule is good. It's in place. We would like to see it passed and this delegation of 50 people asked what we could do to help. And they said community support and grassroots support.

So besides the \$42 million and the loss of royalties we have an invaluable asset in Chaco Canyon that's being endangered. We have a valuable resource that's being wasted that could be coming to the citizens of New Mexico and it's resolutions like this and Senate Bill 29 that we worked on with Senator Shendo that are going to really help these entities in Washington to get this thing through and help the citizens and taxpayers of New Mexico. So I ask for your support on this.

COMMISSIONER HOLIAN: Thank you, Mr. Shiffbauer. Teresa Seamster is here from the Sierra Club and I think she would like to say a few words.

TERESA SEAMSTER: Mr. Chair, Commissioners, my name's Teresa Seamster. I'm co-chair of the Northern Group of Sierra Club. What I just handed out is a letter and some information on flaring. It kind of repeats some of the statistics that Commissioner Holian just gave you about \$42 million worth of possible revenue being lost in the process of excessive flaring. We've met several times with BLM in Farmington, not only Sierra Club people but people from around the northern part of the state who are most directly impacted by this practice. Several people from the Navajo Nation also attended these meetings and voiced their concern.

The BLM does have a regulation. I think it's seven to ten days of flaring that is allowed. They would probably agree that's probably too long but in this case there have been violation after violation of flaring being allowed – or not being allowed; but simply going on for weeks and weeks from the different wells. So as BLM can tell you they do

not have the staff to go out and report and cover all the violations that are occurring.

So I think what is being covered in the resolution is really appropriate. It mirrors what they're doing on the federal level to try to not only capture this methane resource and use it wisely rather than just burn it off and have it pollute the environment, but also the impact on the local communities is extreme. If you have not driven up New Mexico 550 recently and gone through Lybrook you can smell the benzene in the air. One of the biggest assembling yards is right across from the elementary school. I've put in a couple of quotations there from some of the parents who state that their children have been sent home repeatedly because the air is bad or because the water cannot be drunk. The school closes for that period of time. The children are sent home. This is right in their community and it's something that truly needs to be addressed.

So I'll leave you with that. The photographs that Glenn Shiffbauer mentioned that were done in the flyover, one of those is in that letter. It shows a very large industrial site. Those are appearing everywhere now. Those are massive. And the trucks that go to them are certainly not designed to go on the little backwoods dirt roads that are out there. They had a major accident that closed 550 in January between a hot oil truck and a propane truck. The fire that it created closed 550 for three hours. So the potential for a lot of accidents, a lot of leaks, a lot of spills, a lot of contamination is very much in those communities and I think this resolution will go to highlighting the problem and coming up with some stricter regulations. Thank you very much.

COMMISSIONER HOLIAN: Thank you very much, Teresa. Mr. Chair, I move for approval.

CHAIR ANAYA: There's a motion from Commissioner Holian.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez. Discussion, Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I wanted to thank Commissioner Holian for bringing this resolution forward and for those who have spoken in support of it. Even though it's a resolution as, say, an ordinance, but I think it does send a message and it sends a message in a very concise way and it mentions – we talked earlier about a public-private partnership or a partnership in general with our congressional delegation. This brings attention to the All-Pueblo Council of Governors and their resolution. It speaks to the US Department of the Interior and the Bureau of Land Management in addition to the Bureau of Indian Affairs.

So we're talking about a natural resource that can be extracted for a profit and that's okay but if that enterprise then impacts our environment or our health then I think we should be able to question that. And then when it involves public land, forest land, or in this case public land that's managed under the BLM then we should have some input into how those lands are managed and by who. So at least it keeps that discussion going from a local level to a national level and that's where the discussion needs to take place. So again, thank you to Commissioner Holian for bringing this forward.

CHAIR ANAYA: Thank you, Commissioner Chavez. Any other discussion? Just a brief comment, Commissioner Holian, and I believe I made some remarks at the prior discussion that we had. At a future meeting, maybe a few months

from now, maybe three months from now, if we could get a presentation that provides some background to the science of what it takes to actually utilize that methane in a more efficient manner and potentially garner royalty revenue that you suggested in your resolution I think that might be helpful. As I said in the previous meeting San Juan County has been one of the most strapped financially counties in the state of New Mexico and so I'm supportive of the move that they may actually begin continuing to extract natural gas from that region. But if we can utilize that methane instead of burning it off I'd like to understand what that entails from all perspectives, from a broad representation of people. So maybe that's something we can hear about in three months, and Mr. Shaffer, maybe you can get us some information as well and help with that. But I appreciate the resolution. There's a motion and a second.

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

III. C. 4. Resolution No. 2015-52, a Resolution Requesting a Budget Increase to the Fire Impact Fee Fund (216) to Budget Impact Fees Received for the Agua Fire District to be used for the Purchase of a Mini-Pumper Apparatus / \$200,102

DAVE SPERLING (Fire Chief): Thank you, Mr. Chair, members of the Commission. We're requesting your approval to budget some fire impact fee monies in the amount of \$200,102 for the Agua Fria Fire District to purchase a mini-pumper apparatus. This mini-pumper will be utilized throughout the Agua Fria District and the western region to improve our ability to access all areas of the region, in particular in the district. And it will be used primarily by our career crew stationed at the La Tierra Substation. For your information they are currently using an older brush truck to provide fire, rescue and EMS services, and it's not particularly suited to their purposes.

This new mini-pumper is much more suited to what they need for these purposes and will greatly enhance their capabilities. So with that I stand for any questions you may have.

CHAIR ANAYA: I'm going to go to Commissioner Chavez and then Commissioner Roybal for this item that affects all of the county but in particular their districts. Commissioner Chavez.

COMMISSIONER CHAVEZ: It's one step at a time, right, Chief? One district at a time.

CHIEF SPERLING: Mr. Chair, Commissioner, absolutely.

COMMISSIONER CHAVEZ: So I just want to congratulate staff and just point out that we're lucky to have at a minimum the fire impact fee to help us to buy some of the equipment that we need to do the work that's required of staff. So I'd like to move for approval, Mr. Chair.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Chavez, and if you would, Commissioner Holian, defer to Commissioner Roybal, if you would. That's his district if that's okay.

COMMISSIONER ROYBAL: Yes, I would second as well, but I did want to say that the proper equipment that you guys need to get the job done is something that we really shouldn't spare that expense so I would agree with that. I do have a question on the fire impact fee. Where is that – is that charged to building permits or – where does that usually – do you know that?

CHIEF SPERLING: Mr. Chair, Commissioner Roybal, it's a fee that's charged during the permitting process through the County by the Fire Department. It's levied on residential and commercial construction, new construction in a particular fire district. And the funds that are collected go to that particular fire district for capital outlay purposes.

COMMISSIONER ROYBAL: Okay. Thank you.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Commissioner Roybal, that prompted just another question, because I know that the \$200,000 is coming from the fire impact fee fund, but I'm hoping that there's a balance on that fund still to do other things.

CHIEF SPERLING: Mr. Chair, Commissioner Chavez, there is a balance overall on our County fire and rescue impact fee fund.

COMMISSIONER CHAVEZ: Do we have a ballpark on more or less what that might be?

CHIEF SPERLING: Not off the top of my head, I don't, Commissioner. I can get you that information though.

COMMISSIONER CHAVEZ: Or, well, you could include that in your report for next month.

CHIEF SPERLING: Absolutely.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioners. Commissioner Roybal, do you have anything else?

COMMISSIONER ROYBAL: No, sir.

CHAIR ANAYA: There's a motion and a second. Is there any further discussion or is there any comments on this from anybody in the public? Seeing no comments.

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

V. C. 5. Resolution No. 2015-52, a Resolution Requesting an Increase to the Road Projects Fund (311) to Budget Three (3) Grants from the State Department of Transportation for the Pavement Improvements of Various County Roads in Santa Fe County in the Amount of \$287,164

CHAIR ANAYA: Ms. Jaramillo, do you have a list of the roads with you? Mr. Martinez, I'll let him speak to that when we get there. Go ahead, Ms. Jaramillo.

MS. JARAMILLO: Mr. Chair, Commissioners, this budget resolution is requesting to budget three grants that were received by the County from the Department

of Transportation for the rehabilitation and improvement of various County roads. The three grants total – excuse me, individually are \$136,221, \$70,984, and \$79,989. Each of these grants has a match will be budgeted out of the capital outlay GRT and that was approved as part of the overall capital financing plan and I stand for questions.

CHAIR ANAYA: Thank you, Ms. Jaramillo. That's over a quarter of a million dollars. Mr. Martinez, if you could just provide a snapshot for the Commissioners and for those listening in here as to the roads.

ROBERT MARTINEZ (Roads Division): The three LGRF grants – Local Government Road Fund grants, will include two inch asphalt overlays on County Road 113, Evergreen Lane, Boneyard Road, and Cañada Village Road. If you recall some time back we gave you a presentation on PASER rating and the level of condition that we're trying to keep our County roads at. A brand new road is 10 and number one is needing construction. These roads rank, have a PASER rating of 4s and 5s, so our goal is to keep them as close to 10 as possible. Our County average is about 6, so with these improvements it will bring them up to a 10.

CHAIR ANAYA: If you could just provide the communities that the roads are in. Cañada de los Alamos is one.

MR. MARTINEZ: Cañada de los Alamos. Evergreen is in Pojoaque area. Same thing with County Road 113, Boneyard Road is in Arroyo Seco.

CHAIR ANAYA: Thank you, Mr. Martinez. What's the pleasure of the Board? Commissioner Chavez.

COMMISSIONER CHAVEZ: I just want to mention that even though some of these projects may not be in our particular district I do think that the PASER report and the criteria that you're using to move these road projects up on the list is working and I think in time everything will come around and I hope all of the needs in all of the districts will be met. Again, this is a grant. It's a 25 percent grant. So could you touch on where the matching funds are coming from? Because I think it's taxpayer dollars but it's still grants come with a match and so if you could explain that to the public a little bit more.

MR. MARTINEZ: Chairman Anaya, Commissioner Chavez, this grant, as Carole stated, is coming out of the capital outlay GRT. Typically every year we try to set aside a budget of \$100,000 or so for this match because these three grants typically are received from the NMDOT every year.

COMMISSIONER CHAVEZ: And the match would come from general fund?

MR. MARTINEZ: Mr. Chair, Commissioner Chavez, it comes out of the capital outlay GRT.

COMMISSIONER CHAVEZ: Capital outlay GRT. Okay. Thank you. And that's the set-aside money that you have for each?

Commissioner Roybal: Mr. Chair, Commissioner Chavez, that's what we've been doing lately is trying to budget around \$100,000 every year in anticipation of these grants that are awarded to the County.

COMMISSIONER CHAVEZ: And that's been working so far?

MR. MARTINEZ: Mr. Chair, Commissioner Chavez, I've been with the County almost 20 years now and for 20 years we've been receiving these grants

faithfully.

COMMISSIONER CHAVEZ: And the money set aside is adequate to meet the match requirement?

MR. MARTINEZ: Mr. Chair, Commissioner Chavez, that is correct.

COMMISSIONER CHAVEZ: Good. Congratulations again.

MR. MARTINEZ: Thank you.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Roybal, do you have anything?

COMMISSIONER ROYBAL: No. I would like to move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Roybal, second from Commissioner Holian. And I would just say that I always like to, especially when we're talking about large sums of resources that ultimately are tied back to public dollars, Local Government Road Fund, as Mr. Martinez said, has been touching projects in every district throughout the county for many, many years. I'd just like the public to know where it's going now. But it's a cycle. It's continuous and dynamic and it moves from district to district but I congratulate staff and those communities on getting these improvements. Any further discussion?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I just want to say thank you. I know the people in Cañada de los Alamos are going to be very happy.

CHAIR ANAYA: I would agree. I was just up there the other day and these are some needed works. I also just want to tell Mr. Martinez that his crews have been doing some patching on our chip seal roads and it's needed to maintain and do that preventive maintenance. I'm appreciative for those efforts of the crews throughout the county on making sure that we keep up as best we can on our maintenance. So thank you. There's a motion and a second.

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

CHAIR ANAYA: We're going to take about a ten minute break and what I'd like to do is – is that okay with you guys? Commissioners? We're going to take a break. I would like to acknowledge former Commissioner Jose Varela Lopez with us today. Thank you for being here. I know you're going to be doing a presentation here shortly, so thanks for coming.

[The Commission recessed from 3:35 to 3:55.]

III. D. Purchasing

1. Request Approval of Firestik Studio Agreement No. 2014-0237-HHS/PL Amendment No. 1 to Extend Term and Increase Compensation by \$150,000 for a Total Amount of \$280,000 Inclusive of GRT to Design and Implement DWI Public Awareness Campaigns

COMMISSIONER STEFANICS: Mr. Chair, the family isn't about but as soon as they arrive we'll let you know.

CHAIR ANAYA: Mr. Taylor.

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. We're here requesting the first amendment to the agreement with Firestik Studio for the implementation, DWI public awareness campaigns. DWI program was very satisfied with this firm's product last year and would like to extend that contract and increase the amount to the \$150,000. With that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Questions or comments? What's the pleasure of the Board?

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

CHAIR ANAYA: There's a motion to approve from Commissioner Stefanics.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second Commissioner Roybal. Any further discussion? Seeing none.

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

III. D 2. Request a Modification of the Cost Criteria Requirement Pursuant to Section 34, L.2 of Resolution No. 2006-60, Santa Fe County Purchasing Regulations and Policy Manual Regarding the Design-Build Delivery Method to Allow the Purchasing Division to Reduce the Weighted Percentage of Cost from 60% to a Maximum of 40% of the Evaluation Criteria for the Public Safety, RECC Facility Upgrade and Improvement Project

MR. TAYLOR: Thank you, Mr. Chair, Commissioners. I'm here before you to talk about the County purchasing regulations policy regarding design-build. We came to the Commission in December last year requesting your approval to move forward with the design-build delivery method. This is a best value procurement. It's different than your typical IFB where you're going for lowest price. This is a best value delivery. In our regulation it stipulates that one of the criteria factors in deciding the best

firm to award the contract to for design-build that the cost value be a minimum of 60 percent. Industry standards and the recommendations for best value, this defeats the objective of that delivery and putting – if you go more than 50 percent weighted on cost you're pretty much defeating that objective of getting best value. There's a risk of the offeror giving you not so good a delivery product, comes in with a low cost, and could be selected based on the points.

So without getting too much in the weeds I'm asking for the Commission to allow for this particular procurement on the design-build for Public Safety to allow us to weight the cost factor at 40 percent maximum. I'll stand for questions.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, I'd like to make a motion to approve and then have some discussion.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion, Commissioner Chavez, second Commissioner Holian. Commissioner Chavez.

COMMISSIONER CHAVEZ: So Mr. Taylor, if you could, draw a distinction between design-build and why it's better than starting from scratch. Does that mean we're buying components instead of doing concrete forms onsite and maybe you could explain that a little bit more.

MR. TAYLOR: Mr. Chair and Commissioner Chavez, the design-build is an alternative delivery method that is based on best value for construction in this particular case. Typically, the procurement code requires that everything be competed on an invitation for bid, lowest cost. When there's a determination where it's in the best value of the owner to do a best value you have – what basically you have is an RFP or competitive bid proposal where you are qualifying bidders. They are coming in with their experience, their capacity. They're giving you a project management approach to the construction project, and then one of the weighted criteria is a separate, sealed bid of the cost of delivering that.

COMMISSIONER CHAVEZ: So does it talk about the components that they would use in the actual building of a facility or a bridge or anything like that?

MR. FLORES: Mr. Chair, Commissioner Chavez if I may, a design-build allows us to run parallel tracks with both the design and the construction, rather than doing the traditional method which is design first and then build. And a best procurement methodology will allow us to run those parallel. So there's not – it doesn't take away from a construction project. It allows us to run two processes parallel at the same time.

COMMISSIONER CHAVEZ: So that's where your efficiency is, in managing the project and designing and flushing out any flaws in that design.

MR. TAYLOR: What we do, Commissioner Chavez, is we will provide in that RFP what you call design requirements. It's not getting into the detail specifics of a construction project. It's getting you, for instance, the HVAC system needs to be able to be capable of this load, lighting, energy, just basic performance. Not basic but design – what they call design requirements. We put that in and then a construction contractor teams with an architect and they come to the County with their design solution and a cost. And you select and you have architect and contractor working together. You don't have the finger pointing. It's a best value delivery.

MR. TAYLOR: And the owner has the opportunity to negotiate. You have the opportunity to pick and choose a best delivery solution for the project.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Thank you, Mr. Taylor.

CHAIR ANAYA: Thank you, Commissioner Chavez. Any further discussion? Seeing none, there's a motion and a second.

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

III. D. 3. Request the Approval of Amendment No. 4 to Agreement 2011-0224/CSD/MS with INTERA. TABLED

III. E. Miscellaneous

1. Request Approval of Amendment No. 1 to Enhanced 911 Grant Agreement No. 15-E-11 with the New Mexico Department of Finance and Administration to Increase the Grant by \$717,430.00 for a Total Grant of \$1,199,430.00

KEN MARTINEZ (RECC Director): Thank you, Mr. Chair, members of the Commission. This grant is to increase the amount of the money that we'll take from the 911 fund to replace our existing telephone system and upgrade it to a newer version of our 911 telephone intake system. So the last one that we had is at the end of cycle. It's on a four to five year replacement schedule, and Santa Fe County, the RECC was up for replacement of its phone system this year. So we put in for it. It was approved by the Board of Finance and now we're ready upon execution of this amendment to begin work, probably by April or May.

CHAIR ANAYA: So, Mr. Martinez, what does this system give us that we don't have not?

MR. MARTINEZ: Mr. Chair, not really anything new, other than upgraded functionality, newer systems, faster systems. We have the ability to track the location of the caller. It provides everything that we already get, just a newer system.

CHAIR ANAYA: Is there any questions or comments of Mr. Martinez? Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Mr. Martinez, in the memo it states that the amendment reflects additional funding in the amount of \$717,430. It has been approved by the Board of Finance to replace the 911 telephone equipment for the Santa Fe Regional Emergency Communications Center. This increases the total amount from the grant to \$1,199,430. So would the amendment – is it really a dollar amount that we're amending this agreement? Is that really what this is speaking to?

MR. MARTINEZ: Mr. Chair, Commissioner Chavez, yes, sir, it is. The original amount is the amount of money that we pull from the fund on a regular basis yearly to pay for our network costs, training, all of the things that the 911 fund covers for the center regularly on an annual basis. The increase amount is just the amount solely for the replacement of the telephone equipment.

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

CHAIR ANAYA: Thank you, Commissioners. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Martinez, I would just like to say good work. This is really a significant amount of money. I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion, Commissioner Holian, second from Commissioner Chavez. Under discussion, Commissioner Roybal.

COMMISSIONER ROYBAL: I too wanted to say thank you, Ken, for bringing this forward. When it comes to saving lives, staying ahead on the cutting edge of technology, it will pay itself back two-fold. So I appreciate that. Thank you.

CHAIR ANAYA: Mr. Martinez, when I first called you it seemed like you were a little surprised. Did I catch you by surprise?

MR. MARTINEZ: No, sir. I just wanted you to think that I wasn't prepared.

CHAIR ANAYA: Thank you, Mr. Martinez. There's a motion and a second.

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

VIII. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Administrative Services Monthly Report**
- F. Community Services Monthly Report**
- G. Financial Report for the Month Ending**

CHAIR ANAYA: Before we go to the next item I am going to move to ask the Commissioners, under item VIII. Informational Items, are there any specific reports that the Manager or Commissioners would like to pull at this time or is the information contained in the reports sufficient? Is there any items? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I would like to know from Mr. Sedillo if we are submitting – I have asked – I'll start with Ms. Miller. I have asked Ms. Miller to work with a couple departments, and it's Rachel O'Connor and Mr. Sedillo, on submitting innovative programs to NACo for awards and the deadline has either passed or is coming up and I'd like to know what we've done.

CHAIR ANAYA: Mr. Sedillo.

PABLO SEDILLO (Public Safety Director): Mr. Chair, members of the Commission, we have worked on that grant and I think it's April 4th?

COMMISSIONER STEFANICS: It's not the grant; it's the NACo award.

COMMISSIONER STEFANICS: It's not the grant; it's the NACo award.

MR. SEDILLO: Yes. We have already submitted that.

COMMISSIONER STEFANICS: You have submitted it. Could you tell everybody what we submitted or the program idea? You can just verbalize it.

MR. SEDILLO: Actually, we submitted – this is in recognition of different programs in art. We have submitted that. I don't have it in front of me the actual submittal of that awards for NACo. But I know that we have submitted it. Unfortunately, I don't have it in front of me.

CHAIR ANAYA: Mr. Sedillo, maybe you could get some information and I'll have you come back up in a little bit and you can give us a little more information.

MR. SEDILLO: I can do that real quick.

COMMISSIONER STEFANICS: That's fine. And then is Rachel O'Connor or Patricia here?

CHAIR ANAYA: I saw them earlier.

COMMISSIONER STEFANICS: Basically, Mr. Chair, I had asked Ms. Miller and the staff to submit to NACo, separately, for a national award that would be presented this summer at the annual conference about our drug treatment work with pregnant women and how it's a collaboration between the hospital, the County and La Familia, in terms of saving the babies' lives, and secondly our Corrections program for the people in our jail making CDs and reading books to their children on the CDs. I thought those were noteworthy programs and you just never know when somebody is going to get an award. So I feel that those are two outstanding programs that we should submit to NACo and I had asked the staff to do that. Thank you.

CHAIR ANAYA: Ms. O'Connor's here if she'd like to comment.

COMMISSIONER STEFANICS: So, Rachel, the question is, did your department submit anything to NACo for the award program? I think the deadline is either passed or coming up.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, Commissioner Stefanics, I'm sorry to miss your question. We have not to date submitted anything to NACo but I believe – actually we had a discussion about it. I'm sorry I wasn't prepared to answer the question.

MS. MILLER: Mr. Chair, Commissioner Stefanics, I actually sent – there was a deadline I sent all the directors for about four different programs because also Bernadette Salazar was doing some and reminded them all of the ones that they needed to have in by the deadline. I don't know what the actual deadline is, but everybody also responded back to me that they would be submitting them and they would have them ready, that they were working on them and would have them all ready. So I'll have to go pull my email, but both Pablo, Rachel and Bernadette were all on an email probably two weeks ago as a reminder for the NACo awards and that deadline and the responses were that we were submitting for those. So I believe that we have submitted for them.

CHAIR ANAYA: Thank you. Now, under the theme of putting staff on the spot, Bern.

BERNADETTE SALAZAR (HR Director): Mr. Chair, Commissioner Stefanics, I did verify that the deadline to submit for the awards is April 10th, so I think we still have some time, and we are going to be submitting for an award in HR for our

wellness program as well. Thank you.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics and staff and I think those are very noteworthy awards that we should try and attain. So thank you, Commissioner Stefanics. Other questions or comments of staff relative to the reports? There are none, so Ms. Miller, what's your desire as to those remaining staff?

III. E. 2. Presentation and Request of Direction on Proposed Shuttle Service to Santa Fe Ski Area

COMMISSIONER CHAVEZ: I would have Mr. Flores walk us through the presentation and then I may have a few additional remarks.

MR. FLORES: This is a subsequent item that was discussed at a previous Board meeting relative to the NCRTD Ski Basin route. It actually comes under a different title now and the discussion at the Board and the presentation last time, there were a lot of unanswered questions, a lot of them dealing with other commuter routes that were priorities of the County as well as funding mechanisms and how we would move forward. The specific request from Commissioner Chavez was there was to be dialogue with the Ski Basin itself and providing a cash contribution to this project rather than a rebated or a reduced lift ticket fee for services at the Ski Basin over the winter.

Subsequent to that meeting the City Council has enacted a resolution and redirected some of their funding for this program back on March 11th basically where they designated \$25,172 to this pilot project for the period of one year. That is a significant reduction in the amount that was originally requested from both the City and the County which was upwards of around \$50,000. So based upon the revisions to the cost and the contributions from the public and private partners we are before you today to once again elicit direction from the Board of County Commissioners on this – I believe now, Tony, it's called the Mountain Trail Route? Mountain Trail Route is the official title. So with that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: So, I'm going to go to Commissioners in a second but before I do I want to restate some of the things that I've stated and I think other Commissioners have stated them as well. I appreciate very much that staff went back and did some work and we also received feedback from the City of Santa Fe but one of the items that I've continually said over and over and over again since I've been a Commissioner has to do with the commuter route component. So I'm going to say this upfront because I want to be completely straightforward. Before we make any financial considerations I want to make sure that we've carefully evaluated those commuter routes. Commissioner Holian had a commuter route that we wanted to get some more background on relative to Glorieta and then we were still evaluating the work that we're doing to modify the route in Golden and Madrid. Also, we've had discussions about the loop into La Cienega that goes now the National Guard and the Correctional facility and the jail about looping into La Cienega. So do you want to comment on that now? Or let me just put that out there for now, because those are things that I want to come back to and I'll go to Commissioner Chavez as our representative on RTD.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I think that those are

valid questions. I would state that my hope in bringing this forward is that because it is a public-private partnership it should not take anything from the other routes. If the other routes need attention we can continue to work on that, but this special route has its own funding source through a public-private partnership and it's fare-based. It will be a \$5 fare to ride the bus up the mountain and back down. And the public-private partnership would be \$25,000 from Rio Metro, about \$28,000 from the City. RTD will be providing the four-wheel drive bus. Ski Santa Fe will be providing \$15,000 plus \$5 off the lift ticket. Originally, that was the only offer that Ski Santa Fe had made.

I've gone back and forth on this over the last year and a half. My first question is why are we doing this for Ski Santa Fe? What do we get out of it? And I took the position that because it was in the RTD's service plan but not funded I would stay open to the concept of having a safe shuttle up and down the mountain if and when the other entities were willing to make a financial contribution. And I see that happening now. And so there really isn't a lot to hold me back from encouraging us to do this because there's a lot of benefits. You would reduce the number of vehicles up and down the mountain. You would have fewer emissions. I think it would be safer. And so there are a lot of benefits to doing this and so, yes, there would be a financial contribution that I would be asking the County to make but I'll do that as the discussion progresses. So I'll yield the floor to others, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I am supportive of contributing County funding towards this shuttle service. I think it really makes sense in a lot of different ways. A major way is there will be fewer vehicles on that ski hill road and that will make that ski hill road safer. There will be less emissions as Commissioner Chavez pointed out. There's less stress on the parking. Also, what I think is really great about it is it's going to operate in the summer as well as the winter. So that means that there's a real important economic development component to this, because it means that mountain bikers can get up into that area to go mountain biking. We have actually identified that as one of the activities that we really want to encourage in our area.

Of course the major question is who's going to pay for this and I think that we have a really good partnership here in coming up with the total funding that's required for this. It includes Ski Santa Fe, the Rio Metro RTD and I guess the NCRTD is going to contribute a vehicle at least, maybe some funding as well, and also the City Council. And I think it's only appropriate for the County to be part of this partnership. So thank you, Commissioner Chavez, for bringing this forward and I am supportive.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I have some questions. I was informed that perhaps if we decided to this our share of the funding would come out of the economic development funds, so I'd like for David Griscom to come forward. First of all, David, is that your understanding?

DAVID GRISCOM (Economic Development): Mr. Chair, Commissioner Stefanics, that was not my understanding but I'm sure that we could make that work.

COMMISSIONER STEFANICS: Well, I was just told this a few minutes ago so apparently I'm getting double stories. The other question I have and as our

economic development planner you would have the answer to this or struggle with one. What would be our return on investment? What do we gain from this financially if we invest in it?

MR. GRISCOM: Mr. Chair, Commissioner Stefanics, we, several months ago passed a resolution to achieve IMBA gold status and one of the requirements in that resolution is to provide downhill specific mountain biking experiences. So if we actually had a shuttle to the ski area we would be able to provide one-way traffic down the Windsor Trail, and other trails, the Rio en Medio as well for mountain bikers who only want to do one-way traffic. We could promote the region from that standpoint and it would enable us or at least allow us to get a little further down the road toward that IMBA gold resolution.

COMMISSIONER STEFANICS: So, Mr. Chair, David, what I'm also asking is, how do we gain from gross receipts taxes from the ski area? Most people stay in town. They don't even stay in our county-located facilities. So could you expand upon that a little bit?

MR. GRISCOM: Mr. Chair, Commissioner Stefanics, so there have been several studies done on the economic impact of mountain biking, in fact hundreds of studies done on the economic impact of mountain biking, and the average daily spend of mountain bikers is between \$105 and \$125 per day. So these are tourists, essentially, coming into town, staying in hotels. Where they stay, county versus city, obviously the vast majority of them are going to be staying in the city. The County does reap benefits from GRT generated in the city. The City charges 8.1875 percent, of that 8.1875 we get I believe it's 1.25 percent. So there is an economic impact even if they're staying in the city.

COMMISSIONER STEFANICS: So, Carole, I see you came forward. Mr. Chair, Carole, I'd like to ask you a financial question about the GRTs that might be coming from tourists, and maybe it's not broken down like this at all. But does the influx of tourists during certain seasons affect our pattern of revenue?

MS. JARAMILLO: Mr. Chair, Commissioner Stefanics, we do see fluctuations in our GRT collections that tend to go along with when our high seasons are. For instance, we'll see an increase in our collections for the months when Spanish Market takes place or the month when Indian Market takes place. So you can definitely see those cycles and patterns in our GRT collections.

COMMISSIONER STEFANICS: So you have no way though of being able to project any increase in revenue from a vehicle traveling up and down the mountain with tourists.

MS. JARAMILLO: Mr. Chair, Commissioner Stefanics, that would be pretty much impossible. We don't get taxpayer specific information from Tax & Rev when it comes to our GRTs and it would be part of a larger category that is broken down by Tax & Rev for the different industries that pay gross receipts tax.

COMMISSIONER STEFANICS: Okay. Thanks. I have a few general comments, Mr. Chair. One is that I am really looking for commuter availability on Highway 14, not in the middle of the day but for commuters, and I do definitely see the environmental positive impacts of this vehicle going up and down the mountain. It will mean less purchase of gas, but it will save our environment. And I'm not really sure – it

might help our reputation with the level for mountain biking. But I'm not really sure this vehicle is really going to benefit Santa Fe County. So I think that I will listen to everybody else, and I really still have not heard a commitment to hammering commuter services in other parts of our county. And I thought that's what the RTD was about. And I also now wonder – I don't care if it's a little amount of money. We could spend that little amount of money on many, many things here at the County.

For example, we did away with our summer intern program a few years ago. All we would need is \$40,000 to put that back in place. So every time we talk about putting \$25,000 or \$30,000 or \$50,000 out, we just knocked out another service project. So I just want us to make sure that we're not moving our goals for our commuter routes backwards by moving ahead with requests such as this. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Chavez.

COMMISSIONER CHAVEZ: I apologize for speaking and throwing staff under the bus, but economic development fund was one possible funding source for this special route. And in defense of RTD, and I want to ask Tony Mortillaro to come forward if I could, Mr. Chair, because I think the North Central Regional Transit District is about commuter service, but I think it's about a little more than that because we have a tourism component that, like it or not, we cannot ignore. I don't want to promote tourism just for tourism's sake but tourism is a big part of our economic engine. So, Tony, if you would come forward please and just briefly talk about RTD, our commuter routes and some of the special standalone routes that RTD has been able to incorporate into our service plan, similar to this shuttle service to our Ski Basin here in Santa Fe.

ANTHONY MORTILLARO: Mr. Chair, Commissioners, my name is Anthony Mortillaro. I'm the executive director of the North Central Regional Transit District and I want to respond to a few things I've heard today to sort of add some clarity to that. First of all I heard about Golden and Madrid. I'm pleased to tell you that as of March 16th we did start a route, a service to Golden. It's run two weeks now. It's one day a week. It's a six-month trial route and in fact I had to ask Mr. Morales to see if he could dig up a list of mailing addresses out there so we can do some direct mailing to those folks to make sure they're fully aware of that and encourage ridership. And Madrid has been part of the 599 route which is now called the Turquoise Trail Route, and that's probably been in place for almost a year now. So new services have been added, specifically to those areas.

La Cienega is within our five-year plan and I know it's on the County's adopted transit plan.

CHAIR ANAYA: If you could, I really appreciate your comments and I'm going to make some additional ones, but could you elaborate on what has been happening with the Madrid route? Because I think that's the distinction that Commissioner Stefanics is drawing is there's a difference between what happens from Eldorado to Santa Fe and Edgewood to Santa Fe and up north to Santa Fe and that particular route. So could you just – just so I'm clear because there are some things that happened that I wasn't aware of that I'm pleased with but can you make the distinction as to what happens with the route from Madrid? When it goes and what it does and what we're trying to evolve to, which I'm in concurrence with my colleague that it's a full-blown commuter route. Where is it

at exactly?

MR. MORTILLARO: Mr. Chair, the Madrid route is not a commuter portion of it at this point in time. The Madrid services commence shortly after basically the 599 services curtail and those are focused on connecting with the Rail Runner and then taking folks over to the Highway 14 employment centers there. What's happening then is the route starts into Madrid. It runs through that a couple times a day and then comes back and redoes the 599 area. So it's not – that Madrid route is not a commuter route at this point in time. It's one that we will look at how it could be reconfigured when we look at perhaps bringing in the La Cienega route and see what opportunities there are to redesign those routes for services and enhancing commuter services but it isn't now and it's one that will have to be looked at in the future.

CHAIR ANAYA: Just so I can track with the request that we're evaluating today. Is the request we're evaluating – and I'm understanding it as a pilot.

MR. MORTILLARO: That's correct.

CHAIR ANAYA: So if I'm understanding that as a pilot, does that pilot run sporadically on certain days, kind of like the pilot that goes to Madrid or is this pilot going to run every day? Which days would it run? This pilot that we're looking at today?

MR. MORTILLARO: Mr. Chair, the Madrid route is not a pilot route. Only the Golden one is.

CHAIR ANAYA: I understand.

MR. MORTILLARO: This service that's being looked at, it's being considered a premium service. Our five-year service plan that was adopted by the Board separates out those routes that are considered commuter routes where we don't charge a fare and potential future services that might be related to tourism and would be fare-based. This would be a fare-based route. It's an eight-month pilot and it would run seven days a week.

CHAIR ANAYA: Every day. Okay. Go ahead. I just wanted to get some clarity.

MR. MORTILLARO: Let's see – the other – and I'm fully aware of Commissioner Stefanics' concern about a commuter route for Madrid and the only comment I can make is that we'll be looking at whether we're going to be able to fund La Cienega this go-round during this budget. We're in the budget development process and we know that that's one that stands high in the County's eyes from a commuter standpoint at this point in time.

We don't have Glorieta area in our short-range service plan. There wasn't any comments about service to that when we were undertaking that process. That was back in 2014. Right now we're developing our long-range strategic plan and as I've indicated that's a primary area to be looked at in service. We had a public scoping meeting here in Santa Fe. There was probably about 20-some people that attended and I believe that area did come up during those discussions.

CHAIR ANAYA: If I could, I want to correct you and say that Commissioner Holian has brought it up on numerous occasions in these Commission meetings with all of our colleagues present and I'm still in full support of analyzing it, making sure it's carefully evaluated and at some point having the route. So I say that independently. I respect Commissioner Holian that she brought it forward, but I say that

independently that I'm still very much in tune with that perspective and maybe even having – and I know it entails analyzing another county but as well as looking at that Pecos corridor because Pecos is a bedroom community here of Santa Fe. So I want to just make sure that it's clear, completely clear well before 2014 on this bench by Commissioner Holian first but by me in subsequent discussions.

I'm fully supportive of that perspective for commuter service for Glorieta as well as from Madrid because it completes the package that I've said many, many times. It completes the package of providing all the communities and regional areas in the county that opportunity to have access to come commuter service. So I just want to make that point clear. Go ahead, Tony.

MR. MORTILLARO: I really don't have any other further comments. I'd be glad to respond to any questions.

COMMISSIONER CHAVEZ: Mr. Chair.

COMMISSIONER STEFANICS: I have another.

CHAIR ANAYA: Commissioner Chavez, then Commissioner Stefanics.

COMMISSIONER CHAVEZ: Thank you, Tony, I wanted to see if you could highlight other similar routes that RTD has been able to incorporate into the service plan that are similar to this but bring some of their own funding so that we're not impacting other routes.

MR. MORTILLARO: Mr. Chair, Commissioner Chavez, during the course of this year and because they were in our short-term service plan that the board adopted we are making a stop on our route from Penasco to Taos a stop at Sipapu only during the winter months, during the ski season. It's suspended during the summer. They had asked for weekend service and the board was very clear to them just like they have been about the Ski Santa Fe request and that is if you want service to that area on weekends you have to put money into it, otherwise it's not going to happen.

Similarly we recently took over the Taos Express, which was a route that ran on Saturday and Sundays and it was operated by the Taos Chile Line. We acquired that route through an exchange of other routes with them and we run that on weekends. We consider that a premium service and it's fare-based. It's \$5 each way. So those are the most recent modifications that have been made but again, those were within our updated service plan.

COMMISSIONER CHAVEZ: Thank you, Tony. Mr. Chair, if I could, I want to go back real quickly to staff, specifically Mr. Flores, because I did try to flush this out as much as possible, because I knew the dollar amount, even though it's \$25,000, I agree we could be doing other things with that money. Don't get me wrong. But I do believe that this would be a good investment on our part. We would be matching the other partners in the public-private partnership and so, Tony, could you talk about possible funding sources if the Commission agreed to this request.

MR. FLORES: Mr. Chair, Commissioner Chavez, you were correct in the discussion about economic development funds as was Mr. Griscom and his statements. However, what's missing in the equation is that the FY 15 budget which was approved by the Board of County Commissioners had specific economic development projects listed. Those did not encompass the entire budget that was approved by this Board. There was a set-aside within that budget that allowed for projects such as this. This project is

identified within the economic development plan that the Board adopted and approved. And from my perspective, the economic development fund, which has an 80 percent cash balance today of its original allocation by this Board, $\frac{3}{4}$ into the year, and that money drops in cash June 30th if not spent, that would be the most appropriate source of funding for this project. Does that answer your question, Commissioner Chavez?

COMMISSIONER CHAVEZ: That's adequate, and I was hoping that we could have done a fiscal impact report but the Finance Department has been busy trying to get their year-end budget done so I understand that. But I appreciate that, Tony, so that's the only other question I had right now, Mr. Chair, so again, I'll yield the floor.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Tony, thanks for coming here today. Yes, Tony RTD. The \$5 fee that people would be paying either each way or round trip, would the RTD be keeping that money?

MR. MORTILLARO: Mr. Chair, Commissioner Stefanics, yes. The winter fare is \$5 each way and those skiing would be able to take their ticket and get a \$5 discount on the ski charge. So we would be receiving \$10.

COMMISSIONER STEFANICS: Okay, so my question was, is the RTD going to keep the money?

MR. MORTILLARO: We're keeping the money.

COMMISSIONER STEFANICS: The second question I have, or comment, is that if in fact this program was successful I would not see a need to fund this, Santa Fe County to fund this a second year because of the receipts being gathered. So that would be my position if we move ahead to support is putting the caveat on for one year. Thank you very much, Mr. Chair.

CHAIR ANAYA: Mr. Mortillaro, you can respond and then we'll go to Commissioner Chavez.

MR. MORTILLARO: Thank you, Mr. Chair and I just sort of want to draw your attention to the evaluation summary at the very bottom, where we list the metrics for gauging success, and one of those was fare revenue generated decreases ongoing subsidies. And that's our hope that it ends up being a popular enough route that the subsidies from the local governments can be decreased or minimized extensively based upon that because fares are making up the difference. We won't know until we pilot that but hopefully that will be the case and that's one of those measures that I think we can all say the program is showing success and it's popular, what have you, plus we end up having to always put a second bus on the route because the ridership, that's the other measure of ridership as well. So we've thought about that and our first priority is to reduce the subsidy of the route.

CHAIR ANAYA: Thank you, Tony. Commissioner Chavez.

COMMISSIONER CHAVEZ: And Commissioner Stefanics, I totally support what you're saying and it has been our intent from the very beginning that this proposed service would be a public-private partnership and that the money requested would fund a one-year pilot project for eight months service. And if it doesn't work we pull the plug. But we're not going to know until we try it.

The other thing that the RTD discussed was a possibility of revisiting the ski

program for our public schools, and even though the RTD would not be a charter for those public schools but we ought to be able to figure out a way to shuttle our skiers from the public schools and private schools safely up and down and the mountain so that we don't have another Shuttlejack accident in the future.

So there's a lot of different components to this that could work if we're willing to give it the chance. And so Mr. Chair, I'm going to make a motion and see if my colleagues will support this, and the motion is that staff will negotiate the terms of an agreement with the North Central Regional Transit District for the development of a pilot project known as the Mountain Trail Route, and that the County would contribute an amount not to exceed \$25,172 for the project. Upon completion of the project, but no later than one year from today, if it's approved, the North Central Regional Transit District shall provide the Board of County Commissioners a report and analysis on the effectiveness on usage of the route. The only other thing I would add to my motion is that staff will determine the best funding source for this pilot project.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez, a second from Commissioner Holian. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think it says presentation and request of direction. It is under action items, but I don't believe it's totally clear to the public that we would have been voting on this today. So I just want to make that comment for the record. Thank you.

CHAIR ANAYA: Mr. Shaffer, are you comfortable with the noticing requirements that we've stipulated?

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Stefanics, I do think that the –

COMMISSIONER STEFANICS: Mr. Chair – sorry Greg. I wasn't asking Mr. Shaffer for an opinion. I was making a comment about the public. Thank you.

CHAIR ANAYA: I'm asking the question as the chair. Thank you. Mr. Shaffer.

MR. SHAFFER: Mr. Chair, generally speaking, New Mexico is a notice state with respect to agendas and the question is whether or not it puts the public on notice of the general topic to be discussed and I think as it's been interpreted this would comply under the Open Meetings Act. If there are concerns of the Board a way to address that would be to have the negotiated agreement with funding source come back to the Board of County Commissioners at a future meeting where they could take final action approving the terms of the service as well as the funding source.

CHAIR ANAYA: So, Mr. Shaffer, we typically do have a funding source identified and if there's anything I pulled from this we identified multiple funding sources, so I don't have any doubt we have the availability of a funding source but I don't recall ever having a situation where we really aren't sure which one it is. I don't know if you want to comment, Ms. Miller.

MS. MILLER: Mr. Chair, I was asked if we had funding. In our economic development plan we had this as one of the strategies and goals in our economic development plan. We also put some funding in the economic development budget for potential things in the plan that may come forward in this year. So I said, and I would

recommend that we use that funding that's in the economic development budget since this was part of the plan, but it was not decided by the Board of whether you wanted to do it. It was merely identified as a placeholder in the budget if you did decide to do it. So that's where the funding would come from if you decide that you want to do it, at least from my recommendation, because that's where I'd put it, when we develop the economic development budget for this year.

CHAIR ANAYA: Okay. Thank you, Ms. Miller. Tony, if you'd come to the microphone one more time. That Tony. And I'm glad you're here, Tony Flores too, by the way, that you showed up today. You'd probably be in trouble if you didn't with Katherine. Tony, So there's a new mid-day route that's been running to Edgewood.

MR. MORTILLARO: Yes, sir.

CHAIR ANAYA: Could you speak to that, to those listeners that are listening in and talk about the mid-day routes and what they're doing and what things are looking like associated with that? And I'm doing this for multiple reasons but a lot of things still aren't aware of the mid-day routes and I think it's an excellent tool for people that have to go to a doctor's appointment or have to do some other business in town that they don't otherwise need a whole day to wait for the commuter routes. Can you speak to that commuter route in particular and any others that you'd like to as well.

MR. MORTILLARO: Thank you, Mr. Chair and I'm glad you brought that up because one of the things that was recommended again in our short-term service plan that the Board adopted was consideration of a mid-day service to Edgewood. Because right now those Edgewood commuters, they come down in the morning and then they go back at the end of their work day and there may be a reluctance of people to utilize that service because there's no way to get back home if you have to get back home during the mid-day for whatever reason, medical or family or what have you.

So we modified our Eldorado route so it would provide a mid-day route service from Santa Fe all the way to Edgewood and that started on March 16th as well. And that is also a six-month pilot route. So I'm really glad that we had the opportunity to talk about that here today because one of the things we talked about today at my staff meeting was how can we get the word out further to folks in the Edgewood area that the mid-day service is available and they can avail themselves of it and what have you. So we're looking at some direct mailing into the Edgewood and Moriarty area to get the word directly to people at their homes.

The newspaper only reaches so far and I really don't know any other way then to send something directly to folks and give them the information about this route.

CHAIR ANAYA: Well, and I think this would go for any Commission district throughout the county, but I think we need to have a more cohesive communication or expanded communication between what we're doing here with our internet functions and our Facebook functions and whatever media that we're using to communicate information because in that part of the county it would probably behoove us to utilize the public radio station that's down in the region and even have staff go make brief presentations at the various meetings, at the Moriarty-Edgewood School District, the Town of Edgewood, City of Moriarty, just to get the word out.

So essentially, the bus – when does it leave from Santa Fe, more or less? And how quick is the turnaround when it comes back?

MR. MORTILLARO: Unfortunately, Mr. Chair, I don't have the schedule with me but I can get you that information.

CHAIR ANAYA: But essentially, it's going mid-day, it goes all the way to Edgewood in its normal route and has normal stops in all the same locations, both headed south and then back into Santa Fe. So presumably somebody could be going home and stay or they could go and come back, or they could be going mid-day and then coming back. Well, not coming back to Santa Fe but they could get back from Santa Fe home at the end of the day.

MR. MORTILLARO: Absolutely. You're correct, Mr. Chair.

CHAIR ANAYA: Okay. So the only other comments that I have, and then I'll go to you. Well, go ahead, Commissioner Chavez. I'll go to you.

COMMISSIONER CHAVEZ: No, you go ahead, Mr. Chair, and then I'll go ahead and I'd like to go back to the motion and see if there's support for that.

CHAIR ANAYA: What I wanted to say and I guess I would speak to you, Mr. Vice Chair, as our representative on the RTD is I think we have articulated as a Commission in a collective way that our priority is commuter service. And so I think we need to, as we're bringing creative presentations, and I have no doubt this is creative and brings in the private sector and creates fares, that we don't lose sight of that core mission of commuter service which I do think we provided some feedback on. So I would ask you, as Commissioner for District 3 and as the current chair if we could make sure in all our deliberations and dialogue with the RTD board that we continue to express that that has been our consensus point, that we want to see commuter service and that we are careful and cautious with expending dollars that don't move us in that realm. That's kind of where I'm at.

I think it's an opportunity to see what might happen and it may pan out to be a good investment. I just – it's a little concerning when we gravitate away from that commuter aspect. But I know there's multiple components and so I'm appreciative of the work but maybe we could roll in collectively how it might tie into future work on the commuter service area, which I know you've said that you carry that message and so I would just say that. Commissioner Chavez.

COMMISSIONER CHAVEZ: No, I appreciate that, Mr. Chair, and I will tell you that I'm committed to the mission statement of the RTD. That's the very reason, Mr. Chair, I held out until the last minute. I was not willing to commit a penny of the County's resources – and it didn't matter where that penny came from. I was holding back until I knew for sure that all of the other entities were going to make the same investment that we're asking the County to make. And everyone has done that. So conceptually I've agreed to this special route only if and when everyone else in the public-private partnership had made their contribution. And we're there now. So if I wouldn't have taken that position I would have just been focusing on the special routes and not the commuter routes. That's not what I've been doing.

We've been discussing this now for almost two years. Right, Tony? And I didn't make the promise. And so – but that's not to take anything away from the discussion. I think it's still something that should be at a minimum we should do on a trial basis. And so my commitment to the RTD is for commuter and to get people to and from doctor visits and things like that. That's its first charge; this is secondary. So you do have my

commitment on that, Mr. Chair, Commissioner Anaya.

CHAIR ANAYA: Thank you, Commissioner Chavez, and I would just comment to my colleague, Commissioner Stefanics, that I have the utmost respect for your request but as the Chair I do think we have an obligation to make sure we have fulfilled those notice requirements and that there's clarity with the public so my apologies if I came across a little strong but I did want to make sure that our counsel is comfortable with our process and that we've notice the public in a responsible way. We've had discussion; I see no further comment.

MR. SHAFFER: Mr. Chair, if I could, and it is on that point, just so that the motion is clear. Is it that you're directing staff to go negotiate an agreement and to have that agreement executed by the County Manager without further consideration by the Board, or is the expectation and is the motion designed to have that negotiated agreement come back to the Board for approval at a future meeting?

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I guess we've been discussing this now for about two years. Staff has a recommendation on where the funding should come from, but I will include in my motion that staff negotiate with the RTD, nail down a funding source and bring that back to our next County Commission meeting for final approval.

CHAIR ANAYA: There's an amended motion. Does the seconder accept the amendment?

COMMISSIONER HOLIAN: Yes.

CHAIR ANAYA: There's a motion and a second. Any further discussion? I appreciate the dialogue and the debate and the discussion and I think that we progress by having those discussions so with that I would entertain a motion.

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

CHAIR ANAYA: And, Tony, let me just pull you back for one last statement. For the public's continued knowledge, would you please state on the record what people pay to ride the blue bus throughout the North Central Regional Transit District?

MR. MORTILLARO: Mr. Chair, we are fare-free except for the Taos Express and in the near future the Mountain Trail Route.

CHAIR ANAYA: So with the exception of the two what I would call private entity functions, the vast – the rest of the routes are free.

MR. MORTILLARO: Yes.

CHAIR ANAYA: And how can the public access a listing of the routes and pickup times and drop-off times, so that they can ride? And just let people know, there's no questions when people enter the bus. They can get on and get off at any of those stops. Correct? Could you say that? Because a lot of times people aren't aware of or are familiar with public transit and maybe just have never done it. So could you just state for the public that it's free and what the process is to ride the bus?

MR. MORTILLARO: Mr. Chair, the service is free. There's no charge for ridership except for the two I mentioned, and by the way, I think you're going to think

that Chairman and I rehearsed this but as of March 16th we rolled out our smart phone apps. You can go on our site. You can get the routes on your smart phone or you can download an app from the Apple Store and it will take you to what's called the Blue Bus Tracker. And on that site you can pull down – it lists all the routes. You can simply click the route and it will show you all the stops. It will show you a little bus emblem. If you click on that bus it will tell you in real time where that bus is. If you click on the bus where you're at it will tell you the estimated time that it will arrive at your current bus stop. That was just recently rolled out. You can also go onto our website if you don't have a smart phone and then within the next month, at all of our bus stops there will be what's called a QR code. And that QR code, all you have to do is scan with your phone and that will bring up all that information I talked about. So we have entered the information age and we've been working on getting that rolled out for almost nine months. So just go to our website if you're not familiar with how to access it from the phone, but if you put in blue bus tracker on Google here it will take you to the website, or NCRTD, it will take you to the website and the first page you see is what do you want to do? Where do you want to go and just click the little icons there?

CHAIR ANAYA: So it's Windows-friendly as well as Apple?

MR. MORTILLARO: It's Windows-friendly as well.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, his a little disclaimer. I ride the RTD for free. I don't commute because I only live 15 minutes away so that might not do me too much good. But, when I can take a day off I can walk from my house off of Baca Street to the South Capitol Complex. I can pick up the blue bus to Ojo Caliente, free. I spend the day up there and I come back for free. So there are other benefits to public transportation, other than just getting people to and from work. And so there's a lot that RTD has to offer. I think you're right, Mr. Chair. We need to get the message out and we're working on that very aggressively, and I think Tony, we just celebrated our ten-year anniversary, about a year ago, right?

MR. MORTILLARO: September 2014.

COMMISSIONER CHAVEZ: So we've been in operation for ten years now and I can only imagine where the RTD will be in the next 15 or 20 years. So anyway, I just wanted to point that out, just for what it's worth and just thank you for being here, Tony.

CHAIR ANAYA: Thank you, Tony. Appreciate it. Thanks for coming and fielding the questions and providing the feedback.

MR. MORTILLARO: Thank you.

COMMISSIONER STEFANICS: Mr. Chair, the family is here.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

B. Matters from the Commission and Other Elected Officials

3. Presentation of a Proclamation Remembering and Honoring Linda Pedro for her Outstanding Contributions and Achievement for Disability Rights in Santa Fe County and the State of New Mexico

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and members of the Board. Commissioner Roybal and I have a proclamation to honor Linda Pedro who died – I don't know if it was about a month ago or six weeks ago, and her children – son and daughter-in-law, I believe, Daniel and Lynn Pedro came down. I understand they had a little family crisis this morning and I'm sorry about that very much. But Commissioner Roybal and I would like to read the proclamation. We also have a couple photos of Linda Pedro that we'd like to present on the overhead while we are reading, and then we have the proclamation framed in order to present it to the family and have photos taken. Thank you.

A proclamation remembering and honoring Linda Pedro for her outstanding contributions and achievement for disability rights in Santa Fe County and the State of New Mexico.

Whereas, Linda Pedro was born to James Allander and Reina Maria Martinez on April 6, 1946 in Colorado;

Whereas, Ms. Pedro is best known as a leader for the disabilities rights movement in New Mexico. She is also remembered as a mother and artist, a political candidate, a spiritual mentor, a community organizer, an environmental activist, and an advocate for the cultural traditions of northern New Mexico;

Whereas, in 1966, Ms. Pedro became disabled when her neck was broken in a car accident leaving her paralyzed with only partial use of her arms. She had been a passenger in an old Volkswagen beetle with her husband driving. Volkswagen had issued a recall due to a faulty steering column but they had not received the news. While they were traveling through Arroyo Hondo the steering column failed sending off the vehicle off a cliff injuring both;

Whereas, Ms. Pedro challenged the Social Services Department in federal district court to change the way in-home care was provided when the state threatened to put her son, Daniel, in foster care. In 1978 Ms. Pedro's case prevailed and she went on to stay in her home and raise her son. Her change to the way in-home care was provided became a national model;

COMMISSIONER STEFANICS: Whereas, from her home in Chimayo, New Mexico, Linda continued to campaign for disability rights but she never let her disability define the scope of her activities. She spent her life doing things she had been told were impossible which included her run for State Senate on the La Raza Unidad ticket, challenging the incumbent of Rio Arriba County, hosting countless Native American Church prayer meetings and founded the first non-native branch of the NAC, the American Church of God, pioneered recycling in Rio Arriba County as an environmental activist, organized her community to challenge drug abuse by bringing together people in a multi-faith procession from Española to the Santuario de Chimayo to protest the area's rampant drug abuse, being an Obama campaign coordinator, the Obámonos slogan was born in a campaign meeting in her living room, being a board member of the New Mexico Governor's Commission on Disabilities, raising her son Daniel and a half dozen other children who at various times came to live in the Pedro household, being an archivist, a chronicler and a storyteller who uncovered and preserved the history of both her family and community;

Whereas, most of all, Linda Pedro challenged prevailing assumptions about people with disabilities that a person with a disability couldn't be parent, would always be dependent and could not and should not make their own decisions. She redefined a person with a disability as being foremost, a person, with authority to make their own choices and to shape the world around them;

Whereas, Ms. Pedro, a long-time resident of Chimayo, attained her wish to pass away in her home;

Whereas, Ms. Pedro is survived by her husband Bobby Pedro, son Daniel Pedro, daughter-in-law Lynn, grandson James, granddaughters Courtney and Caitlin;

Whereas, Santa Fe County is saddened by Linda Pedro's passing on January 13, 2015 and would like to express their heartfelt condolences to her family, friends and colleagues.

Now, therefore, be it resolved that by this proclamation the Board of County Commissioners of Santa Fe County recognizes Linda Pedro for her activism, generosity, wise counsel, unquenchable sense of humor, since friendship and devoted love for her community, Linda Pedro, community activist. Approved, adopted and passed on this 31st day of March 2015, signed by all the County Commissioners and the County Clerk.

First of all I would make a personal comment after I move for approval of this proclamation.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I so move.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Stefanics, second from Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I was a personal friend of Linda Pedro and my partner and I knew her from the work that we did in the non-profit sector. But when I went to work for the State of New Mexico she made an appointment to come up to see me in the office that I held and she knew that I would see her and she came in her electric chair and she just shook her finger at me and she told me as a disability rights activist you don't forget about us. And when we ask for something you listen to us and you make plans and you do something about it. And so it was a very cordial meeting because we had known each other for years, but she made her point well known and we did not ignore her wishes. And I really applaud the chutzpah of this woman. There are several attorneys that took her case to court to make sure that her son was not taken away from her. And once a person becomes disabled it is very, very hard for them to speak up strongly for themselves and have other people listen. And in this case the attorneys had to do it for her in court.

CHAIR ANAYA: There's a motion and a second. Other comments from Commissioners. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, I just – I don't know how to say this but it's unfortunate that we recognize individuals like this after they've died but at least at a minimum it will let the family know that we appreciate the work that the individual, the sacrifices that the individual made, not only for the family but for the community at large. And so I just wanted to just point that out and then there was a portion of the proclamation where she ran against the incumbent and I would imagine that the

incumbent was Emilio Naranjo, right?

COMMISSIONER STEFANICS: He's saying yes.

COMMISSIONER CHAVEZ: And so I know that it's not easy to run against the incumbent but sometimes it's not about winning, it's about participating and sending the message. And I know that that's what Ms. Pedro did. It wasn't about winning or losing, but it was about embracing the challenge and the fight that we have before us. So my thoughts are present with you and your family.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I did not know Linda Pedro. I wish I did, however. She was clearly a remarkable person who worked very, very hard to make her community a better place. She had a terrible, terrible accident but she was one of those people who made lemonade out of lemons. Having a serious disability herself, she really knew firsthand what kind of help people with disabilities really need. So she could really be an effective spokesperson for those people in our community. And she really worked to make life better for all people who have disabilities in our community, in our state.

And clearly, from hearing the information in the proclamation, she took on many other social justice issues as well. So I am really pleased that we are here to honor her life. Thank you. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian. Thank you, Commissioner Roybal and Commissioner Stefanics. I echo the comments of my colleagues and stand with them to honor her work and to keep it front and center in our minds and our hearts as we move forward. So thank you. Would you like to say any words?

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

CHAIR ANAYA: The floor is yours.

DANIEL PEDRO: Mr. Chair, I know this for sure. My mother loved this community, northern New Mexico. We began our lives in New Mexico, in Santa Fe. We lived in Chimayo but she loved Santa Fe and I know that she would want me to say that as a community, as leaders, as a state, as New Mexicans, our work's not done and we all have to come together in some real way and that was always what my mom tried to do by involving herself in politics and working for the Governor and helping these people was to make sure that we all work together. I just want to say thank you to each and every one of you who were involved in this and my family. I'll take this honor back and we'll share it with all of our family and friends and I just want to say thank you once again.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: So, Mr. Chair, if we could go down and Commissioner Roybal will present it and we'll take photos.

[The proclamation was presented and photographs taken.]

V. A. PRESENTATIONS

**1. Presentation by Santa Fe-Pojoaque Soil and Water
Conservation District**

CHAIR ANAYA: So I'm going to go to former Commissioner Jose Varela Lopez and then I'm going to back to Matters of Public Concern but I'm going to go to Mr. Varela Lopez at this time. Commissioner.

JOSE VARELA LOPEZ: Good afternoon, Mr. Chair, Commissioners. Both myself and Alfredo Roybal, who's the chair of the Santa Fe-Pojoaque Soil and Water Conservation Commission are pleased to be here to give a little presentation to you regarding our Soil and Water Conservation District and our interactions with Santa Fe County and our constituents, especially those who happen to live below our flood control structures up in the Chimayo area.

So I know Commissioner Holian is aware of Soil and Water Conservation District as is Commissioner Anaya; I'm not sure about the other Commissioners, but what I'd like to do is just give you a very brief introduction to Soil and Water Conservation Districts and how they were formed. The Soil and Water Conservation Districts actually came out of the dustbowl days and they were formed to try and prevent soil erosion after the dustbowl. In New Mexico we got started in the late 1930s and our particular Soil and Water Conservation District was started – it was actually formed formally with the Secretary of State's Office on the 11th day of December of 1941.

As it turns out, which I did not know previously before finding this document, the chairman, Alfredo Roybal's father, Pablo Roybal, was actually one of the founders of the Soil and Water Conservation District way back when in 1941. And so in New Mexico we have 48 Soil and Water Conservation Districts, Santa Fe-Pojoaque being one of those. Our district is basically Los Alamos County, the northern 2/3 of Santa Fe County, and a little strip of Rio Arriba County where most of our flood control dams are actually situated. The purpose as described under New Mexico statute for the Soil and Water Conservation Districts is that the purpose of the district is to conserve and develop the natural resources of the state, provide for flood control, preserve wildlife, protect the tax base and promote the health, safety and general welfare of the people of New Mexico.

So it's political subdivisions like Santa Fe County, we are charged with what those needs are for our constituents in the whole area. So Alfredo will now discuss more about what we're here in particular for today, which is the flood control structures that we have in the northern part of our district.

ALFREDO ROYBAL: Thank you, Jose. Mr. Chair and Commissioners. I'm Alfredo Roybal, chairman of the board. Hopefully you've got a map that shows the area where our dams are located in Chimayo and you can see there are seven structures there and the populace below it. The Santa Cruz River watershed project was approved for installation of seven single-purpose flood retaining structure in August of 1959 and construction was completed September 1962. The seven flood control retarding structures have an aggregate capacity of 1,702 acre-feet of floodwater detention and sediment

storage, 1,143 feet of floodwater diversion and three degree basins.

Each of these structures was designed to store the 50-year sediment accumulation with a dry sediment pool. The dams were originally built for flood protection of agricultural lands below them, but over time, homes, businesses and other structures have been built downstream creating the potential for loss of life and property should these dams fail. The dams are inspected annually, but because of developmental encroachment they have changed from a low to a high hazard category rating by the State Engineer's Dam Safety Bureau, not because they are not safe but because of the increased population below them within the floodplain.

MR. VARELA LOPEZ: So, Mr. Chair, Commissioners, to follow up on what Alfredo just said regarding the inspections of the dams we do an annual inspection of every single one of the dams and it's basically a whole day of checking all of the structures, looking for any type of movement on the structures from the previous year, whether it's lateral or vertical movement of the earth. We look for erosion. We check all the ports on the structure that allow the water to be held there for a certain number of hours and then released at a slower pace downstream so that we don't have any impact on the farmland or currently on the homes and the infrastructure that's been built below those dams.

So that's a major part of what we do every year and obviously every year there's changes to those dams. Not significant normally, but we do have a lot of ATV traffic and four-wheelers that use those dams as recreational structures for them and obviously, that's of major concern to us because any time you have any type of disturbance on the face of those dams and then you have a rain that comes in afterwards you're going to start to get some wheeling on those structures and then it costs a lot of money to maintain the infrastructure in the way that it's proposed so that you don't have any type of catastrophic failure at any point in the future.

So on those dams we do go and check, like I say, every single structure very thoroughly and that's what helps us at the end of the year come up with a checklist of things we need to do to improve those dams or maintain them in their proper, functional working order. So that's the dams in general and I guess I should also mention that the dams as originally constructed were for a 50-year timeline and for basically a 50-year flood at the time is what they were built for. All of our dams are currently built for a 100-year flood event except for one which is Site 1, and you'll notice in your materials that there was a notice of public information meeting which we held recently in Chimayo. We had over 35 residents that live below that particular site come to the meeting and we were very heartened to see that many of them were totally aware of what the function of the structures were and they had the same concerns that we do with trespass on the structures and dumping of trash and ATV use, etc.

And so in regards to that particular site what we are proposing to do is bring that structure up to 100-year flood control structure. It's outlived its useful life. It was built probably around 1960 and so it's more than 50 years old now. To start that whole process normally it's the federal government and the terms of the Natural Resources Conservation Service who is a partner with the Soil and Water Conservation District who would start that process, but we realized at the time that they did not have any funding in

their small watershed control grant funding pool, and so what we did is we went out and we looked for some capital outlay money, \$150,000 is what we got at the time, and so we reversed the process and we started here at home instead of in Washington, DC. And we reached out to the Natural Resources Conservation Service and said can you start the plan and design for this dam because we realized that the sediment is pretty close to the top of this dam and we need to figure out how we can, in a short time period try and work on improving this dam and get it to have a renewed useful life of 100 years.

And so that's what we're working on right now and we've been doing that for probably over five years, I think, or seven years, since we started that process. Since then the Natural Resources Conservation Service has come up with some money from Washington, DC and they have taken over the continuation of that planning and design to its ultimate phase where we actually determine what it is that we're going to do with the dam. Are we going to be able to heighten the dam or are we going to remove the sediment? All those things that play into a NEPA process. So that's the stage that we're at right now. Right now, we believe that the cost is going to be somewhere between three and five million dollars to get that dam to be a newly functioning dam and normally, the federal government provides a cost share of 65 percent and the local sponsor which would be the Soil and Water Conservation District is responsible for another 35 percent.

So once we get those figures pretty much where we have solid figures we will figure out how to get our share of that money and to provide for that part of the construction. Normally we could go out for capital outlay monies or Water Trust Board funding or something like that but we'll see. Once we have a figure we'll see what that is and we'll have other public meetings as well as we move along in the NEPA process. And I just wanted to let you also know that in terms of funding for not only that dam but the other dams that we have as part of this process we're hoping that we'll be able to have a greater outreach with the constituency that lives below those dams and hopefully over time we will be able to get those folks to consider implementing what's known as a watershed district, which is allowed under our current governmental entity. And so by doing that we can in the future hopefully be able to get the monies from the people who are impacted and who are also protected by those dams to pay some of the money into a fund so that we can maintain those dams in the absolute best condition that we possibly can. So Alfredo will talk about our 2014 accomplishments briefly.

MR. ROYBAL: Thank you. I want to be brief and not take too much more of your time. You also have another handout, hopefully, listing the scope of work and accomplishments for 2014 by our Soil and Water Conservation District. And just briefly, a few that we accomplished are offering technical assistance and help to farmers along with the NRCS. We have different programs. One is phreatophyte control and restoration projects, mostly along watersheds. And there are several other Soil and Water Conservation projects that we assist with to help with erosion problems throughout the district.

I would also like to quickly address our annual budget. We are a pretty poor district compared to others here in the state. Our base funding consists of only \$14,000 annually that we receive from the New Mexico Department of Agriculture. Most of this money goes towards paying contractual services, risk management audits and insurances.

We do not have a mill levy as most other Soil and Water Conservation Districts have and so we don't have – we aren't able to ask our constituents for money that way. So we have very limited funding to perform any operations and maintenance on our dams. Also our board of supervisors, we have a five-member board and they all serve strictly as volunteers and receive no compensation.

We rarely ever collect any per diem for travel expenses or lodging, stuff like that. So we really are just a volunteer organization. I'll let Jose go ahead and close.

MR. VARELA LOPEZ: So, Mr. Chair, Commissioners, we are also elected officials, like you folks are. But to add on to what Alfredo is talking about in regards to the budget, although we only have \$14,000 in budget that we get we are very pro-active in the work that we do along with other Soil and Water Conservation Districts in pulling money together from a lot of different sources and I would estimate that we probably over \$200,000 on the ground in different projects that we get from grants and other Soil and Water Conservation Districts that we work with so we're not solely dependent on that \$14,000. That \$14,000 is what we have to operate with for our district's actual needs, but in terms of our constituents we do put a lot of money on the ground and we assist them, like I say, probably up to \$200,000 annually with that funding that we get from other sources.

So with that I guess I'd just like to thank you for your continued support of the Soil and Water Conservation District and our efforts to maintain our vital infrastructure, in this case the dams that we sponsor in the greater Chimayo area. And I did want to answer Commissioner Holian's question from the last time that we gave a presentation here. She was asking about earthquakes and movements of the dam and since they're all earthen structures they are susceptible to earthquakes but I'd also like to let you know that we do have equipment in the dams that would tell us if we had any movement from any seismic events and to date we have not seen that. So thank you and we'll stand for questions.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you very much, Mr. Varela Lopez and Mr. Roybal for the presentation. This is a topic that I'm very much interested in. Just recently on television I saw a program about bridges and dams in our country. A lot of them were built back in the fifties and sixties. In fact I think I remember that there are tens of thousands of dams in the country and many of them were built in that era and they're really getting to the end of the lifetime, the lifetime they were actually constructed for. So there is a real danger that some of them will fail. I imagine most of the other areas are keeping track of how their dams are doing and trying to repair them and so on, but if there was a catastrophic failure it could actually mean a lot of people's lives would be lost, not to mention property and injuries and that sort of thing. This would be a really, really serious accident.

And so one thing I would like to ask the other Commissioners to think about is building a certain amount of funding into our budget for the maintenance of these dams in our county. It really is a health and safety issue as far as I see it. And I believe that in the past we did provide some funding to the Soil and Water Conservation District and somehow that got lost in the last couple of years for one reason or another. But it seems

to me that if we were to build it into our budget, a certain amount per year, then that money could even be leveraged if you were applying for a grant, for example, because when you apply for a grant to the federal government you have to have certain matching funds but it would sort of increase the value of what we were contributing.

And I don't know how much would be a reasonable amount but I think it is appropriate for us to contribute some amount to it, because this really affects our county.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and thank you very much for coming to the presentation. And if you don't know the answer to my question I'll kind of punt it over to Ms. Miller. Do you have any idea of how many earthen and cement dams we have in Santa Fe County?

MR. VARELA LOPEZ: Mr. Chair, Commissioner Stefanics, I do not know. I know we have those seven structures and I know that there are other entities that own other structures that are probably smaller than the ones that we have. I know Santa Fe County has a few and I'm sure there's other entities that do as well that are just earthen structures like ours.

COMMISSIONER STEFANICS: Okay. Ms. Miller, do you have a handle on that?

MS. MILLER: Mr. Chair, Commissioner Stefanics, I don't know the exact number. I know that we do have a few dams. Like the Santa Cruz Dam is always one that we work with the state on making sure that that one's taken care of. We have – I know that Martin Vigil knows all the ones we have out there, an estimate of how many we have.

COMMISSIONER STEFANICS: Okay. Mr. Chair, the reason I'm asking is it seems to me that the state has some kind of priority set up for fixing earthen dams or standardizing them or making them concrete. Now, we all know we've had raging water in the past couple of years and so we have had some problems. And I guess besides Commissioner Holian's recommendation about putting this back into the budget to assist, I'm assuming that you all and other entities supporting dams have gone to the legislature to ask for support funding?

MR. VARELA LOPEZ: Mr. Chair, Commissioner Stefanics, yes. In fact I think we've submitted requests probably for the last seven years in a row and we have not been fortunate enough to get anything.

COMMISSIONER STEFANICS: Okay. So I'm not looking for a catastrophe, Mr. Chair, but it would seem to me that we might have to escalate the conversation there, that we really are probably the matching versus the largest amount of money that could support a dam, but I think it's important that we put it on our radar and our lists. Perhaps, if we have some issues that really come up during the spring and summer they need to get to the capital outlay priorities for the fall. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics, Commissioner Holian, and Commissioner Varela and Mr. Roybal I guess what I would ask is we absolutely have to maintain constant dialogue and communication and figure out how we can continually better collaborate. I can tell you as a Commission that we recognize the importance of Soil and Water Conservation Districts so much that we mandated in our

Water Policy Committee that we have membership from the Soil and Water Conservation District. So we've definitely made a prior commitment to work with you. And I guess what I'd like to learn more as we advance the discussion and keep it in front of us is that we look at the options associated with what other Soil and Water Conservation Districts have through their mill levies and then as Commissioner Holian and Commissioner Stefanics have said we figure out how to elevate that discussion and make sure that you have similar resources as does other districts.

So I guess just a straight up question. Are we in a position – why hasn't there been any mill levy associated with this Soil and Water Conservation District? Is it a statutory problem or what's the barrier associated there?

MR. VARELA LOPEZ: Mr. Chair, no, there's no statutory issue at all. Most of the districts that have a mill levy currently got those mill levies a long, long time ago, before there was a very large population, and the districts that have tried to do that in recent years that live in populated areas like this district, the votes are not there to make that happen and that's why I suggested in the presentation that long term, as we help educate the folks in the area, how they're being assisted by having those flood control structures protecting their property that we might at the appropriate time look to doing a watershed district, which would allow – it would be like a mill levy but it would only be for the specific area where the people that are being protected by those structures would be paying into a fund as opposed to a mill levy which would be for a much larger area, namely basically the whole district.

So this would be a targeted area that would be taxed because those people are the ones that would be benefitting from these structures.

CHAIR ANAYA: I would just add that I think we need to maintain that discussion and expand on it. I know that my experience and our experience as a Commission in this county has been that nobody stands in line to ask for new taxes and wants new taxes but when there's a very clear, direct correlation between their daily lives and a direct benefit Santa Fe County has been one of the most progressive counties in the state to step up to try and help fund those types of needs. So I think we need to have that dialogue, internally, Ms. Miller, if we could, and also with yourselves at the table and even taking into consideration what's happening around in the other Soil and Water Conservation Districts.

I think if you take those districts, Edgewood is a classic example, if you take Edgewood's district and the benefit that it has provided directly to communities, farmers, ranchers, watersheds, thinning projects, all those things that you're doing. I know you're doing. I want to highlight that. You're not standing with your hand out, not having demonstrated a track record. You as a district have aggressively sought out your own resources and been able to capitalize and do many projects and you need to be commended for that. But I think the time has come to have the broader discussion about potential resources, as Commissioner Holian brought up, from here, where we may consider it. But I think we need to go back and have that dialogue associated with a mill levy.

So thank you for the information. I would leave you with this. I know Representative Easley who passed on did some efforts as you know and you and I have

discussed in the Galisteo Basin. I've had some discussions with staff and I know they're working on some plans to figure out how to best utilize those resources that he set aside for that Galisteo Bosque. And so we want to continue to work with you and get your advice and partnership and help on things like that as well. So thank you.

MR. VARELA LOPEZ: Mr. Chair, Commissioners, we'd be glad to assist in any way that we can and thank you for the suggestions and I would like to invite you all to our annual tour of the dams, which we do normally towards the end of October, early November. We'll send out a notice to all of you if you'd like to join us, just so you can see what the structures look like and what O&M issues we have every year. So thank you for your time and your attention.

CHAIR ANAYA: Thank you, Commissioner. Thank you, Mr. Roybal.

MR. ROYBAL: Thank you for your time and consideration.

CHAIR ANAYA: We'll go ahead and take a five-minute break. I'm going to come back with Matters of Public Concern.

[The Commission recessed from 5:40 to 6:05.]

CHAIR ANAYA: We're going to do the Gallagher presentation first, then we're going to go to Matters of Public Concern for items not on the agenda, and then we're going to go to the weight limit. Is that okay with the Commissioners? Sound good?

V. A. 3. Presentation Regarding Santa Fe County Employee Benefits

MS. SALAZAR: Mr. Chair, members of the Commission, I would like to introduce our consultant, Arthur J. Gallagher and Company relative to our project to analyze our employee insurance benefits. We began this project to evaluate our options relative to our employee benefits. Our presenters today will be Don Heilman and Mike Rohr. I'd also like to announce that we're pleased that we recent received notice that our consultant has received a national award for high ethical standards so we're happy about that. With that, I believe you have the presentation in your packet material, so I will turn it over to the presenters. Thank you.

DON HEILMAN: Mr. Chair, Commissioners, Don Heilman with Gallagher Benefit Services. Just a brief couple of comments and I'll turn it over to my associate. Again, I'm Don Heilman, area senior vice president. I've been the managing consultant on the project and have overseen similar projects with other governmental entities in New Mexico so we're pleased to be doing this important work for the County. I'm going to turn over the presentation to Mike Rohr who has been integral to the process, and then I'll be available for questions afterward as well. So thank you.

MIKE ROHR: Mr. Chair, Commissioners, thank you so much for having us. My name is Mike Rohr. I'm with Gallagher Benefit Services as well. I'm going to take just a few minutes to briefly go through the slide deck and then open up for questions as needed.

On page 3 of the slide deck, this represents basically premiums that have been

paid by the County to fund the state program for the last three calendar years, 2012 through 2014, and then the right hand column summarizes for that three year period the amount of premiums that were paid to the state and the amount of claims that were paid by the state plan on behalf of Santa Fe County employees and their dependents. In that right-hand columns the premiums paid over that three-year period amounted to about \$19 million. The claims attributable to Santa Fe County employees and their dependents was just under \$15 million. The lower portion of that exhibit converts these upper numbers that are on an annual basis to a per-employee-per-month basis, and these numbers serve as the foundation for some of the additional exhibits and analysis that are following in our packet.

On page 4 the similar numbers for the dental costs and vision costs. Premium for the dental plan amounted to about \$1.5 million as compared to claims paid of about \$1.2 million. For vision, the premium was about \$246,000 as compared to claims of about \$209,000.

Moving to slide 5, this is basically an insured what-if. Apparently the County, through the state program, conceptually just writes a check to the state based on the number covered of employees, based on plan, based on whether they're employee or employee plus spouse and etc. And on a monthly basis that check is written and you just forget about it. An insured plan basically would function in the same fashion. And what we're doing in this exhibit is taking a look at those same claims that were paid and estimating, based on our knowledge of the market, what the add-on cost would be to make that an insured product on a standalone basis and it's a hypothetical what would things have looked like had you been on an insured basis as opposed to being with the state?

In 2012 and 2013 you'll note in the right-hand column there are slight deficit numbers showing. In 2014 there's a pretty healthy surplus. The deficit years, 2012 and 2013 were basically a product of the state making a conscious decision to underfund the plan in lieu of recommended rate increases during those years, and in 2014, basically it was a boomerang type situation or a catch-up situation where the state raised rates significantly basically to catch up for those years when the plan ran in a deficit.

For slide 6, it's basically the insured equivalent for the dental plan and you'll see on an annual basis all positive balances between insured costs versus the premium that would have been paid. The total for the three years was about \$128,000.

Page 7 represents the same exercise for the vision plan. In each of the years there was a slight deficit over the three-year period to a deficit of about \$14,000.

The next topic is self-funded versus fully insured. So we'll talk just a little bit about what is self-funding, what are the benefits of self-funding then we'll talk more about what self-funding is all about. The number one benefit of self-funding is control and flexibility of the plan design, as opposed to having the state make the determination of what benefits are offered to your employees, the County would have the say in that benefit design based on the employees needs of the County.

Secondly, you would have better and more timely access to claims data and I'll explain why that's important in just a moment. The third aspect is probably the most important and that is cost. With a self-funded plan. Historically and on an expectant basis

the cost is going to likely be less over the long run. It removes a couple of aspects. A risk-and-profit charges that are built into insured plan premium rates. Secondly, cash flow, and lastly, and this is a really important issue most recently, it avoids the health insurer fee under healthcare reform which we estimate to be, based on conversations with carriers in New Mexico close to three percent. So if you were to make the choice of going from an ASO or a self-funded basis to insured you would automatically add on three percent to your cost, just by making that decision.

Page 9 shows a graphical representation of what fully insured versus self-funded will look like. You'll see that the big component of any plan cost, whether you're self-funded or fully insured is the claims, and in this illustration it's 76 percent of the overall expected plan costs. The balance of the costs are what are termed fixed costs, which would be pooling, retention, the insurer fee that I mentioned and premium tax. Premium tax is not applicable to governmental institutions so that aspect, you can ignore that.

On a typical basis over the long run the expectation is that self-funding versus fully insuring would save anywhere from six to eight percent, on average, over the long term. Now, the next page is an illustration, which is page ten, is an illustration of what cash flow might look like. Now, these figures are not specific to Santa Fe County numbers. They're just an illustration of what can happen during a typical plan year. I'll call your attention to the bottom row where it compares on a percentage basis the plan costs as compared to monthly planned funding, and the circled amounts represent those months where planned funding is actually not sufficient to support the overall plan costs. That's going to happen; that's going to happen on a month-by-month basis. The goal being on the right-hand side where at the year-end, the plan expenses represent about 100 percent or less of your collected premium. That's the overall goal.

Now, there are going to be circumstances on a month-by-month basis as I mentioned and on a year over year basis where you're going to end up in a deficit but in the long run we firmly believe that self-funding is a cost saving mechanism.

Page 11 discusses one of the more expensive components of those fixed costs that I mentioned which is the individual stop-loss. Now, individual stop-loss, as the name implies, protects the plan from any one individual for their large claims. So for example, you have a \$200,000 premature baby. Okay? The mechanism to mitigate that risk to the overall plan – the plan certainly can't afford a million dollar claim or a \$2 million claim attributable to just one person. So what plans will typically do on a self-funded basis they will purchase stop-loss coverage in exchange for a given amount of money the plan is protected for claimants in excess of a given level. So the illustrated level in the right-hand side is \$125,000. So in our example, if there is a claim for \$200,000 during the plan year the County would be responsible for the first \$125,000 for that claim and the stop-loss carrier would be responsible for the balance of that \$200,000.

So the higher that threshold is set as compared to the \$125,000 the lower the premium cost is, but that's in exchange for taking more risk. So the lower the stop-loss threshold the carrier takes on more risk so it's going to be more expensive.

A second type of protection for self-funded plans is aggregate stop-loss coverage. We don't – for a group of your size, don't necessarily recommend that because there's going to be enough predictability that we don't believe that it's particularly necessary

after the maybe first or second year. Aggregate, as the name implies, protects the plan experience of the overall group. So we lump everybody's claims into one big bucket. That bucket of claims is compared to a pre-established threshold that the insurance carrier says we will accept liability for claim dollars over and above that amount, and if your claim dollars happen to go over that amount then the Count would receive a reimbursement from the stop-loss carrier.

Having that sort of reimbursement is not a good thing, because your claims have really exceeded your expectations by at least a factor of 25 percent. So that's – getting a reimbursement is not a good thing.

The next exhibit talks about key considerations with regard to fiscal oversight and that fiscal oversight is a recommendation of funded reserves being established and maintained. Now, the exhibit shows medical funding reserves, that would apply to any of your coverages that you elect to go on this self-funded basis, whether it's dental, vision or whatever. The medical though is the largest component of that so that's why we're focusing on medical.

The purpose of a medical reserve is, number one, to provide a prefunding of claim run-out in the event that the plan is terminated. Now, it's not the expectation that you would go into a self-funded arrangement with the idea that two, three years down the road you would terminate that and go back to a fully insured environment, but that's what the money is set aside for, if you should choose that path. The other and probably more important ongoing aspect of establishing reserves is to protect for unexpected claim fluctuations, those months that I was talking about just a few moments ago where claims expenses are actually more than the monthly budget and those years when the claims are more than the monthly budget.

The aspect of reserve buildup, that's all contemplated on how we would set the rates on a self-funded basis and we would contemplate that we would keep that in mind every time we talk about rate setting for a given plan year in the future.

And the next slide gives a good example of cash flow on a first year basis. Again, these are not numbers that are specific to Santa Fe County but the intent here it just to give you an idea of how cash flow works in an ASO environment or a self-funded environment. The green line represents planned funding on a month-by-month basis and the red and blue bars represent the illustrative paid claims and fixed costs. You'll notice on the left-hand side in the months of January, February and March the claim dollars are much less than what your funding level is at and that gap between the blue and the red bars and the green line represents the delta where you're actually funding that reserve in the early months of your first year that you would go self-funded.

Page 15 gets into what we think is the real meat and the real compelling set of exhibits. This exhibit is for the medical and prescription drug plan and again, it's a what-if scenario. What if you had been self-funded over the last three calendar years? What might this have looked at? So we're taking those same claims that we talked about early on, those same claims that were actually paid for on behalf of Santa Fe County employees and their dependents and we're establishing fixed cost factors that are based on our knowledge of the market and in fact were corroborated by an RFI that we did with the current carriers, Blue Cross Blue Shield of New Mexico and Presbyterian. And

basically what we're doing is we're saying we know what fixed costs are today and what we've done in this exhibit is we've detrended them based on historical trend, medical trend and trend that would apply to stop-loss coverages and cast those back historically. And what you'll see here is in each of the years, 2012 through 2014, had the plan actually been on a self-funded basis away from the state the plan would have saved over that three-year plan about \$1.6 million. Pretty compelling stuff.

The next exhibit on page 16 speaks to the dental plan. Same exercise we went through for the dental. The end result there was we estimate that the plan would have saved about \$180,000 over that three-year period.

Page 17 is the same exercise with the vision plan. A couple of years you would have ended up in a positive balance but in 2013 you would have ended up in a deficit. Over that three-year period you would have ended up in a slight deficit had you been away from the state and on a self-funded basis.

The next page, 18, talks about other considerations. We've already touched on control and flexibility. One aspect that might come into play if you made the decision to separate from the state is that your current two network scenario where you have the choice of Blue Cross Blue Shield New Mexico and Presbyterian, that may go away. The carriers for a group of your size may say we can't exist side by side as we do with a larger group with the state. That is a possibility.

Another aspect to take into consideration is the outlook for the state's plan. We have been authorized to release information that the state anticipates that the projected medical increase for next year is going to be three percent, and it's our understanding that that's probably three percent at the most. Additionally, there's onsite clinic access that's going to be released I believe in either May or June where there's not going to be any cost to the participant. So you can go in for, if you've got a sore throat or ear infection, whatever the case may be, you can go in and get services at this state-sponsored clinic at no cost to the participant.

The next aspect, system resources and requirements, there are some things that the state does for you as part of their package of services that if you did decide to separate from the state and go on your own that you would now be obligated to do. An example of this would be COBRA administration. Another example would be you would need to hire a benefit consultant to help you work through what you need to do in terms of funding, in terms of plan design and so forth.

Lastly, healthcare reform on a federal and state level, many of the things you're going to have to do anyhow. Some of the things the state are doing for you currently that you would have to turn around and do if you did make that separation. And the most important aspect of other considerations is that there would be a fee for separating from the state to the tune of about \$500,000 to exit the state plan and go on your own.

In terms of next steps it's our plan to proceed with a formal RFP to formally analyze the feasibility of separating from the state and within this RFP we're planning to contemplate both fully insured and self-funded programs and the results of that RFP would be presented at a future meeting.

As part of our contracted scope of services with the County we also did a voluntary benefits evaluation and we did an employee interest survey back in January

with a fairly low level of participation – 162 out of roughly 175 eligible participants actually took the survey. Identified areas of interest include education and awareness on the deferred compensation plan, additional life insurance benefits, cancer or critical illness coverage, and prepaid legal benefits. It would be our suggestion that the RFP process that we're going through with medical, dental and vision plan encompass voluntary benefits as well, to see how all of that would shake out and potentially leverage the opportunity if a carrier sees that, ah, we can potentially get these voluntary benefits. They might give a better rate on the underlying basic benefits that would end up being of value to the County.

The last slide is actually an appendix. I'm not going to take any time to go over that, but basically there are some points of reference that compare ASO versus fully insured funding and that might be of interest at a later point. So that ends my piece of the presentation. I'd open it up for questions.

CHAIR ANAYA: We'll go to Commissioners. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and thank you for the work and the presentation. I have just a couple questions to start with and then I'd like to listen to my colleagues. To become self-funded or self-insured, are there specific requirements under the Office of Superintendent that we would have to meet? To become self-insured in the state?

MR. ROHR: Say that again. I'm sorry.

COMMISSIONER STEFANICS: Well, I believe, and so I'm asking the question, are there requirements that you know of under the Office of the Superintendent of Insurance for us to separate from the state to become self-insured?

MR. ROHR: Mr. Chair, Commissioner, the answer to that is yes. You would have to give notice to the state by September 30th if you wanted to do this for a January 1, 2016 effective date. And the other requirement would be you would need to separate from the state whether you went on a fully insured basis or on an ASO basis, you would still have to pay that separation fee of just over \$500,000.

COMMISSIONER STEFANICS: Okay. I think, Mr. Chair, you're talking about the state risk management. I'm talking about the Office of Superintendent of Insurance that regulates all insurance entities in the state. And if we were to change and become our own insurance entity I'm wondering if you've looked at if there are requirements that we have to go through. Don, do you know?

MR. HEILMAN: Yes. We have worked, including converting from full insured to self-funding, pulling out of the state and moving to self-funding with any number of other governmental entities in New Mexico and we are certainly not aware of any specific requirements that the Insurance Commissioner would impose upon the County.

COMMISSIONER STEFANICS: Okay. So that was one of my last questions, well, later, is what other counties have you worked with here in the state?

MR. HEILMAN: Commissioner, Mr. Chair, we currently work with the City of Las Cruces. We work with Bernalillo County. We work with Los Alamos County. We work with the City of Rio Rancho. All of them I believe are self-funded, Los Alamos County included. So all of them and at least three if not all of them we've actually helped

either a) pull out of the pool to go on their own, and/or help them going from a fully insured to a self-funded arrangement. So we have a lot of experience not only here in New Mexico but other states as well, but certainly those are very local examples.

COMMISSIONER STEFANICS: Okay. Thank you, Mr. Chair. Under stop-loss, under the ACA, there is no top limit, so we couldn't impose a top limit. Correct? For claims?

MR. HEILMAN: Correct. The Affordable Care Act basically requires all health plans to no longer allow for an annual or lifetime maximum benefit for participants. So obviously, stop-loss insurance, you would want to purchase to also accept and allow for that protection, so that once, as Mike alluded to, once your specific stop-loss threshold is attained that stop-loss insurer will be responsible for the balance of the claims on an unlimited basis. And we have not run into any stop-loss carriers recognizing what the market is requiring because of healthcare reform that are imposing any of those types of restrictions or stipulations. So stop-loss carriers are accepting that exposure.

COMMISSIONER STEFANICS: Okay. The state fee that you talked about, was that in some kind of contract that the County signed? Where did that fee come from?

MR. HEILMAN: The fee, in the administrative rules that are written to support the State of New Mexico state pooling arrangement where it just dictates how local public bodies may enter and then exit the plan, the administrative rules vaguely provided for historically an exit penalty potentially. About a year and a half ago I believe, I think it was probably about a year ago at this time. Actually, it was a year before that. So I think it followed 2012 or 13. I don't recall exactly. I can get that for you. But they basically went in and clarified the administrative rule and essentially established a formula, if you will, for what that penalty or what that assessment would be upon withdrawal from the plan. And it equates to, essentially it amounts to the average – one month's worth of claims that would estimated to have been paid over the last 12 months for the local public body that is withdrawing from the plan. And that's how we arrived at that approximate \$500,000. And that's a one-time assessment and then your responsibilities and obligations are done.

COMMISSIONER STEFANICS: So still following that state fee, any of the entities that you've worked with, do they have to go through that payment of that state fee?

MR. HEILMAN: The only ones that pulled out of the state were the City of Las Cruces and they were subjected or assessed that fee. Yes.

COMMISSIONER STEFANICS: Okay, and my last question, Mr. Chair, is pretty open-ended. Take the scenario of the Affordable Care Act elimination. What effect if any would that have on a self-funded group?

MR. HEILMAN: Mr. Chair, Commissioner, I really think very little, because most self-funded plans have worked and the concept of self-funding was well before the Affordable Care Act every came into existence. The fundamental tenants of how to administer a self-funded plan really haven't changed. The only implications that the Affordable Care Act have imposed on a self-funded plan are just constraints around

how the plan is designed, essentially. For example, on one of the lifetime annual maximum benefits, out of pocket maximums and so forth. So if anything, if the act were to be repealed, it would just increase the latitude that a self-funded plan sponsor could exercise. So if anything, in our view, it would probably make it more palatable from a flexibility standpoint than less, because really healthcare reform has confined the flexibility and the discretion of group sponsors, whether insured or self-funded, quite candidly.

COMMISSIONER STEFANICS: Okay. Mr. Chair, I'm sorry, I have one more question. What about the Cadillac tax? We've been told nationally that a lot of our plans are very rich in terms of what is being offered and in terms of how we pay. So in your other clients, have you analyzed that for them?

MR. HEILMAN: Yes, certainly we have, as part of our planning process for virtually every one of our clients, we essentially began to do some longer-term forecasting and said based on where you're at today and based on your plan designs, if we just assumed typical healthcare trends here is either where you will be in 2018, which is when the Cadillac tax is scheduled to become effective, and if you do not hit the Cadillac tax in that year here is probably the point at which you will intersect with the Cadillac tax thresholds. And whether you are subject to the state – if you participate in the state, whether you are fully insured or self-funded, to the extent the Cadillac tax remains in place the County will be subject to that. So that is not a function of whether you are in or out of state.

COMMISSIONER STEFANICS: So would the effect of that – if that does occur in 2018, would that make the premiums have to rise?

MR. HEILMAN: Technically, the Cadillac tax would be an excise tax that is designed to be 40 percent of the premium or the value that exceeds a certain threshold. That Cadillac tax is written as an employer obligation. Now, how the employer chooses to fund or pass that obligation along is obviously up to the employer. But it is technically an employer check that would have to be written if it becomes due and payable.

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

CHAIR ANAYA: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I guess the one concern and it's somewhat minor, but employee participation, how do you work through that? Of the employees that did participate, does that represent a broad view of the majority of them employees?

MR. HEILMAN: I'm going to also defer to Mike, but just as a clarification, are you referring to the voluntary benefit survey?

COMMISSIONER CHAVEZ: Yes.

MR. HEILMAN: We certainly would have like to have seen more. We extended the deadline for participation, trying to encourage more folks to participate in the survey. We would have liked to have gotten more. Typically, we would see anywhere from 35 to 40 percent participation in a survey, generally speaking, when we look at other employers that do it. So the question as to whether that's indicative of what the rest of the employees think or they're even more indifferent than the ones that did respond it quite candidly is hard to say. What we did find in terms of the interest, in terms of what is

of greater interest or less, was fairly typical, what we'd see in other employers.

So in terms of the plans that they did express an interest in, we feel pretty comfortable that's not unusual because of what we see in other employers, if that helps. But certainly we would have liked to have seen greater participation in the survey.

COMMISSIONER CHAVEZ: Okay. And I see Ms. Salazar behind you who would also like to share her thoughts.

MS. SALAZAR: Mr. Chair, Commissioner Chavez, we've also put together an internal team representative of different departments that will help us analyze the information brought forward and help us dissect some of this information as well. Also, to mention, I don't know if you were asking how many employees participate in our insurance plans? I can get you that exact number but we have a lot of participation. I would say, without looking at the last monthly report, roughly about 650 employees participate in our plans currently.

COMMISSIONER CHAVEZ: Okay. Thank you. That helps. Thank you, Mr. Chair.

MR. HEILMAN: Just as a point of clarification, again, as Bernadette has indicated, the great majority of your employees participate in the core benefits – the medical, the dental, the vision and so forth. The survey was just indicative of those folks that might be interested in voluntary benefits – what is your level of interest. And so the 120 some participants, that's really just those who completed the survey. That was just an expression of interest or participation in the survey.

COMMISSIONER CHAVEZ: It was 162 out of the 172 that would have been eligible, but I think that for me it helped the discussion for my clarification. And so moving forward, I think that we'll have to make decisions on whether we're self-insured or whether we're going to maintain status quo. So that answers my questions. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioners. Just a couple comments and then I'll to defer to any Commissioners who want to make additional comments. I spent the last four years with the Workman's Compensation with the Association of Counties so I thought I was somewhat up to speed a little bit on some of the terminology that you utilized today in the discussion but frankly, as the presentation went further and further, it reminded me of some of the challenges I faced in college chemistry and physics. So I think there's a lot of absorption that we need to take in associated with the information you've provided and I think that with Ms. Salazar, your comments, and the comments of Ms. Miller, I think we need to dissect some of these items further and have some further internal analysis as we progress through the process by which you're helping us with.

And just some things that I missed. I don't want a comment from you now but some of the things that came up when you talked about the six to eight percent potential savings, does that include the upfront reserve cost and what type of reserve amounts are we talking about in dollar figures that that would look like. You mentioned other entities in the state of New Mexico that have utilized this self-funded as opposed to pooling. I know I've shared with the Manager and she's had some preliminary discussions with the Association of Counties, but what potential pooling is there on a smaller scale? Is there a

potential opportunity to pool with a City of Las Cruces or a Los Alamos and share in the pool of people, if you will, on a smaller scale, not to the level of the state of New Mexico.

You mentioned voluntary benefits and rate setting, as the Commissioners point out that's an important aspect, obviously, so what does that begin to look like and how might we disassemble the information you provided and maybe reframe it in our context, Ms. Miller, and our budget process with your internal staff and collectively working with a team.

So I think it's interesting. I think there's potential for savings and even functionality but I think it's going to warrant some more work and dissection. Those are my comments. Further comments from my colleagues? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I wondered, did you come up with the reserve that would be needed?

MR. HEILMAN: Mr. Chair, Commissioner, in rough figures, a bare-bones, minimum reserve would be in the range of that \$500,000-some that we spoke of in terms of the termination fee from the state. In general, the time that occurs between when a claim is what's termed incurred, the date this service is rendered. So you go to the hospital, you go to the doctor's office, whatever the case may be, it takes about 30 or so days for that to cycle through the process and actually result in a claim that's paid by the plan. So in my opinion, that \$500,000 or so would be the bare-bones minimum.

Now, in terms of a reserve policy, there may be other things that come into consideration. You may want to add additional funds to that reserve for monthly claim fluctuation or if you decide not to go the route of aggregate stop-loss coverage there's a fairly big gap between what might occur and that 25 percent corridor. Whether or not you go with that aggregate coverage, that's another question.

Definitely our clients range anywhere from a month's worth of claims to maybe three months' worth of claims as a reserve policy. So if you look at page 14, the graphical representation of first year cash flow, generally what will occur in a first year circumstance, you make that decision to pull away from the state, you start funding immediately in month one, represented by that green line. The expected claim level and cost level in the red and blue bars, definitely below that green line, and the differential between the top of that red bar and the green line would represent the dollar amount in that particular month that could be set aside for reserves in that first year.

Then on a go-forward basis we would take a look at what the expected need for that reserve would be, either on a bare-bones basis or based on a reserve policy that the County might establish, and we would incorporate any reserve changes into funding recommendations for future years.

COMMISSIONER STEFANICS: So, Mr. Chair, is your company still doing the actuarial analysis for risk management?

MR. HEILMAN: Yes, we do.

COMMISSIONER STEFANICS: And are they financially solvent?

MR. HEILMAN: They are getting far closer to financial solvency and as Mike mentioned during the commentary during calendar years 2012 and 13 they made some funding decisions because of budgetary constraints that they were under to

essentially fund the benefits at a level lesser than what we had forecast for the projected expenses, which proved to be the case. Depleted their reserves down below a level where you would have preferred them to be. They made some tough decisions, and hence in 2013 you can see the huge surplus that was created based on your experience. They similarly realized that surplus.

So are they 100 percent where we would like them to be? No, but are they in a better position? Certainly, and I think their goal is to continue to creep up towards it.

COMMISSIONER STEFANICS: Well, the reason I ask that, Mr. Chair, I believe that those analyses are all public information and go into their annual reports, etc. But the fact that they did dip down really low concerns me and our reserves. Like the amount – \$500,000 sounds way too low for a reserve and I just wanted to have us think about this in a serious manner. If we were going to look at this seriously that we really look at a healthy reserve, but thank you. That's all. I'll stop.

CHAIR ANAYA: Thank you, Commissioners. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, it does seem to me like from the initial analysis it would save the County money and I'm assuming that it would save the employees of the County money as well in their insurance premiums?

MR. HEILMAN: Mr. Chair, Commissioner, yes. The aggregate costs that we're projecting are again, on a look-back basis illustratively would the costs have been less had you been on your own, fully-insured or self-funded. In that manner, if you'd have been funding your program on that basis, presumably the aggregate costs are low and since your employees and the County share in the cost of the coverage those savings would be realized proportionately. Correct. And we're also contemplating – the savings aren't being achieved by plan design changes. This is all saying level of benefits would have been identical. So it's really more just aggregate expenditures which translates into premiums, and premiums are shared between the employee and the employer. Yes.

COMMISSIONER HOLIAN: And in the case of becoming self-insured, who administers the claims? In other words, would the County have to hire extra personnel?

MR. ROHR: What our recommendation has been to staff, and which will be the next step, I think both to the chair's comment and to your comment, will be to, now that we've done the illustrative analysis, now the next formal step really now is to get formal proposals from various parties to not only provide the requisite insurance that we think is appropriate, but also provide those appropriate administrative services – contract management, network management. So, certainly, yes, we would expect and would highly recommend that you hire a firm to do that, not to do it internally. And that really is the next step, to go through a more formal vetting process to get firm proposals and then come back to the County and not only share with the County what the proposals are but then what those proposals translate into costs going forward, so we can provide the rest of the analysis that the Chair mentioned is obviously very important.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Thank you, Commissioners, Ms. Miller, did you have any comments that you'd like to make at this time?

MS. MILLER: No, Mr. Chair, other than we anticipate that as we go

detailed information back. I had also been in a couple of discussions about this, estimating our reserves would be, from my perspective, something more like a million and a half to two million to be comfortable. So looking at it from that perspective and always looking at whether it's still feasible for us to entertain this idea. I anticipate we'll have at least two more presentations if the Board wants more. We can do that, but as you know, we will have a certain point we'd need to make a decision in order to inform the state by September. So we do estimate this to take several months and to have the consultants back in front of you presenting information as they receive it through the RFP process.

CHAIR ANAYA: So I'll make every effort to maybe have this earlier in the discussion of our meetings, but we'll look forward to the detailed presentation. One last question I have is on your assumptions over that three-year period on page 15 I think it is, did you accommodate for a reserve in that assumption?

MR. HEILMAN: In terms of the assumption, no. What we assumed is that you were on an ongoing basis that everything was in place and that the paid claims in 2012, 2013, 2014, would be the claims that would be presented to the plan. So what would occur on a first year basis goes back to the exhibit that we were talking about before. Your first several months of actual claim activity is going to be typically significantly less than what you're funding premium is, and that's where those dollars come in.

CHAIR ANAYA: Okay. So I think another suggestion I might offer is to segregate your presentation into the short-term aspects, set up financial overall and then long-term analysis. Any other questions or comments? Seeing none. Thank you. Thank you very much.

MR. HEILMAN: Thanks so much for having us.

IV. MATTERS OF PUBLIC CONCERN

CHAIR ANAYA: So now we're going to move to Matters of Public Concern that are not on the agenda that we haven't heard now. Are there any members of the public here that are going to – that would like to address the Commission on an item that is not on the agenda? Anybody here want to address the Commission on an item not on the agenda. Seeing none, we'll go to you, Commissioner Holian, and the weight limit.

VII. A. 2. Ordinance No. 2015-___, An Ordinance Establishing Weight Limits on Various County Maintained Roads (First Public Hearing) [Exhibit 5: Updated Memo; Exhibit 6: Newspaper Clipping]

COMMISSIONER HOLIAN: Mr. Chair, I don't think I should be the one presenting this and I see Robert coming forward.

CHAIR ANAYA: I know Robert is going to present it but I know you've been tracking this. So Mr. Martinez.

MR. MARTINEZ: Mr. Chair, Commissioners, the purpose of this

ordinance is to restrict heavy truck traffic which exceeds the allowable weight the asphalt or the entire structure of the road will support by imposing a maximum weight limit. I do want to add that the draft ordinance that was in the packet is not the latest version. I believe Mr. Shaffer has the most current draft. The only difference, I believe, is in Section 6 under Exceptions. It beefs up that section a little bit than the draft ordinance that was in your packet.

To give you a little bit of history, on October 14, 2014, the BCC adopted Resolution 2014-114 which adopted policies and procedures for proposing weight limits on asphalt paved roads maintained by the County. On February 24, 2015 the BCC authorized staff to publish title and general summary of this proposed ordinance, and on March 16th the ad came out in the Journal which advertised the two public hearings, one for tonight and one on April 28th.

As per the adopted policies and procedures, staff conducted assessments on four roads: County Road 33, which is Old Lamy Trail, County Road 62, Caja del Oro Grant Road, Caja del Rio Road, and County Road 45, Bonanza Creek Road. The assessments included a traffic study and a road structure evaluation.

Old Lamy Trail, which is in the community of Lamy is the access road to a historic residential area and a railroad station for Santa Fe Southern New Mexico track. The structure of this roads meets the existing traffic conditions but heavy truck traffic that exceeds the current conditions will cause the road to fail prematurely. A five-ton weight limit per axle is warranted for this road.

Caja del Oro Grant Road is in the traditional community of Agua Fria and provides access to the neighborhoods there in the vicinity of State Road 599. The structure of this particular road does not meet the existing traffic conditions and will cause said road to fail prematurely. A five-ton weight limit per axle is also warranted for this road.

Caja del Rio Road which provides access to Las Campanas Drive, the MRC, Marty Sanchez Golf Course, Santa Fe Animal Shelter and Caja del Rio landfill, the structure of this particular road does meet the existing traffic conditions but due to the right-of-way acquisition agreement a 10,000 pound weight limit was a condition of the right-of-way acquisition. So on this road it is recommended or warranted a five-ton weight limit for this road. Now, the weight limit for this particular road is north of Wildlife Way, which is just beyond the entrance to the Caja del Rio landfill. So this restriction has already been in place. It has been brought to our attention that there is a previous ordinance that regulates this weight restriction, so this is nothing new to that area and it does not affect the business of the Caja del Rio landfill.

County Road 45, which is Bonanza Creek Road is in the Turquoise Trail area and connects the I-25 frontage road to New Mexico 14. The structure of this road meets the existing traffic conditions but heavy truck traffic that exceeds the current conditions will cause the road to fail prematurely. A five-ton weight limit per axle is also warranted for this road.

These restrictions are intended for all vehicles except for fire and other emergency apparatus, road machinery engaged in highway construction or maintenance, implements of husbandry including farm tractors temporarily moved upon the highway and other vehicles as determined by the Board of County Commissioners, to include provisions for

this issuance of temporary excessive weight permits. I stand for questions.

CHAIR ANAYA: I have one before we go to the Commissioners. When we initiated the development of the ordinance we had discussions in particular of the road in Lamy for obvious reasons and we have people here representing that area. And I have a couple follow-ups. But tell me how the other roads ended up on this particular ordinance. How did you do that? Because I think one of the things we were going to try to be cautious of doing is pre-empting roads as to create a rash of requests from throughout the county wanting to restrict all access to truck traffic. So I'm a little concerned, to be quite frank.

Let me just ask a specific question on Bonanza Creek Road. Bonanza Creek Road, one of the things that we talked about with the concern I had that Commissioner Holian actually agreed with and we made modifications within the ordinance, I thought, and maybe it's legal language that I'm getting stuck on, but we talked about farming and ranching, and we didn't just talk about farm tractors but we talked about tractor-trailer trucks that have traditionally hauled cattle to and from a ranch that are very large trucks that would exceed those weight limits. So where is that in this ordinance? And tell me how this ordinance still affords those ranches the opportunity to be able to continue doing that longstanding work.

MR. MARTINEZ: Mr. Chair, Commissioners, the reason for the weight limit on Bonanza Creek was that when the County accepted this road from the NMDOT through a road exchange agreement there was an eight-ton weight limit that existed on this road already. So we continually get complaints from the residents on that road for enforcement of this weight restriction that was currently on this road, but due to lack of historic information on this road we could not find any reason why this weight restriction was on this road to begin with when it became a County road.

So due to the complaints from the residents, because basically it's the cut-through traffic from the I-25 frontage road to State Road 14 that accounts for the majority of the heavy truck traffic. Now, to answer your question, if there's a ranch on County Road 45 that is receiving cattle or shipping cattle, this would not apply to them because it does not affect people that are receiving goods and services that live on the road.

CHAIR ANAYA: Okay. So where in the ordinance – because I see we have a specific reference to tractors, and maybe it's just a matter of adding the other equipment that's part of that. Because we're already getting calls on the other side of the spectrum from people that are ranchers, even from La Cienega that don't have any roads from this particular list that are concerned about their way of life and their ranches and how we do business. So maybe we could figure out language to accommodate that. So you're carrying forward an item from 45 that came through the DOT with the primary intent on through traffic.

Are there any items or roads on there that weren't part of a road exchange that are in addition to the road in Lamy that are something different so that the public and I can understand maybe, how they ended up there? Caja del Rio – give me some background on that because we utilize heavy truck traffic to deal with solid waste and other materials.

MR. MARTINEZ: Mr. Chair, Commissioners, as I stated earlier, during the right-of-way process, acquisition process for Caja del Rio Road, the County entered into a settlement agreement with multiple partners. For example, it was the King Brothers

Ranch, Western Mobile, Richard Cook, Las Campanas Limited Partnership, where four of the partners that were involved with the Count to acquire the right-of-way for Caja del Rio Road. And it was – the road was already designated as a road to access the Caja del Rio landfill.

So the residents that are north of the landfill were concerned that people on 285, coming from the north, would go on Las Campanas Drive and come down Caja del Rio Road and access the landfill from that side. So that is why those partners required this condition in the acquisition.

CHAIR ANAYA: Thank you, Mr. Martinez. Commissioners.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian, then Commissioner Chavez.

COMMISSIONER HOLIAN: Mr. Chair, I just want to point out that under Section 6, under exceptions, it also specifies implements of husbandry. So I would think that that would mean anything that has to do with agriculture or ranching.

CHAIR ANAYA: I appreciate that. Mr. Shaffer, is that good? Is that sufficient, given not only the remarks we've made not only at this meeting but at prior meetings?

MR. SHAFFER: Mr. Chair, I would make two observations. First, implements of husbandry is a defined term in the ordinance which means every vehicle that is designed for agricultural purposes and exclusively by the owner in the conduct of agricultural operations. So that's a specific term in the ordinance and taken from state statute on weight limits. But I think that the additional exception that Mr. Martinez referred to is down later. It specifically exempts vehicles making pickups or deliveries or providing services to addresses on a road identified in Section 5 of the ordinance, or addressed on adjacent roads served only by that road.

So, again, as the ordinance evolved in terms of looking at what other local governments have done that we could see, and also thinking about the practical realities of a weight limit, it really is, this is a no through heavy traffic ordinance. And so it's designed to limit, as Mr. Martinez indicated, cut-through traffic or through traffic that is going from one road to another road, but not servicing the road that it's traversing. And so it's an attempt to avoid unnecessary heavy truck traffic and so that any traffic servicing addresses along a road would be exempt by the terms of the ordinance. I hope that addresses your question, Mr. Chair.

CHAIR ANAYA: That traffic servicing group might be an entity that has a business with trucks, that maybe isn't a farmer necessarily.

MR. SHAFFER: That is correct, Mr. Chair, and again, that was the intent of the ordinance was not to interrupt existing businesses or use this as a land control device, but again, to avoid unnecessary through heavy traffic.

CHAIR ANAYA: Thank you for that clarification, and thank you, Commissioner Holian, because we had a pretty good discussion when we discussed it last time. But I just wanted to provide – get that clarity. Other comments, Commissioner Holian? Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I think most of my questions have been answered. I did want to spend some time on the exceptions. I think that that's been articulated well enough. It allows some movement of merchandise or

agricultural products or even ranching, if you want to move cattle. I think you could add ranching to the list of exceptions that would be included with husbandry. So the exceptions are there. I think that we want to allow for some movement of merchandise and farm produce and even cattle. But what I'm interested in more is the cut-through traffic that might impact existing neighborhoods or even traditional communities.

The City Santa Fe in 1992 did start a truck ban and it started on Agua Fria, but then it was extended to include other streets throughout the city and what it did really was it discouraged the cut-through traffic for large vehicles over five tons that did not have any deliveries in that immediate area, and it allowed those that did have business in the area to conduct their business, find a quick way in and a quick way out to make their deliveries. So I think this is do-able. And it's in the best interest of County roads but also to help safeguard the quality of life for our residents that are living close to those roads that are carrying this heavy traffic.

On the one road, Caja del Rio, we do hear from some residents in the area about the heavy truck traffic and some of the activity that's generated at the Caja del Rio, but in that case, as Mr. Martinez pointed out, there's a way in and a way out for those trucks without impacting neighborhoods in the area too much. So I think this finds that balance, but the exceptions are one area – that's the only area where we can strike that balance, and I think that's been covered. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioners. If there's no other questions, this is a public hearing and I'll ask all the folks here to come forward, that want to speak. If you'd come forward at one time we'll swear you in at once. And I appreciate the patience of those that came to speak and listen and just to keep in mind I think we've been amenable to the concerns that have been raised and if we could not be redundant we'd be in good shape. But I very much appreciate your coming forward.

[Those wishing to speak were placed under oath.]

[Duly sworn, Roger Taylor testified as follows:]

ROGER TAYLOR: I'm Roger Taylor, resident of Galisteo, New Mexico. I am under oath. Mr. Chair, Commissioners, I have to commend the County Attorney, the Public Works Director and the County Roads Director. Obviously, this has been a good collaboration. It's been going on for a while and I've watched this evolve very thoughtfully and sometimes you get a little impatient waiting for it but this looks like it's been a very good result. It's a very clear, well written policy and procedure. It enables everyday deliveries as well as emergency vehicles, as well as temporary overweight deliveries for businesses, and then of course the larger temporary permits. It's all included in here.

It strengthens the safety of our roads. Protects our taxpayer investment and very important, as Commissioner Chavez mentioned, it really emphasizes the concern and safety of our citizens in our communities. So I would very much support the passage of this.

CHAIR ANAYA: Thank you, Mr. Taylor.

[Previously sworn, Joseph Hempfling testified as follows:]

JOSEPH HEMPFLING: My name is Joseph Hempfling. I'm a retired state employee and enjoying my retirement and I will actually get out and use these roads on

non-business hours. My concern is safety, particularly the Lamy Road. It's a narrow road. It's got no guardrail. It's got blind curves. There's a school bus turnaround. It's a bike route. And it's just not set up for heavy traffic. One of the articles I'll hand to you is that fracking booms link to a rise in traffic deaths. And it also shows fatalities are quadrupled in states that have drilling.

Now I'm not planning on oil and gas as much as heavy traffic on these roads, which basically not only wear down the traffic but present safety hazards to those of us who use that road. Just think of yourself on a bicycle next to a 40,000 pound truck. It's a no-brainer. The problem is regulations which can't keep up with the growth which has been so fast that these industries are finding loopholes to get around them, and I'm saying here's an opportunity to be pro-active, to stop one of those loopholes and to regulate and make the roads safer for all of us. Thank you.

CHAIR ANAYA: Thank you, sir.

[Previously sworn, Diane Senior testified as follows:]

DIANE SENIOR: My name is Diane Senior. I am a resident of Madrid, New Mexico and I am under oath. I wanted to thank the Commissioners for considering this ordinance. Although I live in a part of the county that is largely not affected by these four roads we very much support the idea of public safety because many of these through traffic trucks do cause public safety issues, but in particular the road to Lamy. If you folks have driven that road, it is frightening to just drive no less having heavy trucks coming behind you barreling on. I think that the public safety is a huge issue but most importantly I think the fiscal responsibility of the County to ensure that the county itself and taxpayers are not absorbing an undue burden on road maintenance. It will be appreciated by the voters. So thank you very much.

CHAIR ANAYA: Thank you very much.

[Previously sworn, Parke Duttonhofer testified as follows:]

PARKE DUTTONHOFER: Hi. My name is Parke Duttonhofer. I live in the Village of Lamy. I'm president of the Lamy Community Association. All of the residents of Lamy are in support of this ordinance. We've got – just a year and a half ago I believe it was, that road was resurfaced, and before that this would have been even more scary to us, the safety issue especially. I know that you folks are most concerned about the cost and the ability of the pavement to support the large vehicles and the heavy weights, but we're really concerned more about the safety of driving the roads with heavy vehicles on them, as well as our church being so near the road and the vibration damage that might apply to it.

But mostly we are all in support of this. The entire community of Lamy wishes that you would pass this ordinance. Thank you very much.

CHAIR ANAYA: Thank you very much, Parke.

[Previously sworn, Cindy Clark testified as follows:]

CINDY CLARK: Good evening, Chair and Commissioners. My name is Cindy Clark and I am under oath. I would like to thank you for creating this balanced ordinance. We did work a lot together to come this far and we appreciate that it's going forward. I especially want to thank Commissioner Chavez for his comments. Lamy is a traditional community, and as many others have said, safety is a big issue. When I first moved to Lamy there were a lot of potholes in County Road 33, and for those of you who

have been to our community, you know that it's used by a lot of tourists, a lot of people in Santa Fe come there; they bicycle from Santa Fe. Lamy is a turnaround point. So safety is an issue.

Right now with the new road surface it's a very good road to bike on and to walk on and we do not have sidewalks. We do not have a good berm on the side of the road. And what's happening is you would see young families walking that road with their baby strollers. You see the elderly using it to get out and get fresh air. We really don't have a lot of walking surfaces in our community. So we really do need to maintain the structure of the road so I encourage you to pass this ordinance and to protect our road surface and keep it a safe place for our community. Thank you very much.

CHAIR ANAYA: Thank you so much.

[Previously sworn, Monica Welsh testified as follows:]

MONICA WELSH: My name is Monica Welsh and I live at 5 Ravens View Road in Lamy, right off the Old Lamy Trail, County Road 33. And in the interests of not being redundant, everything that I was planning to say really has been addressed. And I know that this ordinance is designed to protect the pavement and it's also a good thing that protecting the pavement does protect those who are on the pavement. Many kinds of vehicles under conditions of no shoulders and all of the conditions people have already mentioned. So I would just like to thank all the efforts that have gone into creating both the weight limit policy and the weight limit ordinance and whatever amount of time it's taken I feel really, really heartened to know that a policy and an ordinance could be in place. At the moment Lamy is not seeing heavy truck traffic. We know that this could change and that now, to know that there will actually be regulation, or that there could be a regulation in place to oversee that is really something I'm very happy about and thank County staff. I support this very sensible ordinance.

CHAIR ANAYA: Thank you very much. I'd like to ask at this time for those people supporting the passage of this ordinance to go ahead and stand.

[Approximately 30 people stood.]

Thank you very much. I believe, Mr. Martinez, we're having two public hearings on this?

COMMISSIONER ROYBAL: Mr. Chair, that is correct. The second and final public hearing is on April 28th.

CHAIR ANAYA: Okay. It's been noticed for two public hearings and we'll have another one on April 28th and take more feedback. Commissioner Chavez, do you have anything else you want to add for this public hearing?

COMMISSIONER CHAVEZ: Just one final thought and this may be either out of context or way late in the game but I'm going to propose it anyway. If this passes we have an effective date that would be 30 days after it's recorded in the Office of the County Clerk. And so once we get to that point that would be good but I'm wondering if it wouldn't be worthwhile for us to have some language in the ordinance that would speak to an update or review of this ordinance, maybe within the next year or two, so that we can understand if it's working or not and if we need to make it better in any way possible. That language would allow us to do that. Is that something that you've thought about, Robert?

MR. MARTINEZ: Yes, Mr. Chair. As part of our assessment we did a traffic study which also provides us vehicle classification. For example, Old Lamy Trail,

the traffic volume on that road, 3.9 percent was classified vehicles which are RVs, delivery vans. Roughly half a percent were Class 8. Almost one percent were Class 8. So we have this historic data which we can do another traffic study at any given time and see if these numbers are increasing or decreasing. I don't expect them to decrease because of the amount of heavy truck traffic is at this point in time is not at that volume that will harm our roads, but any additional heavy truck traffic could deteriorate our roads prematurely.

COMMISSIONER CHAVEZ: Well, I'll just put that thought out as something to think about and maybe staff and the sponsor can work on some language that would be in the ordinance that would trigger us to do that if necessary at a future point in time.

COMMISSIONER CHAVEZ: Commissioner Holian, do you have any closing thoughts on this hearing?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I think I will save most of my comments for the next public hearing but I just did want to emphasize a couple of points. One is that the taxpayers in Santa Fe County spend a lot of money on road maintenance and so it is our responsibility to make sure that that money is used wisely. It's also our responsibility to make sure that the people in Santa Fe County are as safe as possible. And I'll just tell you a little story that made me think about this, that happened to me this last weekend. I happened to be in the Chicago area visiting my cousins and I notice there that the roads are in beautiful condition, and there was a lot of road work going on to keep those roads in beautiful condition. And then I asked my cousins, how much did they pay in property tax. And they said that the average property tax bill in the Illinois area around Chicago for a median house is essentially somewhere between \$12,000 and \$15,000 a year. So yes. They keep their roads in really great shape and they spend a lot of money on maintaining them, but it really costs the taxpayers to do that. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioners. Mr. Martinez?

MR. MARTINEZ: Nothing further.

CHAIR ANAYA: Okay, so we'll have another public hearing at the next meeting and some action. So thank you so much for coming. Thanks for being patient.

V. B. 1. Elected Officials Issues and Comments

CHAIR ANAYA: We're going to go now to Elected Officials' Issues and I know that our Clerk has an item that she wants to bring forward. Madam Clerk, you have the floor.

CLERK SALAZAR: Thank you, Chair Anaya and Commissioners. In February you appointed a Board of Registration board, and they have completed their initial task. They were appointed for two years, and I wanted to update you and let you know that Santa Fe County has completed the maintenance activities required by federal state law, and also mention that because of this list maintenance we need to inform registered voters or citizens that they need to check for the accuracy to see if they're on the voter registration file, and we have issued a press release informing the public. In

addition to that we have posted this press release under the Clerk's webpage so that they can read the information regarding the list maintenance and also click into a link where they can check their voter registration if they wish to. Thank you very much. And I will also hand out this press release for your information. *[Exhibit 7]*

CHAIR ANAYA: Madam Clerk for those efforts and for your work on a regular basis.

CLERK SALAZAR: You're welcome. Thank you.

V. A. 2. Presentation on the Santa Fe Basin Study

CHAIR ANAYA: I believe, Ms. Miller, would it be in order to move the water basin plan to the next meeting. I think – what are your thoughts?

MS. MILLER: Mr. Chair, based upon your request earlier I asked Claudia if that would be okay and she said that's fine. It's not time-sensitive so I let her go.

CHAIR ANAYA: So can we take in a motion to table the Santa Fe Basin Study?

COMMISSIONER HOLIAN: So moved.

CHAIR ANAYA: Motion, Commissioner Holian.

COMMISSIONER CHAVEZ: I'll second.

CHAIR ANAYA: Second, Commissioner Chavez. Any discussion?

COMMISSIONER CHAVEZ: Yes. So that would be placed on our next regular agenda?

MS. MILLER: Mr. Chair, Commissioner Chavez, it will be on the 14th, April 14th.

CHAIR ANAYA: So here's one of the things I'm going to do for Claudia. She's done this for us before, so we're going to go ahead and put her towards the front at the next meeting, because I think we all appreciate that but we also respect that she's been patient as well.

MS. MILLER: We'll put her early on the agenda.

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

V. B. 2. Commissioner Issues and Comments

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just would like to say Happy Easter to all of our employees in Santa Fe County.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'd say Happy Easter and Happy Passover as well. I think Good Friday is also Passover and so I would like to recognize that. The other thing, I'd like to thank Julia Valdez publicly for all of

our Easter candy up here and our little eggs and the bowls that you put on the table, which does not bode well for the County health rankings that I put out. *[Exhibit 8]* Santa Fe County ranks 8th in the state. Los Alamos got the number one rating, and some of the things that we are not looking so good in, I just want to mention, low birth weight babies, alcohol impaired driving deaths – now this is in comparison to the rest of the state, sexually transmitted infections, our uninsured rate is higher than the state level, high school graduation is lower than the state level, deaths from injuries is the same as the state level. We have severe housing problems, more than the state average, and we have quite a high percentage, almost 75 percent driving alone to work, which doesn't really support the environment.

So these are available publicly to anyone who wants to look on the web, but I wanted the Commissioners just to have the overall ranking for the state of New Mexico and then for Santa Fe County. Thank you. That's all.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Roybal, Matters from the Commissioners, if you have any.

COMMISSIONER ROYBAL: Yes. Since the last BCC meeting that we had I have met with constituents concerning flooding in the Pojoaque area and the area within District 1 and I want to commend Adam Leigland for going out to these meetings and attending with me so I really appreciate that. We are working with some of those issues with the residents and trying to come up with some sort of way of helping them. I think in one of the areas where we have County Road 84 we began dirt work last year and also besides Adam we had Robert was out there and some other staff so I appreciate that. We did have some work that we were doing on a river to protect one of our County roads that the residents and I think maybe you guys may have agreed on as well that we didn't quite finish because the monsoon weather came in and we got flooded so we didn't get a chance to finish some of that dirt work. So I'd like to move forward with completing where we started last year. So that was one concern with those constituents that we went out there to visit with.

Also as far as the regional water system for the Pojoaque basin that would service the Pojoaque, Nambe, El Rancho, Jacona and Cuyamungue and Tesuque areas, in regards to the JPA I've asked staff to modify the makeup of the board, changing it from a five board member to a nine board member. I believe that this change will help to make this system successful by having the board consist of a member from each pueblo for a total of four and four members from the communities that will also be served by this water system. This is a regional water system and should have the voices and representation of additional communities. That's all I have.

CHAIR ANAYA: Commissioner, I know we've had a few conversations but I'm absolutely support of that idea to make sure there's a broad representation on that board. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Commissioner Roybal, I too would support your effort to change the composition of the committee. It doesn't change the settlement that's already in place but it only provides, and rightly so, more public participation. But I want to go back to the numbers. It's a total of nine?

COMMISSIONER ROYBAL: Yes. It would actually be one member from

the County so that would make the nine.

COMMISSIONER CHAVEZ: So I was missing that member. Okay. So that's the nine-member committee. I think that's good and I would definitely support you on that. But I also wanted to bring to your attention that I attended along with staff – the County staff, City staff was there, the City Manager and also Randy Randall were in attendance at a meeting on March 25th at Tesuque Pueblo where we discussed the proposed Ski Santa Fe route, but that discussion also included other ongoing issues that the pueblo feels are important to them and to the surrounding communities. So the pueblo have asked myself and the City to co-host a meeting here in town that would involve Tesuque Pueblo, Ski Santa Fe, the US Forest Service and members from the Tesuque Valley Community Association.

The reason and the purpose for that meeting would be to discuss and collaborate on mutual issues that are important to the pueblo and to non-pueblo residents as well. So the date of that meeting has been tentatively set for April 17th at 9:00, and I'll share any information with you as we move forward on that. But I am hoping that Commissioner Roybal would be able to assist in that discussion and especially when it comes to watershed protection and restoration. That's probably one of the biggest issues and biggest concerns in that area and so I wanted to again share with you this last meeting and where we intend to go in the future.

CHAIR ANAYA: Thank you, Commissioner Chavez. I have one item, speaking to the service of former Mayor, George Abran Gonzales, and I would like to read into the record his obituary. George Abran Gonzales, January 5, 1938 to March 24, 2015. Former Santa Fe Mayor. George Abran Gonzales was called home on March 24, 2015 after living an amazing life of service to his god, family and community. He was born in the City of Holy Faith on January 5, 1938 in the Agua Fria neighborhood. At an early age, he showed true leadership skills and public speaking ability when he served as Senior Class President and earned the highest award at the State Spanish Elocution Competition.

During this time, he was also being recognized for his talent in voice and music. George attended the College of Santa Fe, served in the Army National Guard, and then married his beautiful wife of 58 years, Celine Vigil.

George was a pioneer of Spanish language radio in New Mexico. His professional broadcast career began in 1955 at Radio Station KTRC and lasted 60 years. His love for community, his desire to help others, and his belief that su voto es su voz led him into a career in politics. He was elected and served two terms as Santa Fe County Commissioner, during which time an indigent fund was created to help those in tremendous need. At age 30, he was elected to serve as Mayor of the City of Santa Fe from 1968-1972, the youngest Mayor in the history of Santa Fe.

George never lost his passion for Broadcasting and his desire to help his community. In 1991 he created his family-owned radio station KSWV-AM 810 Que Suave Radio.

George is preceded in death by his beloved son, George "Anthony" Gonzales, parents, Porfiria and Alejandro, and brothers, "Lupe" Delfino and Belarmino "Blackie" Gonzales. He is survived by his loving wife, Celine, his devoted sons, Patrick wife Karmella; Javier; Estevan wife Adi-Risa; and his brother Jose wife Mary Gonzales.

George was also a dedicated grandfather to eleven grandchildren: Anthony "Bubba", Joshua, Gianna, Miriah, Rico, Cisco, Cameron, Cadence, Adaiah, Asher, and Amarisa. He was also a dedicated father figure to Olivia Bacon and Georgia Gutierrez and a faithful brother-in-law to Tina, Socorro, Art, John, and Johnny.

The family is grateful for all the support and prayers. In lieu of flowers, the family requests donations be made to Baby Abner Fund at Guadalupe Credit Union in Santa Fe. Thank you, Commissioners. I would also say that some of his pallbearers was Joshua, Rico, Cisco, Marco and Teddy Gonzales and Danny Marmion. Honorary pallbearers were Adaiah, Asher, Anthony Gonzales III, Art Michael and the Caballeros De Vargas. Thank you, Commissioners.

V. B. 4. Presentation of a Proclamation of Celebrating in Honor of Cesar E. Chavez

CHAIR ANAYA: I'd like to ask Jose Villegas to come forward. All of us and many, many others throughout this state as throughout this country are thankful for the service and work of Cesar Chavez. Jose and many others have requested that we honor him, so what I'd like to do, Jose, is allow you to read the proclamation into the record for us and then we'll take a vote on the proclamation. Do you have it with you there? I'll give it to you right here. Thank you.

JOSE VILLEGAS: The Board of County Commissioners of Santa Fe County. A proclamation of celebration in honor of Cesar Estrada Chavez

Whereas, Cesar Estrada Chavez was born March 31, 1927 on a small farm near Yuma, Arizona and died on April 23, 1993; and

Whereas, Cesar Estrada Chavez committed himself to organizing and became founder and full-time labor activist for the National Farm Workers Association whose mission was battling racial and economic discrimination against farm workers by using non-violence; and

Whereas, the National Farm Workers Association became the United Farm Workers of America, UFW, the first successfully farm workers union in the United State history with bargaining agreements that eventually covered 80,000 workers in California, New Mexico, Arizona and Florida; and

Whereas, through his commitment to non-violence, Cesar Estrada Chavez brought dignity and respect to the farm workers who organized themselves and became an inspiration and a recourse to others engaged in human rights struggles throughout the world; and

Whereas, in 1968, Cesar Estrada Chavez conducted a 25-day fast reaffirming the UFW's commitment to non-violence that resulted in a national awareness of the plight of farm workers; and

Whereas, Cesar Estrada Chavez was a recipient of the Martin Luther King, Jr. peace prize during his lifetime and was awarded the Presidential Medal of Freedom on September 8, 1994; and

Whereas, Cesar Estrada Chavez and his family dedicated themselves to the education of farm workers' children through migrant schools; and

Whereas, the legacy of Cesar Estrada Chavez includes healthy working conditions

that yield uncontaminated food for America's table and the enforcement of employer sanctions for hiring undocumented workers; and

Whereas, Cesar Estrada Chavez' influence extends far beyond agriculture and provides inspiration for those working to better human rights through his example of organizing voter registration drives in urban and farm areas, initiating complaints against mistreatment by the police and empowering workers to seek advancement in education and politics; and

Whereas, Cesar Estrada Chavez' birthday, March 31st, is a state holiday in California, Colorado, and Texas. President Barack H. Obama proclaimed March 31st Cesar Chavez Day in the United States with Americans being urged to observe this day with appropriate service, community and education programs to honor Cesar Chavez' enduring legacy.

Now, therefore, be it resolved that we, the Santa Fe Board of County Commissioners do hereby proclaim March 31, 2015 as Cesar Estrada Chavez Day. Approved, adopted and passed on this 31st day of March 2015.

CHAIR ANAYA: Thank you, Jose, very much, for reading that in, and I'm going to go ahead and move the proclamation and hope for a second.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: There's a motion and a second by Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: I just want to point out that we actually have already approved the proclamation, but we can approve it again.

CHAIR ANAYA: Okay. That would be fine. Thank you, Commissioner Holian. And maybe in the future we'll pull those proclamations that we have. I just think it's a nice decorum if we do that.

MS. MILLER: Mr. Chair, actually, there was a request that it was awkward to do that them that way so we put them on Consent so you wouldn't have to vote. I could do it either way you like.

CHAIR ANAYA: I think, let's take it as the Commissioner chooses. As each Commissioner chooses it would be fine. If they want to pull it and hold it. So there's a motion and a second. Commissioner Chavez.

COMMISSIONER CHAVEZ: I just want to share some thoughts with you. One, I remember a time where Robert Kennedy, when he was Attorney General, actually met with Cesar Chavez in the fields in California to really understand what was going on at that level. And I thought that was very encouraging, especially at that time in history. And then I also remember one individual, George Modis, who participated in the grape boycott, and his nickname became grape. So people were engaged and understood that even though we were a long way from California people supported boycotts that Cesar was encouraging.

He also, along with voter registration, encouraged citizenship, because he believed that people who were undocumented could not vote and could not join a union. So he wanted – he encouraged that even then and I think maybe if we would have listened more to people like that our immigration policy would not be so backwards and so far behind. So he did a lot. He didn't focus only on picking crops in the field. He really

tried to be inclusive and be a real member of our American society and encouraged others to do the same. So thank you for your work, Jose, and thank everyone for bringing this proclamation forward.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair, and thank you, Jose for bringing this forward. Back in the sixties and seventies when I was in high school and college there was a lot of political activism and on several occasions I myself participated in protests on behalf of the people who picked grapes in California. I lived in California at the time. And the conditions for the grape pickers were just absolutely abysmal in those days. Long hours of backbreaking work, exposure to pesticides without proper protection, even children picking grapes in those days. And I would have to say that I'm sure the conditions are still tough in those fields in California, but they're much better than they were back in the sixties and seventies and it was in large part thanks to organizers like Cesar Chavez that made that happen and so I feel like I also owe him a debt of gratitude as we well, because I think he was in a way, instrumental in my becoming politically active early in my life. So he had a profound effect on me. Thank you.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much. The concern I have is that I think some people today, as they're growing up, don't know who Cesar Chavez is and I think we have a responsibility to keep him out in the public eye as a symbol and as a role model. But I truly believe that as we have the next generation after the next generation, they have names that they know and they have names they've never heard of. And so I think we should remain concerned about that. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Roybal, anything? Thank you. Jose, do you have any words you want to add as well?

MR. VILLEGAS: Mr. Chair, members of the Commission, as a boy in 1968, I was ten years old and I come from a family of nine kids. I'm the oldest of the five boys and four girls, and I do remember in 1968 all the things that were going on. The Vietnam, Tet offensive, the Mayaguez with the Koreans, Robert F. Kennedy when he got killed – all those things as a little boy I remember but what really stood out the most is my mother. And this is probably the reason why I am who I am and the man that I am is because of my mother's love. She was a chicana activist. And I do remember going to the boycotts. Boycotting grapes, boycotting Coors, all those events in my lifetime and this man, I met him in the fields in Arizona, in the onion fields – I'm a farm worker. I know what it's like to be poor. I know what it's like to work for little pennies but to put food on the table, and this is what I instilled in my children

And so I really appreciate Commissioner Anaya and all the Commission for adopting this proclamation. Cesar Estrada Chavez is a role model for me and when he died in April of 1993, the following year or I would say in 1998 I did go to the state legislature and I did push for a state holiday for him in the State Commission. I succeeded in making that happen in terms of going to the state legislature. But when this

Governor by the name of Gary Johnson, he decided to veto the bill. And so as of today I would like to keep his name alive and well, so I'm notifying the Commission that today, I'm going to push for a state holiday for Cesar Estrada Chavez and a commission for him in the coming 2017 state legislature. And I'm going to push it. I'm going to push it until I get it.

So, said that, again, I appreciate the gesture that the Commission did today. It really means a lot to me. Now I can tell my mom. I say, Hey, mom. I have not given up on the causa, and this is what si se puede. It can be done if you put your heart to it, put your faith to it and so I appreciate it. Muchas gracias. Thank you so much.

CHAIR ANAYA: Thank you. I'm going to go ahead and do another vote if that's okay with the Commissioners.

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

CHAIR ANAYA: One comment I would make is I sure wish I was in a position that you were Commissioner Holian, or you, Commissioner Chavez, in those protests that you participated in, but in public policy and public affairs spent a fair amount of time studying people like Cesar Chavez. And one of the stories that sticks and resonates with me to this day was one of the key things that he fought for that became a symbol of what was injustice was the size of the hole that they were utilizing in the field. They would cut the holes so that they could see in the fields at a distance whether or not the workers were standing up or not working. And it became one of his cornerstone items that he said this is an injustice and it's inappropriate and it's wrong. And had the tenacity to coalesce many people across all states to fight against it and fight for those rights. And so I agree with you, Commissioner Stefanics, and the entire Commission in their remarks and thoughts and yours as well, Jose, and I think it would be fitting to continue to resonate his message and to pursue whatever we can to perpetuate the history and the understanding of pain and suffering that led to, as Commissioner Holian said, better circumstances. Maybe not what they should be but better than they were. So thank you so much.

MR. VILLEGAS: Muchas gracias Benisones.

CHAIR ANAYA: Okay, Commissioners. Where are we at, Ms. Miller?
Are we on Matters from the Manager?

MS. MILLER: Mr. Chair, yes, you are. However, if you would like to have the last public hearing on the right-of-way ordinance I can wait until you finish that.

CHAIR ANAYA: Let's go ahead and do that. Mr. Leigland, you're up.

VII. PUBLIC HEARINGS

A. Ordinances

1. Ordinance No. 2015-04, an Ordinance Amending the Right-of-Way Use Ordinance, Ordinance No. 2003-1, as Amended by Ordinance No. 2009-5 (Final Public Hearing)

MR. LEIGLAND: Mr. Chair, Commissioners, in 2009 the County passed an ordinance to manage our right-of-way and included in that ordinance was a fee

schedule, but almost immediately that new fee schedule was challenged in district court by certain companies that would have to pay that fee to work in our right-of-way and we've been litigating with them ever since. And as a consequence of that we've never actually implemented the new fee schedule. So what you have before you is an ordinance to take our 2009 ordinance, preserve all of it except for the fee schedule, and resort back to the fee schedule that was in the 2003 ordinance, which is the one we're still following as a matter of course.

And so by revoking the 2009 fee schedule it will allow us to get out of this litigation and then we can come back, the Commission can come back and address it at a time of its own choosing. So this is a cleanup action. To answer a question that I think Commissioner Chavez brought up earlier, we have an in-house person whose sole job is to implement this right-of-way ordinance. He does the inspections. He makes sure that they're following all the terms and conditions of this ordinance. So with that, Mr. Chair, I'll stand for questions.

COMMISSIONER CHAVEZ: Okay, Adam. That concludes your presentation?

MR. LEIGLAND: We'll save questions for a little bit later. What I would like to do, this is the final public hearing so I want to be sure that we open up the meeting to any public. And I see that there are no public in attendance here tonight, so that opens the final public hearing and I'll now close the public hearing and then go back to questions from the Commission. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I would hope that if we do this then we will go back and revise and come back with another fee schedule. Thank you.

COMMISSIONER CHAVEZ: Commissioner Holian, any comments, questions?

COMMISSIONER HOLIAN: Well, just one question I guess. Adam, how did staff arrive at those increased fees that are in Ordinance 2099-5 in the first place?

MR. LEIGLAND: Mr. Chair, Commissioners, the intent of this is to make the program self-sustaining, so as I mentioned earlier we do have a staff person whose job is to implement it so the fee schedule was meant to cover the hours. And I understand we've actually been tracking the hours of this individual to support the fee schedule. Mr. Martinez was here in 2009 and maybe he can expand on what I just said.

MR. MARTINEZ: Mr. Chair, Commissioner Holian, I just want to add that Santa Fe Engineering, Mike Gomez was hired to help us with the costs and the level of repairs that should be made on these roads, so it wasn't only staff but it was also Santa Fe Engineering that helped the County put together these costs.

COMMISSIONER HOLIAN: So if we were to implement a new ordinance after this action in the future, that came up with some fair costs for these kinds of activities, do you think that would be possible to do? Do you think that the companies would work with us on that?

COMMISSIONER ROYBAL: Mr. Chair, Commissioner Holian, I believe they will. We have reduced a few of the costs. Even though we are issuing permits under the old rate, some of the revised costs that were proposed I believe were considered by the utility companies that were opposed to the ordinance and felt that they were in

agreement with some of these revised fees. So I believe that we would be successful the next time that we do bring this ordinance back.

COMMISSIONER HOLIAN: Okay. I agree with Commissioner Stefanics that we should move forward after this action with implementing fair costs in an ordinance.

COMMISSIONER STEFANICS: Mr. Chair, on this point, this has been discussed at the Association of Counties. There are counties who charge zero and there are counties who charge a lot of money. So I think it would be worthwhile to do a little survey to see what's happening. Bernalillo County actually felt that their fees were way too low. They jacked them up and they haven't been challenged yet. But we want to do what's best for our county but this is a topic that's being discussed in several counties. Thank you.

COMMISSIONER CHAVEZ: So action requested is to approve the ordinance as it's written, so I would ask for a motion to that effect.

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

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER CHAVEZ: There's a motion and a second. Any further discussion? We need a roll call.

The motion to approve Ordinance No. 2015-04 passed by unanimous roll call vote as follows:

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Aye
Commissioner Stefanics	Aye

V. C. Matters from the County Manager

1. Miscellaneous Updates

a. Legislative Update [*Exhibit 9*]

MS. MILLER: Mr. Chair, the only items we have left, we went over the reports earlier so the directors are gone, would just be Matters from the Manager and executive session from the County Attorney. Although I forgot to note earlier, the only item that is on the agenda for executive session is limited personnel matter, performance evaluation of County Manager. The other items, 2, 3, and 4 are not needed and we're not noticed for any specific items.

So with that I'll just go to the update and the Board can decide whether to go into executive session. So as you mentioned earlier along with Easter and Passover comes the pilgrimage and once again Santa Fe County has been working diligently for the last couple months in planning. Martin Vigil and the Fire Department, the Sheriff's, Public Works, have been working with about 20 agencies that have been involved in the planning and will be available throughout the weekend for the pilgrimage and we even

had the Public Works do street sweeping. The sheriffs will be handing out about 2,000 glow sticks. Porta-potties have been out along the pilgrimage and there will be a command post at the Chimayo station and I believe Martin Vigil has talked to State Police and the Sheriff's officers who will also be present, and our wildfire crew will be out in the area. And then also at the Nambe Community Center, our senior center, on Thursday and Friday there will be apparatus for any individuals that may need to stop for a break, and also in La Puebla on the State Road 76 and on the side of the road.

So in observance of the Passover and Good Friday the County administrative offices will be closed on Friday afternoon. We'll close at noon, and just so that you know, we are keeping our solid waste collection stations open on Friday but they will be closed on Sunday in observance of Easter. And that has been noticed at the stations since the middle of the month so that residents would know that we'll have regular hours on Friday but we'll be closed in observance of the holiday at those stations on Sunday.

Also, FY 16 budget, just a reminder and I will make sure that Ambra sends out an appointment schedule for you, but we have a study session planned over the lunch time and we will have a working lunch for that study session at noon on April 14th. It's a regular scheduled BCC day so we will have our regular scheduled meeting starting after that. So we're planning 12:00 to 2:00 to do the budget study session, and then starting our regular meeting at 2:00.

COLTPAC, at the last BCC meeting I believe Commissioner Holian, you requested a presentation by COLTPAC on their upcoming events. Staff is working on a presentation with COLTPAC and we plan to have that on the April 14th meeting as well.

And then City-County update. At the last BCC meeting which actually was just last week, but a question was asked about our dates on white papers. We have this Friday a couple of the white papers will be in draft form and then the following Friday we should have the rest of the ones that we believe are the items that the Board has identified as issues with the City to discuss. So then what we'd like to do, and we'll be contacting each of you relative to the committees that you're on, and that's the water/wastewater/stormwater committee, annexation committee, and the public safety committee, and setting up meetings with the staff that's been working on the white papers and the two Commissioners on each of those committees to go over the white papers so we can put them in final form and make sure that we have, from the committee members' perspective, all the salient points in the papers that we need to make with the City.

So, as I said, we have kind of two deadlines for two different groups of the white papers, but those will be finishing up over the next two weeks and then working with you and the committee structure to review those and discuss them before anything is presented to the City.

And then the last item I had was there was also, at the request of the chair at the last meeting, based upon the Glorieta Battlefield presentation we did draft a letter to the New Mexico congressional delegation, and those have been prepared for the Chair to sign and send to the delegation requesting recognition and honoring those individuals who fought in the battle and their role in the freedom we enjoy. So that was one of the other follow-up items from the last meeting and I think those are all my updates unless you have any other questions.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. You reminded me, Ms. Miller, when you talked about water, the Buckman Direct Diversion is going off line Friday for four to six weeks. So that means the City will be supplying water after a couple days. So I forwarded to the Manager – the staff already have the letters, but I'm forwarding to the Manager and the Attorney the letter about it going off line. Thanks.

MS. MILLER: Mr. Chair, I also had one other update, and that was based on earlier, the question about – sorry for the confusion earlier when we were talking about reports. The directors, we've got a lot of applications going in for different things, so we had some applications for some grants and some presentations with NACo. But we do have several applications that are being submitted or have been submitted for the NACo 2015 achievement awards, which Commissioner Stefanics was asking about. So just so you know, they are due Friday, April 10th but we have actually already submitted several. There's several categories. Arts and historic preservation, children and youth, civic education, community and economic development, county administration, criminal justice, emergency management, health, human services, libraries, IT, parks and rec, and several others.

But we do have – we will be submitting at least five and I'm actually checking with other departments in case I don't know whether the Sheriff's Office or some of the elected officials have submitted some. But our applications for the achievement awards are the reading program at the adult facility for children of inmates, the imagination library with Community Services, treatment services for pregnant women with Community Services, our wellness program with HR and wildland fire hazard assessment and prevention program from the Fire Department and the library services within our facility at the youth development facility.

So those are the ones that I am sure that we have either submitted or are submitting. So thank you, Commissioner Stefanics, for bringing that up because I wanted to make sure we got it straight, how many we are submitting and what we have out there. And that's it.

CHAIR ANAYA: Thank you, Ms. Miller. I appreciate that. I also understand that the Southwest Chief is intact, is my understanding. And so that's a good thing for New Mexico, for now and for years to come.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

1. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978

a. Performance Evaluation of the County Manager

CHAIR ANAYA: We do have a brief executive session that I'm going to provide a process in a prior structure that we've used for evaluation of our Manager. Mr. Shaffer, do we have any other need for executive?

MR. SHAFFER: No, Mr. Chair. That would be the only item.

CHAIR ANAYA: Excellent. Ms. Salazar is going to help us when we go in there for a brief session, as I say. Is there a motion?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we go into executive session for the purposes of a personnel matter in which we will discuss the performance evaluation of the County Manager.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion and a second from Commissioner Chavez and Commissioner Roybal. Roll call

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

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Aye
Commissioner Stefanics	Aye

[The Commission met in closed session from 8:10 to 8:25.]

CHAIR ANAYA: I'd entertain a motion to come out of executive session. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, I'll go ahead and make a motion to come out of executive session.

COMMISSIONER ROYBAL: I'll second.

COMMISSIONER CHAVEZ: And in attendance were the County Manager, the County Attorney, five Commissioners. No action was taken.

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

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

IX. CONCLUDING BUSINESS

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

Having completed the agenda and with no further business to come before this body, Chair Anaya declared this meeting adjourned at 8:25 p.m.

Approved by:



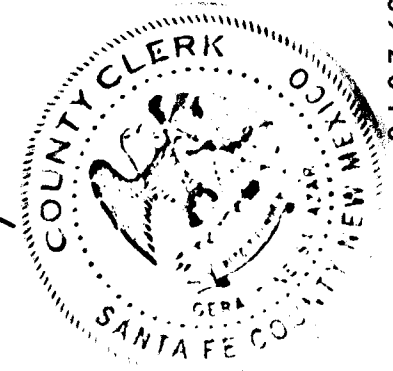
Board of County Commissioners
Robert A. Anaya, Chair

ATTEST TO:



GERALDINE SALAZAR
SANTA FE COUNTY CLERK

4-28-2015



Respectfully submitted:



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




COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 118

I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of April, 2015 at 04:21:37 PM
And Was Duly Recorded as Instrument # **1763091**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar

Deputy  County Clerk, Santa Fe, NM

SFC CLERK RECORD04/29/2015

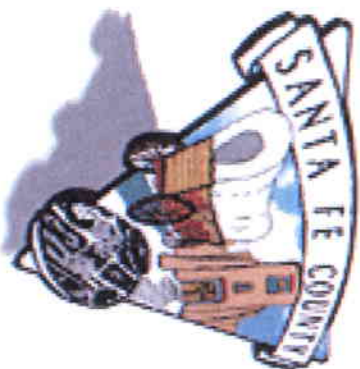
BOARD PRESENTATION

Santa Fe County, New Mexico

General Obligation & Refunding Bonds, Series 2015

March 31, 2015

STRICTLY PRIVATE AND CONFIDENTIAL



RBC Capital Markets

Summary of the General Obligation & Refunding Bonds, Series 2015

Par Amount: \$45,075,000*

New Money: \$ 8,000,000

Refunding: \$37,075,000*

- Refunding Produces \$3.75 Million* In Present Value Savings (8.87%*)
(3% present value savings is the common threshold requirement)
- Average Rate of Refunded bonds is 4.33%
- Average Rate of Refunding bonds is 2.55%*
- Average Annual Savings: \$310,000*

Security: Ad Valorem Property Tax Revenue

Sale Date: April 14, 2015

Closing Date: May 26, 2015

Optional Call: July 1, 2024 @ 100%

2015 Tax Rate: 1.97 mills

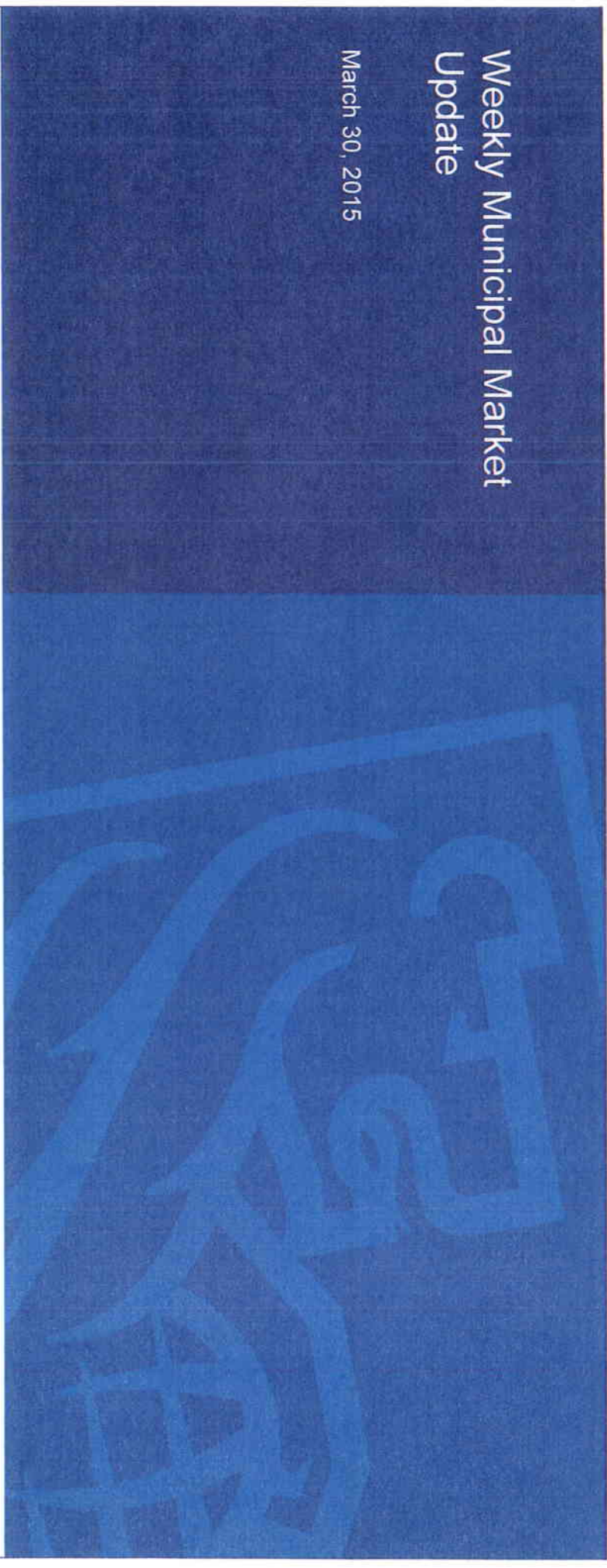
*Results based on current market rates as of March 30, 2015; actual results may vary

General Obligation Debt Profile

Issue	Bond Type	Amount Outstanding	Callable	Amount Outstanding	Call Date	Coupons	Final Maturity
Series 2005	GO	2,030,000		-	Non-Callable	4.000% - 4.190%	2016
Series 2005A	GO	9,950,000		9,950,000	07/01/2015	4.000% - 4.375%	2025
Series 2007A	GO	19,800,000		18,550,000	07/01/2016	4.000% - 4.500%	2026
Series 2007B	GO	15,300,000		14,300,000	07/01/2016	4.000% - 5.500%	2027
Series 2008	GO	24,900,000		18,400,000	07/01/2018	3.500% - 4.250%	2024
Series 2009	GO	11,250,000		6,250,000	07/01/2019	3.000% - 4.200%	2024
Series 2010A	GO	6,225,000		-	Non-Callable	2.000% - 3.000%	2018
Series 2011	GO	12,275,000		4,750,000	07/01/2021	2.500% - 4.000%	2026
Series 2013	GO	18,650,000		13,125,000	07/01/2021	2.000% - 4.000%	2028
Total GO Bonds		120,380,000		85,325,000			

Weekly Municipal Market Update

March 30, 2015

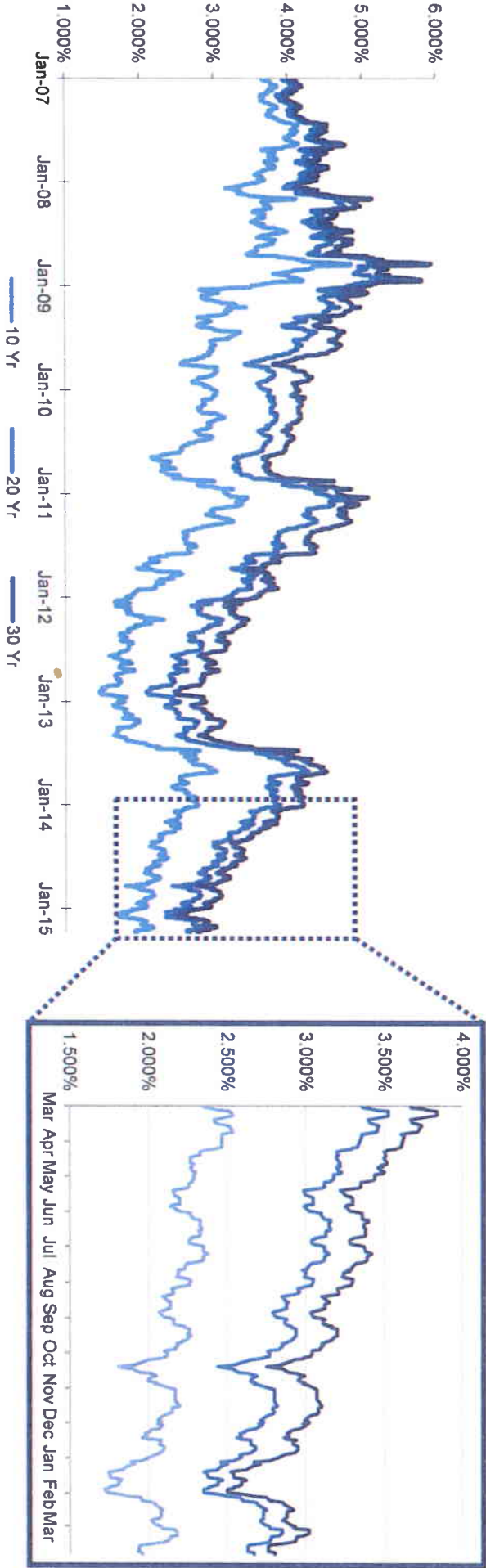


RBC Capital Markets

Current Municipal Market Conditions: "AAA" MMD

After closing at 2.76% the previous week, the 30-year "AAA" MMD increased by 4 bps from March 20 – March 27 to a current rate of 2.80%

"AAA" MMD January 1, 2007 to Present



Shift in "AAA" MMD Since March 2014

January 1, 2007 to Present						
	10 Year		20 Year		30 Year	
Maximum		4.860%		5.740%		5.940%
Minimum		1.470%		2.100%		2.470%
Current		1.960%		2.670%		2.800%
Shift in 30-year "AAA" MMD						
2008	2009	2010	2011	2012	2013	2014
0.790%	-0.900%	0.520%	-1.130%	-0.740%	1.330%	-1.340%

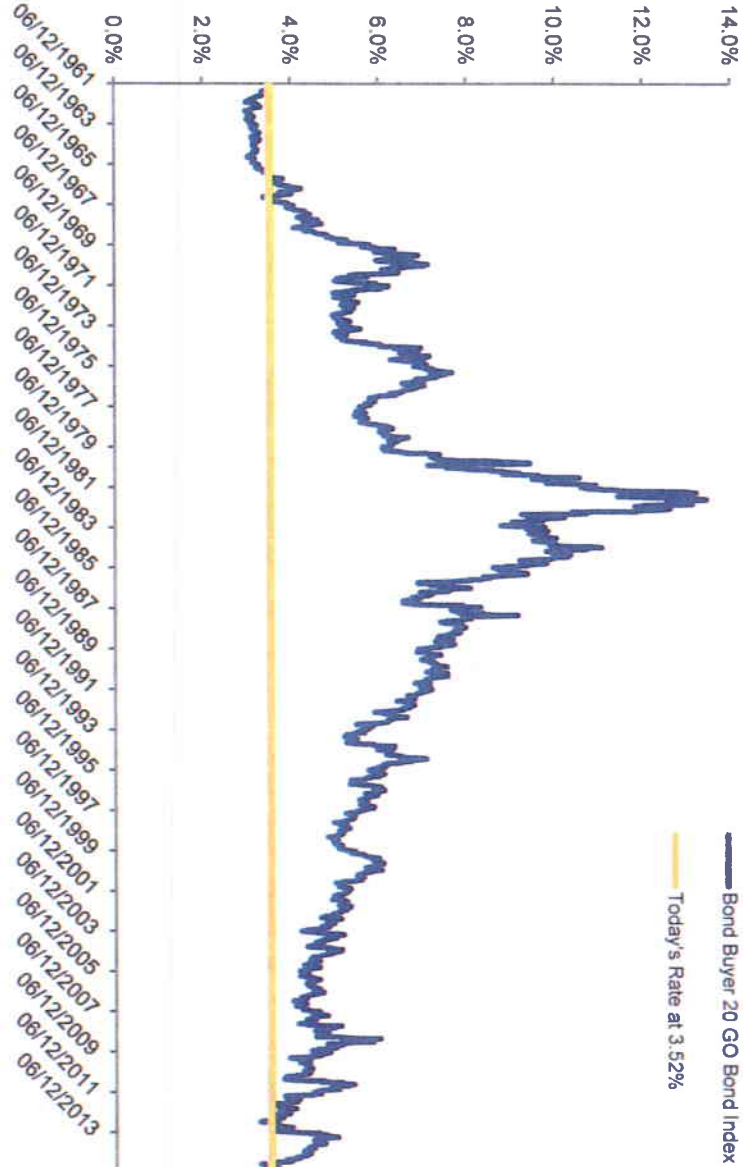
March 3, 2014 to Present			
	10 Year	20 Year	30 Year
Maximum	2.540%	3.530%	3.840%
Minimum	1.720%	2.350%	2.500%
Average	2.156%	2.892%	3.135%

Source: TM3, Thomson Reuters
10, 20, and 30 year "AAA" MMD shown to represent different average lives of municipal transactions
Rates as of March 27, 2015

Bond Buyer 20 General Obligation Bond Index

54 Year Historical Perspective

Bond Buyer 20 GO Index since January 1961



% of Time in Each Range Since 1961

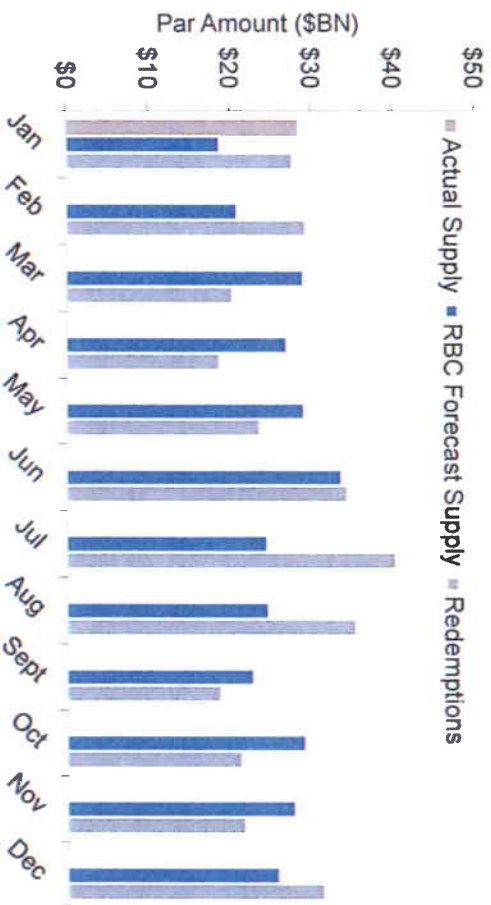
Yield Range	% of Time
Less than 3.50%	8.83%
3.50% - 4.00%	7.03%
4.01% - 4.50%	11.35%
4.51% - 5.00%	10.67%
5.01% - 5.50%	14.88%
5.51% - 6.00%	10.35%
6.01% - 6.50%	8.02%
6.51% - 7.00%	7.31%
7.01% - 7.50%	6.61%
7.51% - 8.00%	3.89%
Greater than 8.00%	11.06%
Total	100.00%

Source: Bloomberg as of March 26, 2015
Weekly yields and indexes released by the Bond Buyer. Updated every Thursday at approximately 6:00pm EST. 20 Bond General Obligation
Yield with 20 year maturity, rated AA2 by Moody's Arithmetic Average of 20 bonds' yield to maturity.

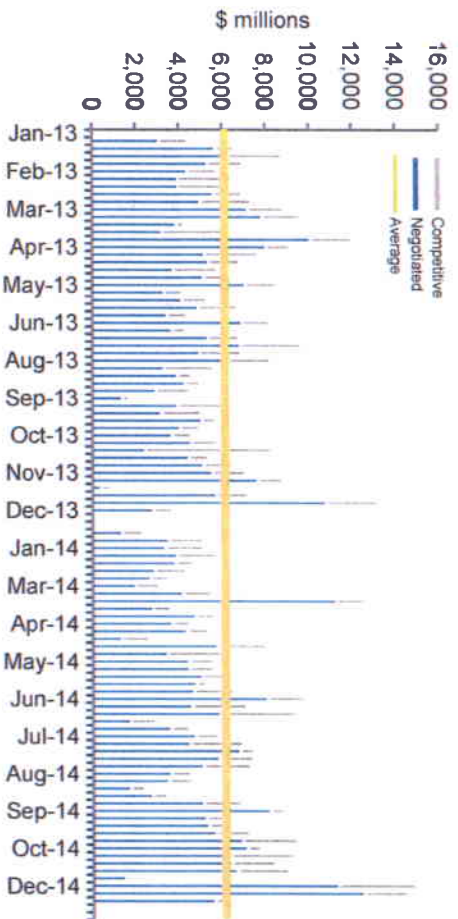
Today's 3.52% level is lower than 90.81% of historical rates since January 1961

Tax-Exempt Market Dynamics

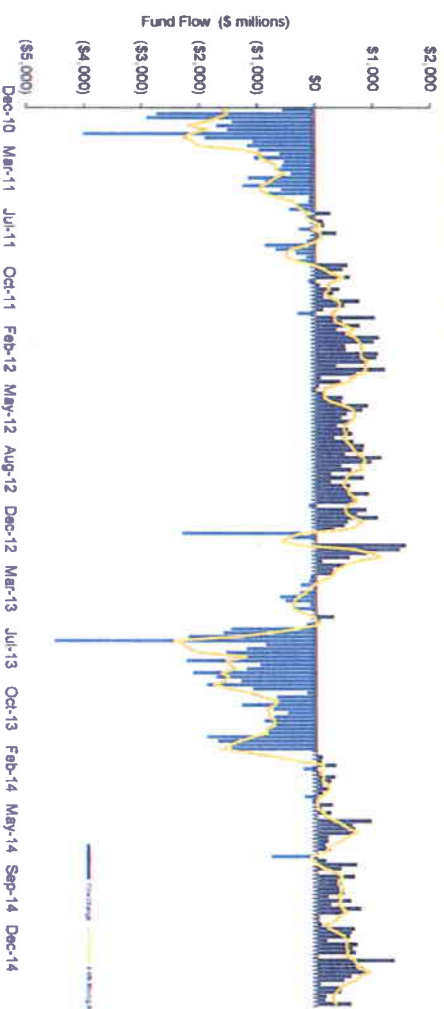
Muni Bonds: 2015 Issuance versus Redemptions



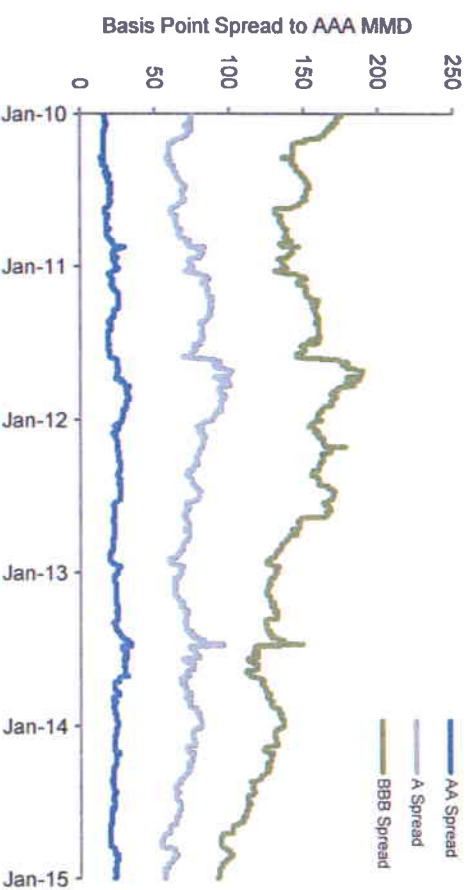
2013 – 2015 Municipal Weekly Volume



Lipper Municipal Fund Flows



Credit Spreads Remain Tight for Highly Rated Issuers



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THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

RESOLUTION NO. 2015- _____

**A RESOLUTION SUPPORTING NEW BUREAU OF LAND MANAGEMENT (BLM)
RULES AIMED AT PROTECTING TAXPAYERS AND NEW MEXICO'S CULTURAL
ASSETS FROM THE WASTEFUL AND UNNECESSARY PRACTICE OF INCREASED
METHANE FLARING AND VENTING IN THE STATE.**

WHEREAS, energy development is critically important to New Mexico's economy and makes up a cornerstone of our State's educational funding;

WHEREAS, according to Senate Memorial 29 introduced by Senator Benny Shendo Jr. during New Mexico's 52nd Legislature, recent reports suggest that New Mexico taxpayers have lost out on an estimated \$42.7 Million in royalty revenue since 2009 due to increased wasted natural gas in the oil-and-gas producing regions of the state through flaring, which is the burning of natural gas associated with oil extraction processes;

WHEREAS, the BLM typically does not charge royalties or charges reduced amounts for royalties for gas that is leaked, flared or vented;

WHEREAS, the BLM is now considering new rules that would modernize how the government accounts for the waste of this public resource through flaring;

WHEREAS, according to Senate Memorial 29, nearly 45 percent of all BLM applications to flare royalty free in the entire United States in 2014 (558 of 1248) came from New Mexico;

WHEREAS, a recent National Aeronautics and Space Administration study discovered a huge methane plume above the Four Corners region where much of the state's flaring activity occurs;

WHEREAS, the Denver Post recently reported on jobs and a tech boom taking place in Colorado as new companies form to support compliance with Colorado's new air quality and methane waste rules, which are similar to those proposed by the BLM;

WHEREAS, according to Senate Memorial 29, estimates suggest that as much as ninety percent (90%) of the natural gas being wasted through flaring could be captured or put to use,

S F C C L E R K R E C O R D 0 4 / 2 9 / 2 0 1 5

and the natural gas lost in New Mexico in 2012 could have met the home heating needs of every home in New Mexico for December and January;

WHEREAS, increased flaring activity and energy development may encroach on the landscape near cultural assets such as Chaco Canyon National Historic Park;

WHEREAS, many of the areas where flaring occurs are Native American lands, and allowing royalty-free flaring of what is essentially a Native American-owned resource also takes revenue directly from tribal governments;

NOW THEREFORE, BE IT RESOLVED that the County of Santa Fe supports strong new rules aimed at protecting New Mexico's taxpayers from the wasteful flaring that is currently occurring in the state.

BE IT FURTHER RESOLVED that Santa Fe County stands united with tribal entities across the state that have already resolved to protect Chaco Canyon and sacred sites from the potential encroachment of development and flaring activity in All-Pueblo Council of Governors Resolution APCG2014-04;

BE IT FURTHER RESOLVED that this resolution be shared with New Mexico's federal delegation and relevant units of the U.S. Department of the Interior including the Bureau of Land Management and the Bureau of Indian Affairs.

APPROVED, ADOPTED AND PASSED this 31st day March, 2015.

Robert A. Anaya, Chairman

Attest:

Geraldine Salazar, Santa Fe County Clerk

Approved As To Form:


Gregory Shaffer, County Attorney



March 31, 2015

Santa Fe Board of County Commissioners

Commissioner Robert Anaya
Commissioner Miguel Chavez
Commissioner Kathy Holian
Commissioner Henry Roybal
Commissioner Liz Stefanics

RE: Resolution to Support BLM Regulations on Methane Flaring

Dear County Commissioners:

The facts on methane emission impacts and flaring violations of oil-gas operators in Northern New Mexico continue to escalate making the proposed County resolution on methane flaring a vital one for public health and economic well-being.

The Washington Post published in December of 2014, an eye opening study of the massive methane hot spot over the San Juan Basin caused by coal-fired power plant emissions, open coal bed methane pits and methane flaring from active wells.

http://www.washingtonpost.com/national/health-science/delaware-sized-gas-plume-over-west-illustrates-the-cost-of-leaking-methane/2014/12/29/d34c3e6e-8d1f-11e4-a085-34e9b9f09a58_story.html?tid=HP_more?tid=HP_more

The impact on human health is being increasingly studied and the correlation between oil field air quality and high rates of pulmonary disease, asthma and cancer of local residents is highly predictive of future costly health issues. In January, a group of concerned Navajo youth walked the proposed 130-mile Pinon Pipeline route from Lybrook to Prewit to show tribal elders and leaders what they saw.

Farmington Times
Nihigaal Bee Iina Dine Youth Walking Across Fracked Dine Lands –

"This weekend we faced the harsh reality, of the conditions that our people have to live in. For our walk through Lybrook we had to wear respirators. Industry workers have gas monitors and do a routine check daily for gases emitted due to the burn offs done for fracking. Two out of the four gases that are emitted are deadly! Community members don't have respirators or gas monitors.

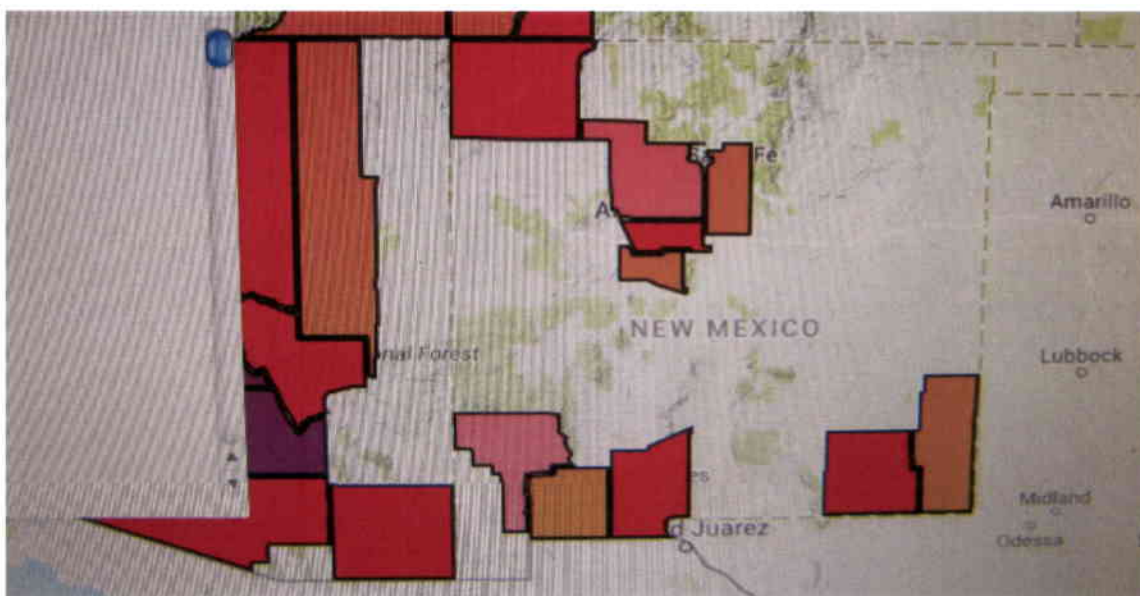


On a recent visit up NM 550 to Lybrook, I photographed extensive well sites and tall flaring plumes directly across the highway from the elementary school at Counselor. (Photo above) Reports from parents indicate that their children have been sent home on occasion and told "Don't drink the water from the tap" or "We're all going home early because the air is bad today" or "They're having problems with a well".

When seen from above, the well sites show the rapid industrialization of Navajo Tribal lands and public lands, including the area delineated in the greater Chaco Cultural area, one of only 22 UNESCO World Heritage Sites in the United States. (Photo below by Mike Eisenfeld)



The violations and associated pollution is shown on the map below (highest levels in red, lowest in orange), which includes Santa Fe County.



The dangers of methane flaring, air and water contamination and continual exposure to the multitude of oil field toxins for local and regional residents is an issue that has reached the highest levels of government, including the Council of Environmental Quality which oversees Bureau of Land Management (BLM) and recently announced increased air emission regulations.

The Northern New Mexico Group of the Rio Grande Chapter of Sierra Club strongly supports the Methane Flaring Resolution proposed by Commissioner Holian and urges a unanimous adoption of this resolve to support emission reductions on behalf of all residents and northern New Mexico.

Thank you.

Sincerely,

Grace Hamster

Teresa Seamster
Co-chair, Northern New Mexico Group

Rio Grande Chapter of Sierra Club
1807 2nd Street, Suite 45
Santa Fe, NM 87505
(505) 983-2703

New Mexico is Losing Millions Annually to Venting and Flaring of Natural Gas on Public Lands

Due to lax federal regulations governing natural gas flaring and venting, New Mexico taxpayers have lost over \$42.5 million in royalty payments since 2009. Western Governors should stand up for their state budgets and call for a drastic reduction in flaring and venting of natural gas.

- Venting and flaring of natural gas on federal lands in New Mexico has cost taxpayers an estimated \$87,201,937 since 2009ⁱ, and \$15,711,792 in federal royalties in 2013 alone.
- With the exception of some limited instances, the BLM does not charge royalties on gas burned for flaring, even though this gas is still owned by the public, and would be charged royalties if it were captured for sale. Since any State regulations don't apply to federal lands, this federal loophole is costing taxpayers millions annually.
- Since 50% of federal royalties go to the states where gas is produced, New Mexico has directly lost an estimated \$42,728,949 since 2009, and \$7,698,778 in revenues in 2013 alone.

To put this in context for New Mexico:

- New Mexico's more aggressive approach to fighting wildfires in 2012 cost the state \$42 million, roughly the same amount that New Mexico lost to gas flaring and venting on federal lands since 2009.ⁱⁱ
- The Navajo Nation was recently awarded settlement funding for cleanup of abandon uranium mines in New Mexico, causing public health problems. Of the total settlement \$87 million would be set aside by the EPA specifically for the Quivira Mines near Church Rock, NM and the Navajo Nation would receive separately \$43 million for Shiprock Mill where uranium was processed near the San Juan River. Comparatively, the total taxpayer losses from venting and flaring on New Mexico public lands since 2009 was \$87 million and the State's direct share of that is \$42 million.ⁱⁱⁱ

- New Mexico's entire public defender budget, with a caseload of over 77,000 cases is \$42 million for FY 2014, the same amount the state has missed out on since 2009 from venting and flaring revenue.^{iv}
- In 2013, New Mexico revenues lost to venting and flaring of gas on federal lands could have funded road maintenance in Albuquerque for a year or funded the \$7 million for "recruitment and retention of teachers" and merit pay for educators in New Mexico's most recent budget.^{vi}
- New Mexico revenues lost to venting and flaring of gas on federal lands since 2009 could have provided double the funding from the New Mexico State Land Office to public schools in 2013 to add 5,000 new students to preschool and Kindergarten programs.^{vii}
- According to Energy Information Administration data, gas vented and flared has increased 25 fold in New Mexico from 2009 to 2012. (481 million cubic feet in 2009 compared to 12,259 million cubic feet in 2012).^{viii} This graph shows visually the increase.
- The natural gas lost on and off of federal lands in New Mexico in 2012 could have met 45% of residential consumers' needs for natural gas that year, or enough to meet the needs of every home in the state for December and January.^{ix}

In 2013, enough natural gas produced on federal public lands was burned or released into the atmosphere to meet the needs of Los Angeles or Chicago for an entire year. See the full report from Western Values Project for detailed national information.

- In 2013, between 111.8 and 133.1 million Mcf of gas was wasted on taxpayer-owned, American public lands – gone forever without generating tax revenue or making it to market. That's enough gas to meet the needs of Los Angeles or Chicago for an entire year – and the numbers are only getting worse, given the exponential increase in wasted natural gas in recent years.
- On the low-end, this means a loss to taxpayers of roughly \$54-\$64 million last year alone. The potential losses are even greater, perhaps even two to four times as much, as the rates used to calculate those numbers were developed by the EPA and GAO in 2006 and 2008, before an exponential increase in the rates of flaring.
- Over the next decade, American taxpayers stand to lose almost \$800 million in lost revenue due to venting and flaring, again by conservative estimates.
- Flaring is also not limited to federal lands, with most of the current profitable oil and gas resources under non-federal land.
- Nationally, flaring and venting has been estimated in the past to have wasted over \$1 billion of natural gas per year.

- The most recent estimates suggest a comparable level of waste for North Dakota alone, where estimates suggest over \$100 million in wasted gas per month.
- All this while families across the country experienced an unusually harsh 2013-2014 winter, and paid record propane prices due to shortages that even triggered congressional hearings.

References

ⁱ To reach this finding, we used Office of Natural Resources Revenue "Reported Revenues Federal Onshore In All States For FY 2013 By Sales Year" data, accessed 2/5/14, to calculate the total amount of natural gas produced in New Mexico in 2014 and since 2009. Based on EPA findings reported on pages 12-13 of the Government Accountability Office's report "Federal Oil and Gas Leases" in October 2010, we calculated the amount of natural gas that was likely flared or vented in New Mexico during this time, and using Henry Hub spot prices from the Energy Information Administration, accessed 5/1/14, calculated the monetary value of that lost gas and the federal royalties it would have generated had it been produced and sold.

ⁱⁱ KOAT 7 ABC "Budget Cuts Hit Wildfire Fights in New Mexico 3/9/2013

ⁱⁱⁱ Associated Press; Washington Times 4/3/2014

^{iv} New Mexico Public Defender's Website Accessed 6/5/2014

^v Albuquerque Journal, 3/15/14.

^{vi} Associated Press State & Local Wire, 2/19/14.

^{vii} Deming Headlight, "Schools, universities, hospitals to benefit from state land office," 5/15/13.

^{viii} Energy Information Administration, accessed 5/30/14

^{ix} Energy Information Administration, accessed 5/30/14; Energy Information Administration, accessed 5/30/14. To reach this finding, we first calculated the amount of natural gas that was likely lost to flaring and venting in Utah, as described above. Based on information from the American Gas Association, accessed 4/28/14, indicating that 1 billion cubic feet of natural gas could power as many as 11,000 homes for a year, we calculated the amount of homes that could have been powered by the likely amount of gas lost to flaring and venting and used Census Bureau data from page 2 of the report "Households and Families: 2010," published April 2012, to calculate the likely population of a city with that amount of homes.

Henry Roybal
Commissioner, District 1
Miguel Chavez
Commissioner, District 2
Robert A. Anaya
Commissioner, District 3



Kathy H. Hobbler
Commissioner
Liz Stefanics
Commissioner, District 5
Katherine Miller
County Manager



MEMORANDUM

DATE: February 9, 2015
TO: Board of County Commissioners
FROM: Adam Leigland, Public Works Department Director
VIA: Katherine Miller, County Manager *AM*

ITEM AND ISSUE: BCC Meeting February 24, 2015

Request Authorization to Publish Title and General Summary of an Ordinance Establishing Weight Limits on Various County Maintained Roads (Robert Martinez/Public-Works)

SUMMARY:

The purpose of this ordinance is to restrict heavy vehicle traffic that exceeds the allowable weight the asphalt pavement of the road will support by imposing a maximum weight limitation on certain County maintained roads.

DISCUSSION:

The Public Works Department frequently receives complaints from the public regarding commercial heavy vehicle traffic in their neighborhoods. In order to uniformly impose heavy vehicle traffic restrictions, staff developed policies and procedures for proposing weight limits on asphalt paved County roads. On October 14, 2014, the BCC adopted Resolution 2014-114 "A Resolution adopting policies and procedures for proposing weight limits on asphalt paved roads maintained by Santa Fe County".

As per the adopted policies and procedures, staff conducted assessments on County Road 33-Old Lamy Trail, County Road 62-Caja del Oro Grant Road, Caja del Rio Road and County Road 45-Bonanza Creek Road. The results are as follows:

- County Road 33-Old Lamy Trail, which extends from US 285 into the community of Lamy, is an access road to a historic residential area and a rail road station for Santa Fe Southern Railway and Amtrak. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions, but heavy truck traffic that exceeds the current conditions will cause said road to fail prematurely. A 5-ton weight limit per axle is required for this road.

- **County Road 62-Caja del Oro Grant Road**, which extends from Agua Fria Road to NM 599 Frontage Road, provides access to NM 599 and neighborhoods north of NM 599. The structural number for said paved road, which accounts for a 2% growth, does not meet the existing traffic conditions and will cause said road to fail prematurely. A 5-ton weight limit per axle is required for this road.
- **Caja del Rio Road**, which extends from the NM 599 Frontage Road to Las Campanas Drive, provides access to the Municipal Recreation Complex, Marty Sanchez Golf Course, Santa Fe Animal Shelter, and Caja del Rio Landfill. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions. As per the Settlement and Road Improvement Agreements between the County, King Brothers Ranch, Western Mobile Incorporated, Richard Cook and Las Campanas Limited Partnership, dated October 6, 1997, which acquired the right-of-way for said road, a 10,000 pound weight limit shall be posted on said road north of the landfill access road (Wildlife Way). A 5-ton weight limit is required for this road.
- **County Road 45 -Bonanza Creek Road**, which extends from NM 14 to the I-25 Frontage Road, provides access to various communities east of NM 14. The structural number for said paved road, which accounts for a 2% growth, meets the existing traffic conditions, but heavy truck traffic that exceeds the current conditions will cause said road to fail prematurely. A 5-ton weight limit per axle is required for this road.

Exceptions. The weight limits would not apply to emergency vehicles, road machinery engaged in highway construction or maintenance or to implements of husbandry, including farm tractors, temporarily moved upon a highway, to vehicles making pick-ups or deliveries to or providing services to addresses on effected roads or addresses on adjacent roads served only by that road, including, but not limited to, solid waste removal services, utility vehicles performing work on utilities located along effected roads or adjacent roads served only by that road, or to a vehicle operated under the terms of a temporary, excessive weight permit issued in accordance with the ordinance.

Temporary, excessive weight permits are option. The ordinance provides the Public Works Department to issue temporary, excessive weight permits.

Penalties. The ordinance would impose a fine of \$300 for violations.

ACTION REQUESTED:

Public Works requests authorization to publish title and general summary of an ordinance establishing weight limits on various county maintained roads.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2015-__

AN ORDINANCE
ESTABLISHING WEIGHT LIMITS ON VARIOUS COUNTY MAINTAINED ROADS

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

1. **SHORT TITLE.** This Ordinance shall be cited as the "County Road Weight Limit Ordinance" and shall be referred to herein as the "the Ordinance" or "this Ordinance."

2. **AUTHORITY.** This Ordinance is enacted pursuant to NMSA 1978, § 3-49-1, § 4-37-1, § 4-37-3, and § 66-7-415, and the Weight Limit Policy.

3. **DEFINITIONS.**

A. "Emergency vehicle" means any fire department vehicle or apparatus, police vehicle or apparatus, ambulance, and any other emergency vehicles or apparatus operated by the State of New Mexico, a municipality or county, or a public utility.

B. "Board" means the Board of County Commissioners of the County.

C. "County" means Santa Fe County.

D. "Combination" means any connected assemblage of a motor vehicle and one or more semitrailers, trailers or semitrailers converted to trailers by means of a converter gear.

E. "Gross combination vehicle weight" means the total of the gross vehicle weights of all units of a combination.

F. "Gross vehicle weight" means the weight of a loaded vehicle.

G. "Implement of husbandry" means every vehicle that is designed for agricultural purposes and exclusively used by the owner in the conduct of agricultural operations.

H. "Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from batteries or from overhead trolley wires but not operated upon rails.

I. "Permitting officials" means the Public Works Department Director or staff designated by him in writing as having the authority to issue temporary, excessive weight permits.

J. "School bus" means a commercial motor vehicle used to transport preprimary, primary or secondary school students from home to school, from school to home or to and from school-sponsored events, but not including a vehicle:

(1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of students;

(2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the transportation of students; or

(3) operated as a per capita feeder as defined in Section 22-16-6

NMSA 1978.

K. "Semitrailer" means a vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some significant part of its weight and that of its load rests upon or is carried by another vehicle.

L. "Ton" means 2,000 pounds.

M. "Trailer" means any vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no significant part of its weight rests upon the towing vehicle.

N. "Truck" means every motor vehicle designed, used or maintained primarily for the transportation of property. "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and constructed to carry a part of the weight of the vehicle and load drawn.

P. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including any frame, chassis, body or unitized frame and body of any vehicle or motor vehicle, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks.

O. "Weight Limit Policy" means the Policy adopted by Resolution No. 2014-114.

4. FINDINGS.

A. Roads paved with asphalt represent a significant investment by the County, since asphalt pavement is the most expensive road construction material.

B. Asphalt paved roads are engineered and constructed to withstand specific maximum weight and traffic volumes on a regular basis.

C. Pursuant to the Weight Limit Policy, the Public Works Department has assessed the roads identified in Section 5 of this Ordinance to determine if weight limits are advisable.

D. Based upon the Public Works Department's assessment, the Board has determined that the weight limits established in Section 5 should be imposed to protect the identified roads.

5. WEIGHT LIMITS ON DESIGNATED ROADS.

<u>Road or Portion of Road</u>	<u>Weight Limit</u>
County Road 33-Old Lamy Trail	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per

	axle.
County Road 62-Caja del Oro Grant Road	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per axle.
Caja del Rio Road North of the Entrance to the Caja del Rio Landfill to Las Campanas Drive	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons
County Road 45 -Bonanza Creek Road	Gross vehicle weight and gross combination vehicle weight shall not exceed five (5) tons per axle.

Gross vehicle weight and gross combination vehicle weight limits are determined by multiplying the number of axles times five (5) tons. For example, the gross combination vehicle weight limit for a combination truck tracker and trailer with a total of 4 axles would be 40,000 pounds.

6. **EXCEPTIONS.** The weight limits established in Section 5 of this Ordinance shall not apply to emergency vehicles, road machinery engaged in highway construction or maintenance or to implements of husbandry, including farm tractors, temporarily moved upon a highway, to vehicles making pick-ups or deliveries to or providing services to addresses on a road identified in Section 5 of this Ordinance or addresses on adjacent roads served only by that road, including, but not limited to, solid waste removal services, utility vehicles performing work on utilities located along the roads identified in Section 5 of this Ordinance or adjacent roads served only by that road, or to a vehicle operated under the terms of a temporary, excessive weight permit issued in accordance with this Ordinance.

7. **TEMPORARY, EXCESSIVE WEIGHT PERMITS.**

A. **General Authority.** Permitting officials may, in their discretion, upon application in writing and good cause being shown, issue a special permit in writing authorizing the applicant to operate or move a vehicle of a weight exceeding the maximum specified in Section 5 of this Ordinance.

B. **Grant of Permit; Conditions.** Except for the movement of manufactured homes, a permit may be granted, in cases of emergency, for the transportation of loads on a certain unit or combination of equipment for a specified period of time not to exceed one year, and the permit shall contain the route to be traversed, the type of load to be transported and any other restrictions or conditions deemed necessary by permitting officials. In every other case, the permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by the permitting officials. Every permit shall be carried in the vehicle to which it refers and shall be opened for inspection to any peace officer. Violating a condition or term of a temporary, excessive weight permit issued pursuant to this section shall constitute a violation of this Ordinance and shall be subject to the penalties set forth in Section 9. In addition, violating a condition or term of a temporary, excessive weight permit issued pursuant to this section shall constitute grounds for revocation of the temporary, excessive weight permit.

C. **General Standards and Conditions.** Temporary, excessive weight permits will not be issued unless:

1. there is no reasonable way by reduction or division of the vehicle or equipment to meet the applicable weight limits;
2. the proposed excessive weight trips are not likely to damage the road(s) for which the permit is issued; and
3. the applicant has made satisfactory arrangements to indemnify the County for the cost of repairing any damage caused to the roads by the excessive weight trips.

D. Specific Conditions for the Removal of a Manufactured Home from a Property.

1. If a vehicle for which a permit is issued pursuant to this section is a manufactured home, permitting officials shall furnish the following information to the property tax division of the taxation and revenue department: the date the permit was issued, the location being moved from, the location being moved to, the name of the owner of the manufactured home, and the identification and registration numbers of the manufactured home.

2. A permit shall not be issued pursuant to this section until the owner of the manufactured home or the authorized agent of the owner obtains and presents to permitting officials proof that a certificate has been issued by the County Assessor or County Treasurer showing that either:

a. all property taxes due or to become due on the manufactured home for the current tax year or any past tax years have been paid, except for manufactured homes located on an Indian reservation; or

b. liability for property taxes on the manufactured home does not exist for the current tax year or a past tax year, except for manufactured homes located on an Indian reservation.

8. CONDITIONS PRECEDENT TO EFFECTIVENESS OF RESTRICTIONS.
The weight limit established in Section 5 of this Ordinance for a particular road shall not be effective until the Public Works Department:

A. erects or causes to be erected and maintained signs designating the weight limit and provisions of this Ordinance at each end of that portion of any street affected; and

B. gives notice and a copy of this Ordinance to the nearest officer or employee of the New Mexico Department of Public Safety, Motor Transportation Division authorized to issue special permits and the Santa Fe County Sheriff.

9. PENALTIES AND CITATIONS.

A. Violations of this Ordinance shall be punishable by a fine of three hundred dollars (\$300) per violation.

B. Prosecution of violations of this Ordinance may be commenced by the issuance of a citation charging the violation. Citations may be issued by the County Sheriff and Deputy County Sheriffs.

10. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after it is recorded in the office of the County Clerk.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE
COUNTY THIS ____ DAY OF _____, 2015.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By: _____
Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar
County Clerk
APPROVED AS TO FORM:

Gregory S. Shaffer
County Attorney

2.18.15 DRAFT

SFC CLERK RECORD04/29/2015

LOCAL & REGION

Friday, May 6, 2014 THE NEW MEXICAN A-9

Fracking boom linked to sharp rise in traffic deaths

Analysis shows fatalities have quadrupled in some drilling states since 2004

By Jonathan Fahney and Kevin Begos
The Associated Press

CLARKSBURG, W.Va. — Booming production of oil and natural gas has exacted a little-known price on some of the nation's roads, contributing to a spike in traffic fatalities in states where many streets and highways are choked with large trucks and heavy drilling equipment.

An Associated Press analysis of traffic deaths and U.S. census data in six drilling states shows that in some places, fatalities have more than quadrupled since 2004 — a period when most American roads have become much safer even as the population has grown.

"We are just so swamped," said Sheriff Dwayne Villanueva of Karnes County, Texas, where authorities have been overwhelmed by the surge in serious accidents.

The industry acknowledges the problem, and traffic agencies and oil compa-

nies say they are taking steps to improve safety. But no one imagines that the risks will be eliminated quickly or easily.

"I don't see it slowing down anytime soon," Villanueva said.

The traffic accidents have devastated families: two young boys crushed to death last year by a tanker truck in West Virginia; a Pennsylvania father killed by another tanker in 2011; a 19-year-old Texas man fatally injured in 2012 after colliding with a drilling truck on his way to work. A month later, on the same road, three retired teachers died in another collision with a truck.

Not all of the crashes involved trucks from drilling projects, and the accidents have been blamed on both heavy equipment drivers and ordinary motorists. But the frenzy of drilling activity contributes heavily to the flood of traffic of all kinds that has overwhelmed many communities.

Deadly crashes are "recognized as one of the key risk areas of the business," said Marvin Odum, who runs Royal Dutch Shell's exploration operations in the Americas.

Crashes often increase when the volume of traffic goes up, whether because of an improving economy, a

new shopping mall or more people moving into the area. Still, the number of traffic fatalities in some regions has soared far faster than the population or the number of miles driven.

In North Dakota drilling counties, the population has soared 43 percent over the past decade, while traffic fatalities increased 350 percent. Roads in those counties were nearly twice as deadly per mile driven than the rest of the state.

This boom is different from those of the past because of the hydraulic-fracturing process, which extracts oil and gas by injecting high-pressure mixtures of water, sand or gravel and chemicals. It requires 2,300 to 4,000 truck trips per well to deliver those fluids. Older drilling techniques needed one-third to one-half as many trips.

Another factor is the speed of development. Drilling activity often ramps up too fast for communities to build better roads, install more traffic signals or hire extra police officers to help direct the flow of cars and trucks.

Last year, a truck carrying drilling water in Clarksburg, W.Va., overturned onto a car carrying a mother and her two boys. Both children, 7-year-old Nicholas Mazzei-Saun and 8-year-old

Alexander, were killed.

"We buried them in the same casket," recalled their father, William Saun. He said his wife, Lucretia Mazzei, has been hospitalized four times over the last year for depression.

Traffic fatalities in West Virginia's most heavily drilled counties, including where the Mazzei-Saun boys were killed, rose 42 percent in 2013. Traffic deaths in the rest of the state declined 8 percent.

The average rate of deaths per 100,000 people — a key mortality measurement that accounts for population growth — in North Dakota drilling areas climbed 148 percent on average from 2009 to 2013, compared with the average of the previous five years, the AP found. In the rest of the state, deaths per 100,000 people fell 1 percent over the same period.

Traffic fatalities in Pennsylvania drilling counties rose 4 percent over that time frame, while in the rest of the state they fell 19 percent. New Mexico's traffic fatalities fell 29 percent, except in drilling counties, where they only fell 5 percent.

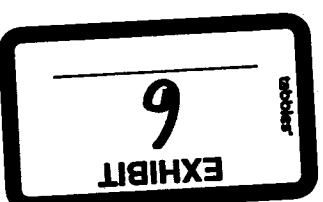
In 21 Texas counties where drilling has recently expanded, deaths per 100,000 people are up an average of 18 percent. For Villanueva, that means there

New Mexico's traffic fatalities fell 29 percent, except in drilling counties, where they only fell 5 percent.

are now accidents serious enough to require air transport of victims three or four times each week, compared with only a few times a month before drilling operations took off.

Some experts say regulatory loopholes contribute to the problem. Federal rules governing how long truckers can stay on the road are less stringent for drivers in the oil and gas industry. Every truck accident "is a tragedy," said Steve Everley of the industry group Energy in Depth. He said oil and gas drillers and their suppliers have been working to reduce traffic and accidents by adopting safety programs, recycling more drilling water and building more pipelines for water.

Police notes | Funeral services and memorials





SANTA FE COUNTY CLERK'S OFFICE

FOR IMMEDIATE RELEASE

Santa Fe – March 27, 2015

SANTA FE COUNTY HAS COMPLETED THE LIST MAINTENANCE ACTIVITIES REQUIRED BY FEDERAL AND STATE LAW; REGISTERED VOTERS URGED TO CHECK THE ACCURACY OF THEIR INFORMATION

“The bi-partisan Santa Fe County Board of Registration and the County Clerk’s Office have completed the biannual maintenance of the official eligible voter list, as required by federal and state law,” Santa Fe County Clerk Geraldine Salazar announced today. “This regular maintenance removes inactive voters from the list, which helps ensure the integrity of and reduce the cost of elections.”

New Mexico conducts its voter list maintenance procedures through the Office of the Secretary of State, which contracts with a National Change of Address (NCOA) program vendor. The entire state voter file is compared to the United States Postal Service’s records. Any registered voter who appears to have changed address from the voter’s precinct of registration is sent a notice and return card with which to update their information.

Voters are only removed from the eligible voter list if they fail to respond to the notice and have not voted or appeared to vote in any election from the date of the notice through the day after the second general election that occurs after the date of the notice. In addition, the Board of Registration, a bi-partisan body appointed by the Board of County Commissioners, must approve of the removal of a voter from the eligible voter list. “Board of Registration approval provides an independent check on the process,” County Clerk Salazar said.

“Voters themselves are responsible for keeping their voter registration up to date,” County Clerk Salazar reminded voters. “Voters should use the time between now and the next primary and general elections in 2016 to check the accuracy of their registration information.”

Voters may check their registration information online at Voter View, <https://voterview.state.nm.us/VoterView/RegistrantSearch.do>, by calling the County Clerk’s Office, Bureau of Elections, or visiting the County Clerk’s Office in person at 102 Grant Ave. Santa Fe, NM.

A voter’s registration information can be updated using a voter registration form, which are preaddressed with postage prepaid. Forms can be obtained by calling or visiting the County Clerk’s Office or form at any of the three County Satellite Offices, located at (1) the Eldorado Senior Center on 16 Avenida Torreon; (2) in Edgewood at 114 Quail Trail; and (3) the Pojoaque satellite office at 5 West Gutierrez, Suite 9, Pojoaque Pueblo Plaza near the Buffalo Thunder exit on 285 on the west frontage road. The voter just needs to completely fill out the voter registration form, sign it, date it, and mail it back to the County Clerk’s Office. It’s that easy.

“Now is also a great time for new voters to register and for those removed from the voter list to reregister,” Clerk Salazar said. A voter must make changes or register by 28 days before an election. “Registering now avoids the rush right before an election,” Clerk Salazar explained.

For more information, contact the Santa Fe County Clerk’s office at:

102 Grant Avenue
Santa Fe, New Mexico 87501
Phone: 505-986-6280

Remember, it’s your responsibility to keep your voter record updated!

Rankings & Roadmaps

Building a Culture of Health, County by County

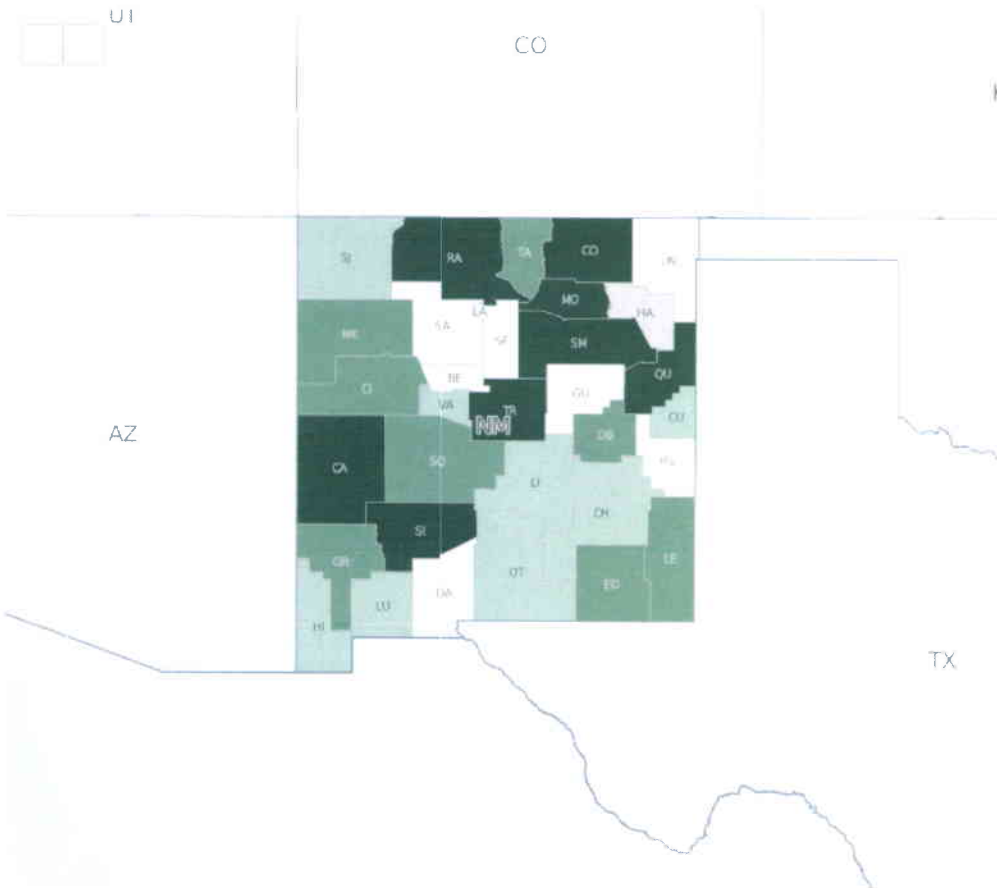


HEALTH OUTCOMES - OVERALL RANK

Rank	County
1	Los Alamos (LA)
2	Roosevelt (RS)
3	Sandoval (SA)
4	Union (UN)
5	Dona Ana (DA)
6	Guadalupe (GU)
7	Bernalillo (BE)
8	Santa Fe (SF)
9	Lincoln (LI)
10	Curry (CU)
11	Otero (OT)
12	San Juan (SJ)
13	Hidalgo (HI)
14	Luna (LU)
15	Chaves (CH)
16	Valencia (VA)
17	Lea (LE)
18	Eddy (ED)
19	Grant (GR)
20	Taos (TA)
21	De Baca (DB)
22	Cibola (CI)
23	Socorro (SO)
24	McKinley (MK)
25	Torrance (TR)
26	Colfax (CO)
27	Catron (CA)
28	San Miguel (SM)
29	Quay (QU)
30	Sierra (SI)
31	Mora (MO)
32	Rio Arriba (RA)
NR	Harding (HA)

Overall Rank

An overall ranking for all Health Outcomes combined.



S F C C L E R K R E C O R D 0 4 / 2 9 / 2 0 1 5

County Health Rankings & Roadmaps

Building a Culture of Health, County by County

Santa Fe (SF)

	Santa Fe County	Error Margin	Top U.S. Performers*	New Mexico	Rank (of 32)
Health Outcomes					8
Length of Life					7
Premature death	7,337	6,779-7,895	5,200	7,968	
Quality of Life					11
Poor or fair health	15%	13-16%	10%	17%	
Poor physical health days	3.3	2.9-3.7	2.5	3.8	
Poor mental health days	3.5	3.2-3.9	2.3	3.6	
Low birthweight	9.6%	9.0-10.1%	5.9%	8.7%	
Health Factors					2
Health Behaviors					2
Adult smoking	16%	14-18%	14%	19%	
Adult obesity	14%	13-16%	25%	24%	
Food environment index	6.9		8.4	6.2	
Physical inactivity	12%	10-14%	20%	20%	
Access to exercise opportunities	82%		92%	75%	
Excessive drinking	14%	12-15%	10%	14%	
Alcohol-impaired driving deaths	38%		14%	34%	
Sexually transmitted infections	437		138	571	
Teen births	45	43-48	20	57	
Clinical Care					4
Uninsured	25%	23-27%	11%	22%	
Primary care physicians	1,024:1		1,045:1	1,358:1	
Dentists	1,218:1		1,377:1	1,741:1	
Mental health providers	162:1		386:1	295:1	
Preventable hospital stays	30	27-33	41	50	
Diabetic monitoring	79%	75-84%	90%	74%	
Mammography screening	62.8%	58.9-66.6%	70.7%	56.4%	
Social & Economic Factors					13
High school graduation	64%			70%	
Some college	57.5%	54.5-60.6%	71.0%	58.6%	
Unemployment	5.5%		4.0%	6.9%	
Children in poverty	27%	23-31%	13%	30%	
Income inequality	5.1	4.8-5.3	3.7	5.1	
Children in single-parent households	39%	35-43%	20%	40%	
Social associations	9.0		22.0	8.1	
Violent crime	371		59	571	
Injury deaths	94	87-101	50	94	
Physical Environment					10
Air pollution - particulate matter	9.7		9.5	10.0	
Drinking water violations	2%		0%	7%	
Severe housing problems	21%	19-22%	9%	17%	
Driving alone to work	73%	72-75%	71%	79%	
Long commute - driving alone	24%	23-26%	15%	25%	

* 90th percentile, i.e., only 10% are better.

Note: Blank values reflect unreliable or missing data

2015

SFC CLERK RECORD 04 / 29 / 2015

3/31/2015

SFC CLERK RECORD04/29/2015



SANTA FE
COUNTY

2015 LEGISLATIVE REPORT

Report to the Santa Fe County Commission

DATES

March 21, 2015 - Session ended (noon)

April 10, 2015 - Legislation not acted upon by governor is pocket vetoed

June 19, 2015 - Effective date of legislation other than a general appropriation bill or a bill carrying an emergency clause or other specified date.

All other acts become effective 90 days after adjournment of Legislature or at date specified in the act.

GOVERNOR ACTED UPON LEGISLATION THUS FAR

<u>*HB 1</u>	FEED BILL	<u>Nate Gentry</u>	SGND BY GOV
<u>HB 49</u>	COUNTY NOTICES BY EMAIL	<u>Bob Wooley</u>	SGND BY GOV
<u>HB 379</u>	RACEHORSE DRUG TESTING	<u>Candy Spence</u> <u>Ezzell</u>	VETO
<u>SB 95</u>	REORGANIZE DEPT. OF PUBLIC SAFETY	<u>Sander Rue</u>	SGND BY GOV
<u>SB 97</u>	NM AMIGOS LICENSE PLATES	<u>Steven P. Neville</u>	SGND BY GOV
<u>*SB 121</u>	VACCINE PURCHASING ACT	<u>Bill B. O'Neill</u> <u>Terry H. McMillan</u>	SGND BY GOV
<u>HB</u> <u>170</u>	HIGHER EDUCATION ENDOWMENT FUND CHANGES	<u>Larry</u> <u>A. Larrañaga</u>	SGND BY GOV

PASSED LEGISLATION RELATED TO SANTA FE COUNTY ACTIONS

Senate Bill 319 (Sen. C. Leavell) – Industrial Revenue Bonds to Pay for Fracking, Mining

Is related to **Resolution: 2014-111** this resolution supports legislation that expands the list of eligible projects for IRB's. It also supports legislation that removes the authority of the state Board of Finance to consider a complaint of direct or substantial competition with existing businesses near or within a proposed county IRB project.

House Bill 2 – Fresh Produce for School Meals Funding: budget funding is \$364,300

Is related to **Resolution: 2014-135** the healthy kid, healthy economy concept promotes the purchase of New Mexico fruits and vegetables for school lunch programs in order to enhance the diet of school children and help school meal programs comply with new Federal rules that require additional servings of fruits and vegetables in school lunches.

House Bill 67 (Rep. J. Trujillo) – Correction of Property Tax Schedule Errors by County Treasurer or Property Owner

Is related to **Resolution: 2014-109** that supports legislation that will change NMSA 1978, Section 7-38-77 and NMSA 1978, Section 7-38-78 to clarify the authority and reasons necessary for tax schedule changes.

Senate Joint Memorial 4 (Sen. S. Rue) – Requests Study of Options for Mentally Ill Awaiting Trial

Is related to **Resolution: 2014-108** this memorial requests the New Mexico Association of Counties to convene stakeholders to study and make recommendations for clinically appropriate housing options for persons with serious mental illness who are in custody in county detention facilities. Asks that findings be reported to the appropriate interim legislative committees by December 1, 2015.

Senate Memorial 29 (Sen. B. Shendo) – Study Impacts of Increased Natural Gas Flaring and Venting

This memorial requests the Energy, Minerals and Natural Resources Department, Department of Environment, Indian Affairs Department, and Department of Finance and Administration to convene a Joint Task Force to study the economic and environmental impacts of the increase in natural gas flaring and venting in New Mexico.

PASSED LEGISLATION SANTA FE COUNTY RELATED

House Bill 49 County Property Tax Notices and Assessments by Electronic Mail – Rep. R. Wooley (SIGNED AND CHAPTERED)

Authorizes a county assessor or treasurer, if requested to do so by a property owner, to transmit notices pursuant to the Property Tax Code by electronic means rather than by first-class mail.

House Bill 204 Distribution of Liquor Excise Tax Proceeds – Rep. C. Trujillo

Proposes a temporary increase in the percentage of liquor excise tax revenue distributed to the Local DWI Grant Fund. Currently the 41.5% goes to that fund. For the period July 1, 2015 through June 30, 2018, that fund would receive 46% but thereafter the distribution reverts to 41.5%.

House Bill 324 Public Records; Filing and Recording Copies of Instruments – Rep. B. Egolf

In situations where an original instrument of writing is unavailable for filing and recording, a copy of it will be accepted for filing and recording if an accompanying document is presented with the proper information.

House Bill 332 Probation and Good Behavior – Rep. A. Maestas

Decreases a person's period of probation by 30 days for every 30 days served without a probation violation. HJC amendment for HB332 removes magistrate and metropolitan courts from the limits imposed on the duration of a probationary period for a defendant. Except for sex offenders, leaves intact the total period of probation that may be imposed by a district court, which shall not exceed five years; and the total period of probation for the courts shall be no longer than the maximum allowable incarceration time for the offense at the time of sentencing, or as otherwise provided by law.

House Bill 475 Disclosure of Tax Information to New Mexico Finance Authority – Rep. J. C. Hall

Allows the Taxation and Revenue Department to disclose to the New Mexico Finance Authority the amount of municipal and county gross receipts taxes collected from any local option gross receipts tax imposed and the amount of governmental gross receipts tax paid by every state agency, institution, instrumentality or political subdivision.

House Bill 581 Revising Procedure for Adjusting Distributions to Local Governments – Rep. G. Dodge

HGEIC substitute for HB581 (almost identical to SCORC substitute for SB669), like the original, significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government being required to return previously distributed funds. The substitute corrects minor language errors noted in the LFC's fiscal impact report; for example, by including "or county" in subparagraphs (a) through (c) on page 11. More substantively, trims somewhat the information that may be released to a municipality or county concerning a recoverable amount by denying access to any amended returns associated with a refund. Otherwise, major provisions of the substitute are like those in the original bill. (2015:SB669)

House Joint Memorial 9 Increase Local Procurement Related to LANL Environmental Cleanup – Sen. R. Martinez & Rep. S. Garcia Richard

Requests that the Economic Development Department, the Workforce Solutions Department, the Regional Development Corporation, the Regional Coalition of Los Alamos National Laboratory Communities and

representatives of county, municipal and tribal governments of north-central New Mexico work with the consortium of major Los Alamos National Laboratory subcontractors to study the prospective impact of the federal Department of Energy's decision to transition environmental mitigation work at LANL from the national Nuclear Security Administration to environmental management oversight, and to identify strategies to mitigate the impact on local New Mexico businesses. Also requests that the New Mexico congressional delegation be requested to support efforts by state and local stakeholders to maintain contracts awarded and to increase local business procurement by federal department of energy institutions.

Senate Bill 42 Medicaid for Certain Incarcerated Persons – Sen. G. Ortiz y Pino

Requires that an incarcerated individual who was enrolled in Medicaid at the time of incarceration shall remain enrolled in Medicaid and not be terminated upon incarceration. Also requires that an incarcerated individual who was not enrolled in Medicaid upon incarceration shall be permitted to submit an application for Medicaid enrollment during the individual's period of incarceration. HSD Secretary shall create a process for assisting incarcerated individuals with Medicaid enrollment applications and obtaining medical information, proof of eligibility, and other information required to support an application. Authorizes DHS to reimburse claims on behalf of incarcerated individuals only if federal medical assistance reimbursement is available. Forbids HSD from refusing to process a Medicaid application on grounds of the applicant's incarceration. Directs the HSD Secretary to collaborate with the Departments of Corrections and Children, Youth and Families and with correctional facility administrators to carry out the provisions of this act.

Senate Bill 104 County Treasurer: Installment Payments for Delinquent Property Taxes – Sen. B. Sharer

Clarifies that Taxation and Revenue Department's authority to designate county treasurers to act as its agents in accepting delinquent tax payments extends to and includes the acceptance of installment payments from the property owner.

Senate Bill 112 Expands Definition of "Agricultural Use" for Property Valuation – Sen. C. Cisneros & Rep. B. Gonzales

(Duplicates HB112) Expands the definition of "agricultural use" for property valuation purposes and prohibits sole consideration of acreage in a determination of whether land is primarily used for agriculture. (2015:HB112)

Senate Bill 114 Local Government Special Fuel Tax – Sen. R. Griggs

(For the Transportation Infrastructure Revenue Committee) Amends and re-names the County and Municipal Gasoline and Special Fuel Tax Act to allow municipalities and counties to impose by ordinance a tax of one or two cents per gallon sold at retail within the jurisdiction.

Senate Bill 125 Change County Roads Speed Limits – Sen. P. Woods & Rep. D. Roch

Amends the Motor Vehicle Code to limit the maximum speed on a county road, without a posted speed limit, to 55 miles per hour.

Senate Bill 227 Mutual Domestics Eligible for Wastewater Facility Construction Loan – Sen. R. Martinez

Provides that a mutual domestic water consumers association, as defined in the Sanitary Projects Act, is included within the definition of local authority in the Waste Water Facility Construction Loan Act, thus making such associations eligible for financial assistance under the act.

Senate Bill 233 Limits Temporary Disability Benefits – Rep. P. Woods and Rep. C. Trujillo

Proposes to amend the Workers' Compensation Act and the New Mexico Occupational Disease Disablement Law to limit temporary disability benefits. Specifies that for permanent total disability, a worker injured on the job shall receive compensation benefits for the rest of his or her life. For temporary disability, or for disability resulting from primary or secondary mental impairment the maximum period of compensation is as set forth in Sec. 52-1-47. Proposes to amend Sec. 52-1-47 to impose a limitation on compensation benefits for any combination of disabilities, whether temporary or partial (except for permanent total disability), of 700 weeks.

Senate Bill 398 County Discretion to Prohibit Livestock Running at Large – Sen. P. Campos

Changes from mandatory to discretionary the authority of a board of county commissioners to prohibit the running at large of livestock within the limits of a platted townsite and addition, a conservancy, an irrigation district or a military reservation or enclave.

Senate Bill 565 Revises Film Production Tax Credit Act – Sen. W. Payne

Revises the Film Production Tax Credit Act to limit the types of direct production expenditures eligible for additional credit; reduce the credit amount for the use of nonresident industry crew; exclude payments to certain artists; limit the types of direct production expenditures paid to a nonresident performing artist that are eligible for the credit; and revise definitions.

Senate Bill 643 Omnibus Election Code Revision – Sen. L. Torracco

Senate Floor Amendment 1 (Senator Torracco) to SJC substitute for SB643 is comprised of 115-single-spaced pages of amendments containing 103 sections of law. The measure combines almost all provisions from four bills, HB62, SB195, SB617 and SB643, to form an omnibus Election Code.

Senate Bill 669 Revising Procedures for Adjusting Distributions to Local Governments – Sen. S. Ingle

Significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government being required to return previously distributed funds.

TOPICS NO LEGISLATION PASSED**Minimum Wage**

Bill(s) introduced: HB20, HB75, HB138, HB180, HB360, SB10, SB342, SJR9

Oil & Gas Preemption

Bill(s) introduced: HB199, HB366, SB184, SB421, SB601

Hold Harmless

Bill(s) introduced: HB421, SB101, SB266, SB274, SB555, SB621, SB633, SB712

Right to Work

Bill(s) introduced: HB75, SB92, SB93, SB103, SB183, SB664

Non-Binding Ballot Questions

Bill(s) introduced: HB501